

# PLANNING, DESIGN AND ACCESS STATEMENT

Land off Meliden Road, Dyserth – “Phase 2”

Prepared on behalf of

**The Applicant – Macbryde Homes Ltd**

June 2020

 **Address:**

5 Portal Business Park, Eaton Lane,  
Tarporey, Cheshire, CW6 9DL

 **Telephone:**

07506 279 147

 **Email:**

[enquiries@grimsterplanning.co.uk](mailto:enquiries@grimsterplanning.co.uk)

## CONTENTS

Section Number	Section Title	Page Number
1	INTRODUCTION	1
2	SITE CONTEXT	2
3	PLANNING HISTORY	5
4	PROPOSED DEVELOPMENT	6
5	PLANNING POLICY CONTEXT	13
6	TECHNICAL AND POLICY ASSESSMENT	18
7	CASE FOR DEVELOPMENT	23
8	CONCLUSIONS	26
<b>Appendices</b>		
1	APPLICATION REF. 42/2018/0923/PF - DECISION NOTICE	
2	APPLICATION REF. 42/2018/0923/PF – APPROVED SITE LAYOUT REV. N	

## 1 INTRODUCTION

- 1.1. This Statement has been prepared by Grimster Planning on behalf of our Client, Macbryde Homes Ltd (hereafter referred to as the “Applicant”).
- 1.2. The Statement is submitted in support of a detailed planning application (hereafter referred to as the “Application”) submitted to Denbighshire County Council for the development of Land off Meliden Road, Dyserth (hereafter referred to as the “Site”).
- 1.3. The description of development for which planning permission is sought comprises the following:

**“Erection of 33 dwellings and associated works”**

- 1.4. The Application comprises a number of supporting plans and drawings, and technical reports, which should be read alongside this Statement as documented in Table 1 below:

Table 1: Application Package

Technical Report	Author	Reference / Date
Location Plan	MacBryde Homes	MRD2-LP.02
Proposed Site Plan	MacBryde Homes	MRD2-SL.01
Housetypes	MacBryde Homes	Various
Landscape Plans	Ascerta	P.1318.20.03 P.1318.20.04
Transport Statement	SCP	May 2020
Arboricultural Impact Assessment	Ascerta	April 2020
Drainage Strategy	Cadarn Consulting Engineers	April 2020
Extended Phase 1 Habitat Survey and Badger Survey	CES Ecology	April 2020

- 1.5. To inform this Application, the Applicant has previously engaged in discussions with Officers at Denbighshire County Council regarding the Site’s development potential.
- 1.6. Furthermore, and in accordance with the statutory requirements set out in Welsh Government Guidance, the Applicant has undertaken pre-application consultation for the proposed ‘major’ development (by virtue of its scale in excess of ten dwellings).
- 1.7. To guide this process, the Applicant has established a dedicated website on which to make details of the proposed development and the aforementioned Application documentation available to view (<https://planning.macbryde-homes.co.uk>). In accordance with the statutory guidelines, the Applicant has also issued formal correspondence to consultees and adjoining landowners, and advertised/displayed detailed of the Application by way of a site notice. Further details, including the feedback/comments received and how these have been addressed by the Applicant, will be documented in the Pre-Application Consultation Report to be submitted with the Application.

## 2 SITE CONTEXT

- 2.1. This Section of the Statement provides details of the Site, namely its location, description, and locational sustainability.

### Site Location

- 2.2. The Site lies within the administrative area of Denbighshire County Council.
- 2.3. The Site is located at the edge of the settlement of Dyserth; the settlement itself is located just 4.6km from the nearest main town centre of Prestatyn.
- 2.4. In respect of its surroundings, the land to the north/north-west of the Site benefits from extant planning permission for the development of 61 no. dwellings (Application Ref. 42/2018/0923/PF approved by Denbighshire County Council in April 2019). Further details are provided in Section 3 of this Statement.
- 2.5. Existing residential development lies to the east/south-east of the Site, as well as a playing field and play area. Agricultural land lies to the south-west of the Site.
- 2.6. An aerial photo of the Site is provided at Figure 1 below:

Figure 1: Aerial Photo of the Site



Source: Google Earth

### Site Description

- 2.7. The Site area extends to 0.99 hectares. It comprises greenfield land.

- 
- 2.8. Vehicular (and pedestrian/cycle) access to the Site is available via the existing access which was approved as part of Application Ref. 42/2018/0923/PF in April 2019 to the immediate north/north-west.
  - 2.9. There is an existing public right of way (Ref. 204/12) to the east of the Site.
  - 2.10. The Site is relatively flat in nature. It lies wholly within Flood Zone A and thus is deemed to be at low risk of flooding.
  - 2.11. The Site lies outside the Dyserth Conservation Area and nor does it lie adjacent to any other designated or non-designated heritage assets. Further, it is not the subject of any statutory or special designations relating to landscape value and nature conservation.

### **Locational Sustainability**

- 2.12. In order to appraise the locational sustainability of the Site, we have considered the location of the Site relative to the everyday needs of future residents and access to key services. Further details are provided in Table 5.2 of the submitted Transport Statement.

### *Access to Education*

- 2.13. The nearest Primary School to the Site is Dyserth Primary School (Ysgol Hiraddug School) located on Thomas Avenue; this lies c. 1.1km from the Site.
- 2.14. The nearest Secondary School to the Site is Prestatyn High School located on Princes Avenue in Prestatyn; this lies c. 3.3km from the Site.
- 2.15. Overall, the Site benefits from very good access to primary and secondary education.

### *Access to Shops and Services*

- 2.16. There is existing convenience store provision in Dyserth providing residents with access to their everyday needs. There is also a Post Office.
- 2.17. In order to access to larger supermarkets and other shops, residents will travel to facilities in Prestatyn and Rhyl.
- 2.18. There are existing public houses in the settlement, some of which are within a short walking distance of the Site.
- 2.19. Overall, the Site benefits from good access to local facilities to serve the everyday needs of future residents.

### *Access to Public Transport*

- 2.20. The nearest bus stops to the Site are located approximately 350m to the east on the B5119 Waterfall Road. This serves bus routes no. 19, 35 and 36 providing links to Prestatyn, Rhyl, Flint and Llandudno as detailed in Table 5.3 of the supporting Transport Statement. These are within walking distance of the Site.
- 2.21. In terms of rail provision, the Site is located 4.6km from Prestatyn railway station. This provides onward travel to Crewe, Chester and Llandudno Junction and destinations beyond. Rhyl railway station lies c. 6.7km from the Site providing services to Holyhead, Llandudno Junction and Manchester Airport.

---

2.22. Further details of public transport services can be found in Section 4 of the submitted Transport Statement.

*Access to Healthcare*

2.23. The nearest Medical (GP) Centre to the Site can be found in Dyserth on High Street. There is also a local pharmacy in Dyserth.

2.24. The nearest hospital is Glan Clwyd Hospital in Bodelwyddan c. 8.8km from the Site.

*Access to Leisure / Recreation*

2.25. There is an existing playing field located to the immediate north-east of the Site which is available for community use. This comprises a playing pitch and a play area (with play equipment).

2.26. As part of Application Ref. 42/2018/0923/PF, new areas of public open space will be provided as part of the adjoining development of 61 no. dwellings and which will also be accessible to residents of the proposed development.

2.27. Accordingly, the Site benefits from excellent access to leisure and recreation facilities for community use and to support the health and well-being of future residents.

### 3 PLANNING HISTORY

- 3.1. The Site does not have any relevant planning history. However, the land immediately adjacent to it does, as documented in Table 2 below:

Table 2: Planning History

Application Reference	Description of Development	Decision Date
42/2018/0923/PF	Erection of 61 no. dwellings, single and double garages, alterations to existing vehicular access and associated works	10 <sup>th</sup> April 2019

- 3.2. As illustrated above, the land to the immediate north of the Site benefits from extant planning permission for the development of 61 no. dwellings. This is referred to as 'Phase 1' for the purposes of this Statement. The proposed development now subject to this Application constitutes 'Phase 2' of land allocated for development under Policy BSC1 of the Denbighshire Local Development Plan; it was not included as part of Application Ref. 42/2019/0923/PF owing to ownership restrictions.
- 3.3. Details of the 'Phase 1' development are provided in **Appendix 1** (Decision Notice) and **Appendix 2** (Site Layout Rev. N) of this Statement.

## 4 PROPOSED DEVELOPMENT

- 4.1. This Section of the Statement provides details of the proposed development for which detailed planning permission is now sought.

### Use

- 4.2. This Application seeks detailed planning permission for the following:

***“Erection of 33 dwellings and associated works”***

### Amount

- 4.3. The proposed development will comprise the development of 33 no. dwellings (Use Class C3), including 7 no. affordable homes (21%).

### Housing Mix, Density and Floorspace

- 4.4. The proposed development will comprise the following housing mix:

- 4 no. 1-bed apartments; (Affordable Homes)
- 2 no. 2-bed end and mid terraced properties; (Affordable Homes)
- 1 no. 3-bed end terraced property; (Affordable Home)
- 4 no. 2-bed, semi-detached properties;
- 2 no. 3-bed, semi-detached properties;
- 4 no. 3-bed detached properties; and
- 16 no. 4-bed detached properties.

- 4.5. The proposed density across the Site will be 33.42 dwellings per hectare.

- 4.6. The cumulative net floorspace across the Site will equate to 3,380.27 square metres per hectare.

### Scale and Massing

- 4.7. The proposed dwellings will all be a maximum of two-storeys in height, reflective of the surrounding local area.

- 4.8. The proposed mix of dwellings (as set out in paragraph 4.4 above) allows for a layout such that it does not create issues of massing which would be out-of-keeping with the local character, and is also reflective of what has been consented as part of Application Ref. 42/2018/0923/PF on the land immediately adjacent to the Site.

### Layout

- 4.9. The proposed Site plan is shown on Figure 2 below. The layout has been designed as a natural and logical extension to the existing approved residential development on the land to the immediate north-east of the Site. The house and plot sizes are reflective of the adjoining schemes and the local character, incorporating a mix of terraced, semi-detached and detached properties alongside a small number of apartments. The layout has sought to positively address the street frontage whilst at the same time respecting separation distances and seeking to avoid any issues of overlooking on any adjoining properties (both existing and consented) consistent with the Council's spacing standards.



4.10. Consideration has also been given to the Secured by Design principles to inform the proposed Site layout and boundary treatments. Accordingly, the proposed dwellings have been designed/orientated such that there is the opportunity for natural surveillance from properties. Details of the street lighting to be provided within the Site can be dealt with by way of a pre-occupation condition attached to any grant of planning permission.

Figure 2: Proposed Site Plan



4.11. The layout has sought to retain as many existing trees and hedgerows as possible. However, in order to accommodate the proposed development, group of trees G6 will need to be removed. These have been assessed in Table 4.1 of the accompanying Arboricultural Impact Assessment as category C2 and thus are of a lower quality. The loss of these trees will be compensated for through replacement planting as shown on the submitted Landscape Plans.

**Materials and Housetypes**

4.12. Figure 3 below provides examples of the proposed 9 housetypes to be delivered across the Site; further details, including floorplans, are provided on the submitted drawing package.

Figure 3: Proposed Example Housetypes (in order: Oakley, Stratford, Canterbury, Alderton, Salisbury)





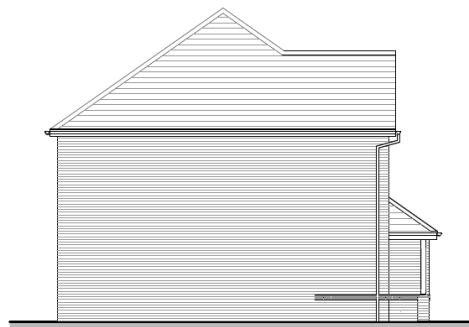
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



- 4.13. The palette of materials proposed by the Applicant comprise facing brickwork with contrasting details and some render. Roof materials will likely include the use of slate coloured concrete tiles.
- 4.14. Confirmation of the full and final materials palette can be dealt with by way of a pre-commencement planning condition(s) attached to any planning permission.

### Landscaping and Public Open Space

- 4.15. Landscape plans have been prepared and are submitted with the Application; these seek to provide new and compensatory tree and hedgerow planting across the Site. This will include native tree planting, mixed native hedgerow, ornamental planting, as well as turfed private gardens.
- 4.16. No open space provision is proposed as part of the proposed development given that it forms Phase 2' of the development of land allocated under Policy BSC1 of the Denbighshire Local Development Plan. 'Phase 1' comprised the development of 0.57 hectares of public open space for the enjoyment of residents of Phases 1 and 2. This includes children's play space provision.
- 4.17. The proposed boundary treatments include 1.8m high timber close boarded fences between properties, as well as a 1.8m high screen wall/fence along the south-eastern boundary of the Site to separate the development from adjoining properties located on Maes-Y-Llys and Mase Esgob.

### Accessibility

- 4.18. Vehicular (and pedestrian/cycle) access to the Site is available via the existing access which was approved as part of Application Ref. 42/2018/0923/PF to the immediate north-west.

- 4.19. The access spine road, as approved under Application Ref. 42/2018/0923/PF, will be 5.5m in width, with 2m internal footways through the Site on both sides of the road. The internal footways will provide for the safe movement of pedestrians and to encourage non-car travel in view of the Site's locational sustainability and access to public transport services as documented in Section 2 of this Statement. The spine road will connect to more minor 4.8m wide residential roads and 4.8m wide private drives.
- 4.20. The road widths, including the features junction and private driveways, have been designed such that the proposed development is accessible via refuse vehicles and emergency vehicles. Swept path analysis has been undertaken to inform the proposed Site layout, details of which can be found in Section 3 of the submitted Transport Statement.
- 4.21. The use of dropped kerbs and tactile paving will assist footpath users and cyclists of all abilities, ensuring that the proposed development is accessible to all.
- 4.22. There is an existing public right of way (Ref. 204/12) to the east of the Site. This will be diverted along the south-eastern and north-eastern boundary of the Site, outwith the red-line boundary (as shown on the Proposed Site Plan).

### Waste and Recycling

- 4.23. Each of the proposed dwellings will have its own private bin storage area to aid waste collection and recycling.
- 4.24. As outlined above, vehicle tracking has been undertaken as part of the Transport Statement to ensure that the internal road system can accommodate the safe manoeuvring of refuse vehicles. This has demonstrated that a 4-axle refuse vehicle can enter the Site, turn within the Site at appropriate points, and exit the Site in a forward gear.

### Drainage

- 4.25. The proposed development will incorporate the following drainage measures:
- **Surface Water** –below ground soakaway structure with release into the ground at the natural infiltration rate; and
  - **Foul Water** – discharge directly into the proposed public foul drainage network currently being constructed as part of the adjacent 'Phase 1' development via a gravity drainage system.

### Environmental Sustainability

- 4.26. The proposed development has the potential to generate sustainability benefits. The sustainable location of the Site and the availability of alternative modes of transport, together with the pedestrian and cycle permeability offered within the Site, should encourage non-car travel. Likewise, the new tree and hedgerow landscaping to be delivered as part of the proposed development will make a positive contribution to the biodiversity value of the Site over time.
- 4.27. As a long-established North Wales housebuilder, the Applicant promotes energy efficiency within their homes; indeed, on average these are six times more efficient and generate over 60% fewer carbon emissions than older properties. As a commitment to energy efficiency, features include

efficient heating systems, double glazing, insulated flooring, and a high standard of roof and wall insulation.

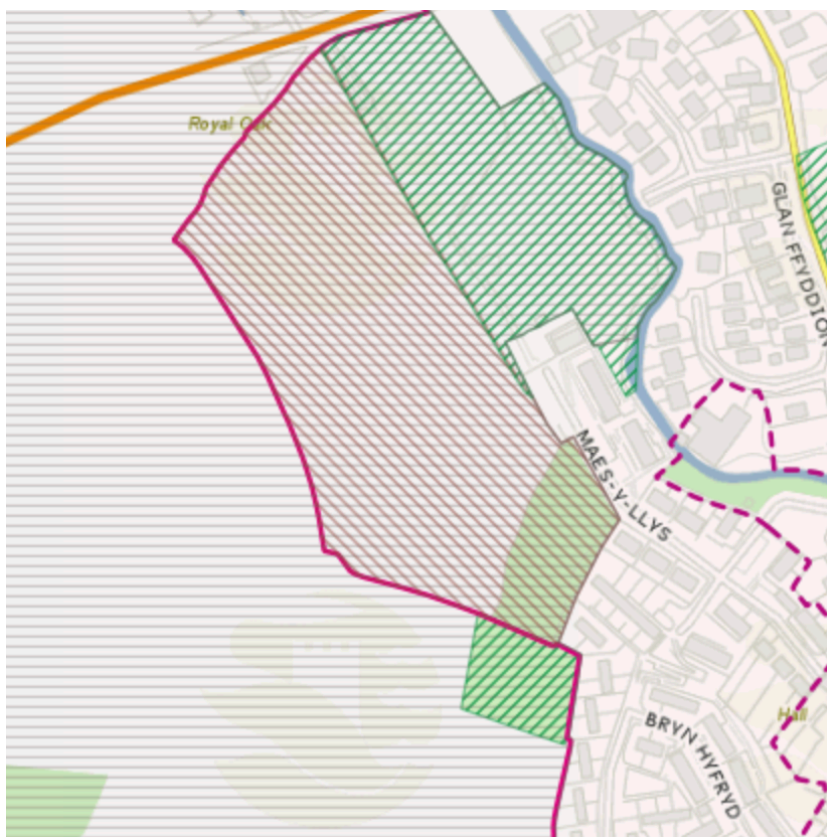
## 5 PLANNING POLICY CONTEXT

- 5.1. For decision-taking, Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that if regard is to be had to the development plan for the purposes of determination, then that determination must be made in accordance with the development plan unless material considerations indicate otherwise.
- 5.2. This requirement of planning law is re-iterated in Paragraph 1.21 of Planning Policy Wales 10 (“PPW10”) published in December 2018.
- 5.3. Accordingly, we set out the relevant development plan and any other material considerations relevant to this Application below:

### Local Development Plan

- 5.4. The development plan for the purposes of this Application comprises the following:
- Denbighshire Local Development Plan covering the period 2006 to 2021 (adopted in 2013);
  - Denbighshire Local Development Plan Proposals Map.
- 5.5. On the Local Development Plan Proposals Map, the Site is designated as shown on Figure 4 below:
- **Policy BSC1** – Housing Allocation for 99 dwellings
  - **Policy PSE15** – Mineral Safeguarded Area

Figure 4: Local Development Plan Proposals Map Extract



### Local Development Plan

- 5.6. In addition to those policies cited above, the following Local Development Plan policies are considered to be pertinent in the determination of this Application, and are considered further in Section 6 of this Statement:

Table 3: Relevant Local Development Plan Policies

Policy Reference	Policy Title
BSC4	Affordable Housing
BSC11	Recreation and Open Space
RD1	Sustainable Development and Good Standard Design
RD5	The Welsh Language and Social and Cultural Fabric of Communities
VOE1	Key Areas of Importance
VOE2	Area of Outstanding Natural Beauty and Area of Outstanding Beauty
VOE5	Conservation of Natural Resources
VOE6	Water Management
ASAS3	Parking Standards

### Emerging Local Development Plan

- 5.7. Denbighshire County Council is currently in the process of preparing its new Local Development Plan. To date it has consulted on its Preferred Strategy as part of its Pre-Deposit stage consultation.
- 5.8. Consultation on the Deposit version of the emerging Local Development Plan is expected to take place later in 2020.
- 5.9. Given that the emerging Local Development Plan remains in its infancy, it attracts limited weight in the determination of this Application.

### Planning Policy Wales

- 5.10. PPW10 is a material consideration in planning decisions. PPW10 sets out the Welsh Government's approach to sustainable development and core planning principles. This identifies sustainable development as the process by which to improve the *economic, social, environmental and cultural well-being* of Wales, and proposals should seek to promote sustainable development.
- 5.11. Paragraph 1.17 re-iterates the presumption in favour of sustainable development.
- 5.12. Within PPW10, paragraph 1.21 requires development proposals to be determined in accordance with the adopted development plan unless material considerations indicate otherwise.
- 5.13. Placemaking features strongly within PPW10, identified as a holistic approach to the planning and design of development and spaces. This encourages high-quality development, with major developments creating new places.
- 5.14. Chapter 3 of PPW10 identifies the need to encourage and support the use of the Welsh language. Development proposals should consider the likely impact on the Welsh language and is a material



planning consideration. It also seeks to protect the best and most versatile agricultural land unless there is an overriding need for its development.

- 5.15. Chapters 3 and 4 of PPW10 look at locational sustainability. New development should be accessible by walking and cycling, and well-served by public transport, as alternatives to the private car. New development should be located such that it minimises the need to travel and reduces dependency on the private car.
- 5.16. Chapter 4 of PPW10 includes reference to new housing provision, and has very recently been updated following the publication of the Letter from the Minister for Housing and Local Government on 26<sup>th</sup> March 2020 in which Technical Advice Note 1 was revoked, previous paragraph 4.2.15 of PPW10 deleted, and new/amended text incorporated into paragraphs 4.2.10 to 4.2.15.
- 5.17. Paragraph 4.2.15 of PPW10 previously set out the need for Local Planning Authorities to ensure that sufficient land was genuinely available to provide a five-year supply of land for housing. This provision has been replaced by the need for Local Planning Authorities to ensure that the Council's Housing Trajectory forms part of the LDP, and must set out the expected rate of housing delivery for both market and affordable housing for the LDP period. The Housing Trajectory must be used as the basis for monitoring the delivery of housing delivery in each Authority area. Accurate information on housing delivery assessed against the Trajectory is necessary to form part of the evidence base for development plan Annual Monitoring Reports and for subsequent plan review. Under-delivery against the Housing Trajectory may require a specific early review of an LDP. Monitoring must be undertaken in accordance with the guidance set out in the Development Plans Manual.
- 5.18. Planning applications for housing on sites that comply with an up-to-date development plan should be assumed to be viable. Paragraph 4.2.25 confirms that a community's need for affordable housing is a *material planning consideration* in the determination of planning applications.
- 5.19. Chapter 6 requires development proposals to take account of the wildlife or landscape value of an area, and states that it is important to balance conservation objectives with the wider economic needs or local businesses and communities. Landscape value is identified as an intrinsic part of PPW10, and consideration should be given at the outset to any landscape value such that the wellbeing needs can be achieved. The provision of green infrastructure is encouraged, and the quality of the built environment should be enhanced by integrating green infrastructure into new development.
- 5.20. Chapter 6 also covers matters relating to flood-risk and drainage. PPW10 is clear that new development should reduce and not increase the risk of flooding; to this end, Local Planning Authorities are encouraged to work closely with Natural Resources Wales, drainage bodies, sewerage undertakers and relevant authorities in the determination of planning applications. This process should ensure that surface water run-off is controlled as near to the source as possible through the use of sustainable urban drainage systems ("SUDS"), ensuring that development does not increase flooding elsewhere by the loss of flood storage/flood flow route, or increase the problem of surface water run-off. PPW10 is clear that the guidance contained in Technical Advice Note 15: *Development and Flood Risk* should be referred to for further policy advice on development and flood risk.

### Technical Advice Notes

- 5.21. Alongside PPW10, a number of Technical Advice Notes ("TAN") have been prepared by the Welsh Government. Those of relevance to the determination of this Application comprise the following:
- TAN2 – Planning and Affordable Housing
  - TAN5 – Nature Conservation and Planning
  - TAN12 – Design
  - TAN16 – Recreation and Open Space
  - TAN18 – Transport
  - TAN20 – Planning and the Welsh Language

### Other Material Planning Considerations / Evidence Base Documents

- 5.22. Denbighshire County Council has published a number of other material planning considerations and evidential based documents which are considered to be pertinent in the consideration of this Application; further details are set out below.

#### *Housing Land Supply*

- 5.23. The Council's latest Joint Housing Land Availability Study published in June 2019 accepts that it is unable to demonstrate a 5-year housing land supply. Having regard to the guidance contained in TAN1 (paragraph 8.2) at the time of its preparation, the housing land supply in Denbighshire County was adjudged to be 1.55 years and the requirements of Paragraph 4.2.15 of PPW10 were not met.
- 5.24. Since the publication of this Study, TAN1 has now been revoked by the Welsh Government and with it the requirement for Local Planning Authorities to prepare a Joint Housing Land Availability Study. Nevertheless, the Council's latest Annual Monitoring Report published in 2019 clearly illustrates the significant housing delivery pressures across the County, and the fact that housing needs have continuously failed to be met since 2010/11 (and in each year since the Local Development Plan was adopted in 2013). In 2018/19, only 124 new homes were built against a requirement for 727 dwellings in the same year.

#### *Local Housing Market Assessment (LHMA)*

- 5.25. The Council's most recent LHMA Update was published in July 2019. Dyserth is identified as lying within the Prestatyn Local Housing Market Area (LHMA02).
- 5.26. Within this Area, the LHMA identifies a requirement for 1, 2 and 3 bedroom properties. Across the County there is identified to be an annual requirement for 155 affordable homes per annum (social and intermediate housing need).

#### *Local Planning Guidance Notes*

- 5.27. Denbighshire County Council has published the following Supplementary Planning Guidance Notes ("SPGN") which are considered relevant in the determination of this Application:
- SPGN – Access for All
  - SPGN – Affordable Housing
  - SPGN – Conservation and Enhancement of Biodiversity
  - SPGN – Parking Requirements in New Developments

- SPGN – Recreational Open Space
- SPGN – Residential Development
- SPGN – Residential Space Standards
- SPGN – Trees and Landscaping

- 5.28. In addition to the above, there is also a Site Development Brief "*Residential Development and Open Space – Cae Ffyddion, Dyserth*" that was published in February 2017.
- 5.29. Compliance of the proposed development with these SPGNs and the Site Development Brief is considered in Section 6 of this Statement.

## 6 TECHNICAL AND POLICY ASSESSMENT

- 6.1. This Section of the Statement assesses the proposed development against the relevant policies of the development plan, and other material considerations, as documented in Section 5.

### Principle of Development

- 6.2. As documented in Section 5 of this Statement, the Site forms part of a wider housing allocation for up to 99 dwellings under Policy BSC1 of the Denbighshire Local Development Plan. It lies within the development boundary of Dyserth.
- 6.3. Together with the already consented 'Phase 1' development, the proposed development will cumulatively serve to delivery 94 dwellings across the allocated site (which is allocated for 99 dwellings in the Local Development Plan). The proposed development will represent a logical extension to the "Phase 1 development of 61 no. dwellings approved in April 2019.
- 6.4. Furthermore, it will make a valuable and much-needed contribution to the housing shortfall in Denbighshire against the requirement set out within the Local Development Plan (7,500 dwellings between 2006 and 2021); as set out in Section 5 of this Statement, there has been a considerable year on year under-supply of housing in Denbighshire since 2010/11 and this needs to be urgently addressed through positive decision-taking in relation to sustainable housing schemes. The revocation of TAN1 does not remove the requirement for Local Planning Authorities to meet their housing requirement, and as a housing allocation the Site can help to achieve this this with it being deliverable in its entirety within 24 months from a grant of planning permission.
- 6.5. Accordingly, the principle of residential development on the Site is established and supported by Local Development Plan Policy BSC1 and the Site Development Brief published by Denbighshire County Council.

### Housing Mix, Affordable Housing and Density

- 6.6. The proposed development will comprise the following housing mix:
- 4 no. 1-bed apartments; (Affordable Homes)
  - 2 no. 2-bed end and mid terraced properties; (Affordable Homes)
  - 1 no. 3-bed end terraced property; (Affordable Home)
  - 4 no. 2-bed, semi-detached properties;
  - 2 no. 3-bed, semi-detached properties;
  - 4 no. 3-bed detached properties; and
  - 16 no. 4-bed detached properties.
- 6.7. The proposed development will incorporate 7 affordable homes, equating to 21% of the total number of dwellings. This is double the provision required under Policy BSC4 and represents a significant social benefit of the proposed development. The proposed housing mix, comprising at least 50% 1, 2 and 3 bed properties, also aligns with the housing needs identified in the Council's LHMA. The provision of affordable housing is a material planning consideration to be taken into account in the determination of this Application consistent with paragraph 4.2.25 of PPW10.
- 6.8. The proposed density across the Site will be 33.42 dwellings per hectare taking account of the Site's location, surroundings and configuration. This is largely consistent with the 34 dwellings per

hectare approved as part of Application Ref. 42/2018/0923/PF and the guidance contained in Policy RD1(ii) of the Local Development Plan.

- 6.9. Accordingly, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policies RD1 and BSC4, the Affordable Housing SPGN, TAN2, and PPW10.

### Layout and Design

- 6.10. As documented in Section 4 of this Statement, careful consideration has been afforded to the proposed layout taking account of the Site's surroundings (including neighbouring residential properties), policy requirements (i.e. road widths, visibility splays, pedestrian footways) and technical considerations (impact on trees).
- 6.11. This has informed the preparation of a Proposed Site Plan which will have limited impact on existing trees within the Site as well as the residential amenity of neighbouring residents to the south-east (and future residents of the 'Phase 1' development parcel to the immediate north-west). The layout and siting of the proposed dwellings is in accordance with the Council's spacing standards.
- 6.12. The house types, plot sizes and palette of materials have been designed to complement the 'Phase 1' development parcel, maintaining a consistent design approach and character. The layout will also allow for natural surveillance within the Site from properties with a view to designing out crime.
- 6.13. Each property is designed to allow for access by people of all abilities consistent with the Council's Access for All guidance.
- 6.14. Accordingly, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policies RD1 and BSC4, the Access for All and Residential Development and Space Standards SPGNs, TAN12, and PPW10.

### Landscaping and Public Open Space

- 6.15. As documented in Section 4 of this Statement, landscape plans have been prepared and are submitted with the Application; these set out the Applicant's intentions to provide new and compensatory tree and hedgerow planting across the Site. They also provide details of the proposed boundary treatments within and at the perimeter of the Site.
- 6.16. Furthermore, for the reasons set out in Section 4 of this Statement, no open space is proposed as part of the proposed development given that it forms 'Phase 2' of the development of land allocated under Policy BSC1 of the Denbighshire Local Development Plan. Each of the proposed dwellings will benefit from its own private outdoor garden space.
- 6.17. Accordingly, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policies RD1 and BSC4, the Recreational and Open Space SPGN, TAN16, and PPW10.

### Highways and Road Safety

- 6.18. As documented in Section 4 of this Statement, vehicular (and pedestrian/cycle) access to the Site is available via the existing access which was approved as part of Application Ref. 42/2018/0923/PF in April 2019 to the immediate north/north-west.

- 6.19. The proposed arrangements, including road and footpath widths, as described in Section 4 of this Statement are considered to be acceptable. It has also been demonstrated that the Site is capable of accommodating refuse vehicles.
- 6.20. In respect of car parking provision within the Site, the Applicant has applied the following parking standards:
- 1.5 spaces per 1-bed dwelling;
  - 2 spaces per 2-bed dwelling; and
  - 3 spaces per 3 and 4-bed dwelling.
- 6.21. The Transport Statement submitted with the Application has assessed the potential impacts of the proposed development on the highway network and road safety, including accident data and junction assessments. This has identified that the proposed development will be barely perceptible during the peak hours and less so outside of the peak periods. The Transport Statement has therefore concluded that no further detailed assessment of the local highway network is required and that the traffic impact of the proposed development will be acceptable in planning terms; it will not have a material impact on the operation of the local highway network.
- 6.22. Accordingly, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policies RD1 and BSC4, the Access for All and Parking Requirements in New Developments SPGNs, TAN18, and PPW10.

### Landscape and Visual Impact

- 6.23. The Site is not subject to any protected landscape designations and does not sit within an Area of Outstanding Natural Beauty. The acceptability of housing development on the Site is reflected through its housing allocation in the Denbighshire Local Development Plan.
- 6.24. Notwithstanding the above, the Site (as per the 'Phase 1' development parcel), does sit within the setting of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB). In its determination of Application Ref. 42/2018/0923/PF, the Council accepted that the proposed development of 61 no. dwellings would not result in any significant adverse impacts on the visual amenity or character of the AONB. The proposed development now subject to this Application is equally considered to have no unacceptable impacts on the AONB; the retention of existing trees alongside the proposed new hedgerow planting will make a positive contribution to the local landscape, and serve as a visual buffer.
- 6.25. Accordingly, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policies BSC4, VOE1 and VOE2 and the Site Development Brief.

### Nature Conservation

- 6.26. An Extended Phase 1 Habitat Survey and Badger Survey has been undertaken across the Site. In doing so, this has identified the following:
- The Site is not designated with any statutory or non-statutory designations for nature conservation and there are no such sites located immediately adjacent to the Site;
  - No evidence of badger was recorded on or within 30m of the Site, albeit an active sett is present at the northern boundary of 'Phase 1;'

- There are no records of Barn Owl activity on the Site. The potential for adverse impacts from the proposed development on the local population of this species are considered to be low;
- All trees on the Site are 'negligible' suitability to support bat roosting. The boundary hedgerow and areas of scrub provides bats with some suitable commuting and foraging opportunities in the local area, categorised as 'moderate' suitability;
- The Site is considered to be too small to be of local significance or higher as breeding resource, and does not have any significant potential to support any Schedule 1 listed species during the breeding season. The Applicant is willing to accept a planning condition requiring bird nest boxes to be provided across the Site which will also achieve a net gain in biodiversity;
- There are records of hedgehog activity within the search areas Accordingly, protective measures should be taken during both the construction and post-construction phases;
- There are no records of Great Crested Newts on the Site, and no ponds have been identified within 250m of the Site boundary. The potential presence of Great Crested Newts within the Site is therefore considered to be highly unlikely; and
- The Site has the potential to support some reptiles, albeit limited in range. It is recommended that any development proceed under best practice measures for the protection of reptiles and common amphibian species.

6.27. Accordingly, and subject to following recommendations set out in the Survey, the proposed development is considered to be consistent with Local Development Plan Policies RD1 and VOE5, the Conservation and Enhancement of Biodiversity SPGN, TAN5, and PPW10. It will not have a negative impact on protected species.

### Trees and Hedgerows

6.28. An Arboricultural Impact Assessment has been undertaken across the Site and is submitted with the Application. This is consistent with the requirements of the Site Development Brief. This has established that just one group of trees will need to be removed to accommodate the proposed development; this group (G6) have been assessed in Table 4.1 of the accompanying Arboricultural Impact Assessment as category C2 and thus are of a low quality. The loss of these trees will be compensated for through replacement planting as shown on the submitted Landscape Plans.

6.29. As a result of the proposed development, the Assessment has identified the potential for some retained trees to be negatively impacted as a result of general construction activity (trees H1, G4 and T8). Accordingly, tree protection measures are proposed to minimise/mitigate the impact of the proposed development on these species, namely tree protection fencing to be erected prior to the commencement of development.

6.30. Accordingly, and based on the recommendations of the Assessment, the proposed development is considered to be consistent with Local Development Plan Policy RD1, the Trees and Landscaping SPGN, TAN5, and PPW10.

### Flood-Risk and Drainage

6.31. As documented in Section 2 of this Statement, the Site lies in Flood Zone A. It is therefore deemed by Natural Resources Wales to be at a low risk of flooding.

6.32. In accordance with TAN15 and the latest national standards on Sustainable Urban Drainage Systems documented in the Flood and Water Management Act 2010, a detailed drainage strategy

has been prepared and is submitted with the Application. This has identified the following drainage solutions to accommodate and support the proposed development:

- **Surface Water** – the Drainage Assessment confirms that surface water run-off from the proposed hardstanding areas will be stored within a below ground soakaway structure and will be released into the ground at the natural infiltration rate; and
- **Foul Water** – the Drainage Assessment confirms that all foul generated from the proposed development will be discharged directly into the proposed public foul drainage network currently being constructed as part of the adjacent ‘Phase 1’ development via a gravity drainage system.

6.33. Accordingly, and subject to the recommendations set out in the Assessment in relation to further porosity testing, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policy VOE6 and PPW10.

### Planning Obligations

6.34. Consistent with Application Ref. 42/2018/0923/PF, the Applicant is committed to engaging in discussions with Officers at Denbighshire Council to agree planning obligations where these satisfy the requirements of Regulation 122 of the Community Infrastructure Levy Regulations which require that:

- The obligations must be necessary to make the proposed development acceptable in planning terms;
- The obligation must be directly related to the proposed development; and
- The obligations must be fairly and reasonably related in scale and kind to the proposed development.

6.35. Any obligations deemed consistent with the aforementioned policy tests must be justified by up-to-date evidence.



## 7 CASE FOR DEVELOPMENT

7.1. Having regard to the Technical Assessment in Section 6 of this Statement, this Section goes on to consider the proposed development in the context of the overarching objectives of sustainable development as documented in paragraph 2.25 of PPW10.

### Social Benefits

7.2. The proposed development will deliver the following **Social** benefits:

- The delivery of 33 much-needed new dwellings in Denbighshire where there is an accepted shortfall in housing land supply and an overriding need for new homes. The proposed development will complete the development of an allocated housing site in the Local Development Plan, and together with Application Ref. 42/2018/0923/PF on the adjoining land will cumulatively deliver 94 new dwellings (on a Site allocated for approximately 99 dwellings under Policy BSC1 of the Local Development Plan);
- The delivery of 7 no. affordable homes, 21% of the proposed development, which is a material planning consideration and 50% more than what is required by Policy BSC4 of the Local Development Plan. These will comprise 1 and 2 bedroom properties consistent with the findings of the LHMA and which will be accessible by local people; and
- The creation of a high-quality living environment which is proportionate to the size of the settlement, contributes to its character and appearance, and is consistent with the guidance contained in the Site Development Brief, the Residential Development and Space Standards SGNSs, TAN12, and the placemaking aspirations set out in PPW10.

### Economic Benefits

7.3. The proposed development will deliver the following **Economic** benefits:

- The creation of direct construction jobs (on and off-site) over the lifetime of the build programme, and indirect jobs through the local supply chain via the purchase of goods and services;
- Increased local expenditure (convenience, comparison, leisure, services) to help support and sustain the local community and businesses;
- Annual Council Tax contributions to Denbighshire County Council from the 33 no. proposed new dwellings; and
- Gross Value Added to the local economy generated by future residents of the proposed development.

### Environmental Benefits

7.4. The proposed development will deliver the following **Environmental** benefits:

- Existing trees and hedgerows within and at the perimeter of the Site will be retained wherever possible. Landscaping, including new tree and hedgerow planting across the Site,

provides the opportunity to achieve secure net gains in biodiversity whilst at the same time minimising the landscape and visual impacts of the proposed development;

- The proposed development will not give cause to the loss of any features of significant ecological value, nor cause harm to any protected species;
- The use of Sustainable Urban Drainage Systems which will not increase or exacerbate flood-risk elsewhere;
- Development on a sustainable site which provides the opportunity for future residents to travel by foot and public transport to access shops, education, jobs and services, reducing the reliance on private car travel and with it providing for a reduction in carbon emissions. The Site's location means that future residents will enjoy very good access to education, shops and services by walking and cycling consistent with the guidance criteria set out in Section 3 of the submitted Transport Statement. Where the use of the private car is required, the proposed development will have a negligible impact on the highway network and road safety;
- The proposed development will not have any adverse impact on the historic environment, including any archaeological features, the Dyserth Conservation Area, and any listed buildings. This was accepted by the Council in its determination of Application Ref. 42/2018/0923/PF;
- The proposed development will not adversely impact upon or harm the potential for mineral extraction in the extensive mineral safeguarded area in which it sits, and thus is consistent with Policy PSE15 of the Denbighshire Local Development Plan;
- The proposed development will not have an adverse on the historic environment, nor create any adverse impacts in relation to noise, contamination and air quality/odour; and
- Construction of energy efficient homes using established techniques which the Applicant applies to all of its new-build properties.

### Cultural Well-Being

7.5. The proposed development will deliver the following **Cultural** benefits:

- The Applicant recognises the need to safeguard the Welsh language and the need to encourage and provide for its use, consistent with Policy RD5 and TAN 20. At present, only around 20% of the population of Dyserth speak Welsh; accordingly, the Applicant recognises that the proposed development presents the opportunity for an overall positive community and linguistic impact. To this end, they are agreeable to the provision of bilingual signage within the proposed development amongst other measures such that the proposed development has the potential for a positive community and linguistic impact;
- The proposed development will not cause harm to any existing heritage assets nor assets of cultural significance; and
- There is no evidence to suggest or support any view that the proposed development cannot be integrated within the settlement, and nor that it would impact on the safety and cohesion of the community. There has been no major incremental housing growth or planning

permissions in the settlement other than the Site (and its wider allocation under Policy BSC1).

---

## 8 CONCLUSIONS

- 8.1. This Statement has been prepared in support of a detailed planning application for the proposed development of Land off Meliden Road, Dyserth.
- 8.2. The description of development for which detailed planning permission is sought is:
- “Erection of 33 dwellings and associated works”***
- 8.3. This Statement has demonstrated that the proposed development is consistent with relevant policies contained within the Local Development Plan as well as other material considerations.
- 8.4. The principle of residential development on the Site is supported through its housing allocation under Policy BSC1. The proposed development will represent a logical extension to the ‘Phase 1’ development of 61 no. dwellings approved in April 2019 (Application Ref. 42/2018/0923/PF), delivering a balanced mix of much-needed new housing provision.
- 8.5. In respect of the technical considerations assessed in Section 6 of this Statement, the proposed development will not give cause to any negative adverse impacts; this is consistent with the Council’s previous conclusions in respect of Application Ref. 42/2019/0923/PF on the immediately adjacent land.
- 8.6. As set out in Section 7 of this Statement, the proposed development will generate a number of economic, social, environmental and cultural well-being benefits consistent with the overarching objectives set out in PPW10.
- 8.7. In the overall planning balance, the proposed sustainable development is considered to be acceptable; the Applicant therefore kindly requests that detailed planning permission be granted in accordance with Policy RD1 of the Local Development Plan, the Site Development Brief, and paragraph 1.17 of PPW10.





## **CERTIFICATE OF DECISION**

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012**

In pursuance of their powers under the above Act and Order, the County Council as Local Planning Authority hereby

### **GRANT PLANNING PERMISSION FOR:**

**PROPOSAL : Erection of 61 no. dwellings, single and double garages, alterations to existing vehicular access and associated works**


**LOCATION : Land off Meliden Road Dyserth**

subject to compliance with the condition(s) specified hereunder.

The Conditions are:

1. The development to which this permission relates shall be begun no later than 10th April 2024.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:-
  - (i) Location plan (Drawing No. SL01) received 20 September 2018
  - (ii) **Site Layout Plan (Drawing No. MRD-SL.01 Rev N) received 17 December 2019**
  - (iii) Housetypes (House Pack Sept. 2018) received 20 September 2018
  - (iv) Mayfair - Elevations - OPP (Drawing No. MRD -MAY-PL02) received 26 July 2019
  - (v) Mayfair - Elevations (Drawing No. MRD -MAY-PL02) received 26 July 2019
  - (vi) Mayfair - Floor Plans (Drawing No. MRD -MAY-PL01) received 26 July 2019
  - (vii) **Schedule, specifications and maintenance (Drawing No. P 972.18.04 Rev J) received 17 December 2019**
  - (viii) **Planting Plan (Drawing No. P 972.18.03 Rev J) received 17 December 2019**
  - (ix) **Landscape Proposal (Drawing No. P 972.18.12 Rev J) received 17 December 2019**

Mr Stuart Andrew  
Macbryde Homes Ltd.  
Unit 28  
St. Asaph Business Park  
St. Asaph  
Denbighshire  
LL17 0LJ

  
**Emlyn Gwynedd Jones**  
Head of Planning and Public Protection Services  
10/04/2019



- (x) Site Sections and finished floor levels of dwellings (Drawing No. MRD-IS.01Revision A) received 23 January 2019
  - (xi) Existing topographical survey (Drawing No. EL(9-)01 Rev. A) received 1 October 2018
  - (xii) Proposed access arrangements (Drawing No. SCP/18039/F01) received 1 October 2018
  - (xiii) Proposed drainage layout (Drawing No. EL(95)01 Rev. G) received 1 October 2018
  - (xiv) Proposed Highway Setting Out Zone A (Drawing No. 15417 - EL (92) 01 - D) received 21st January 2019
  - (xv) Proposed Highway Setting Out Zone B (Drawing No. 15417 - EL (92) 02 - D) received 21st January 2019
  - (xvi) Proposed Highway Vertical Alignment (Drawing No. 15417 - EL (92) 03 - D - 1 of 3) received 21st January 2019
  - (xvii) Proposed Highway Vertical Alignment (Drawing No. 15417 - EL (92) 04 - E - 2 of 3) received 21st January 2019
  - (xviii) Proposed Highway Vertical Alignment (Drawing No. 15417 - EL (92) 05 - D - 3 of 3) received 21st January 2019
  - (xvix) Drainage Strategy & Flood Risk Assessment (CADARN Revision K) received 11th January, 2019
  - (xx) Materials Schedule (Ref MRD-MS-01 Rev G) received 17 December 2019  
(Condition Varied under Code No. 42/2019/0659 dated 13 September 2019 & Code No. 42/2019/1066 dated 5 February 2020)**
3. No works in connection with the development hereby approved shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to a detailed Construction Method Statement. The Statement shall provide details of:
- a) the arrangements for the parking of vehicles of site operatives and visitors;
  - b) the location of any construction compound and measures to reinstate the land following completion of the works
  - c) the hours of site works and deliveries
  - d) the proposed routing of delivery vehicles, and directional signing along public roads where necessary
  - e) the location of areas designated for the loading, unloading, and storage of plant and materials;
  - f) the proposals for security fencing or hoardings around the site
  - g) pollution prevention and control measures, including measures to control the emission of dust and dirt, and to prevent pollution of watercourses
  - h) wheel washing facilities;
  - i) a scheme for recycling/disposing of waste resulting from demolition and construction works.
  - j) any proposed external lighting
  - k) the piling methods, in the event that this form of foundation construction is proposed

The construction phase works shall be carried out strictly in accordance with the approved elements of the Statement.

**(Condition discharged under code no. 42/2019/0377 dated 6 June 2019)**

4. No development shall be permitted to commence until the detailed layout, design, means of traffic calming, street lighting, signing, drainage and construction of the internal estate road/and access to the site, extension of existing 40mph zone, footway links and associated highway works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall proceed in accordance with such approved details.

**(Condition discharged under code no. 42/2019/0377 dated 6 June 2019)**

5. The visibility splays shown on the approved plans shall at all times be kept free of any planting, tree or shrub growth, or any other obstruction in excess of 0.6 metres above the level of the adjoining carriageway.

6. The development shall be carried out in accordance with the recommendations and mitigation measures set out within the Extended Phase 1 Habitat Survey (CES Ecology dated July 2018).

7. Prior to the occupation of any of the dwellings, details of the fencing, wildlife corridor and landscaping of the public open space area to the north west of the access road to include gap filling of the existing hedgerow of the public open space shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the occupation of the dwellings.

**(Condition discharged under code no. 42/2019/0378 dated 3 June 2019)**


8. Notwithstanding the submitted plans, prior to the commencement of the development, a revised landscaping scheme to include details of the timing of completion of the landscaping in relation to the phasing of development shall be submitted to and approved in writing by the Local Planning Authority. The revised landscaping scheme shall include details of supplementary planting of all existing boundary hedges and should include some semi mature trees where possible.

The development shall be carried out strictly in accordance with the approved details.

**(Condition discharged under code no. 42/2019/0378 dated 3 June 2019)**

9. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or

Mr Stuart Andrew  
Macbryde Homes Ltd.  
Unit 28  
St. Asaph Business Park  
St. Asaph  
Denbighshire  
LL17 0LJ

  
Emlyn Gwynedd Jones  
Head of Planning and Public Protection Services  
10/04/2019



any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.

10. None of the trees or hedgerows shown on the approved plans as being retained shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees or hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the final phase of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority.
11. Prior to the occupation of any of the dwellings on the site, a Landscape Management Plan, including management company details, management responsibilities and maintenance schedules for all landscaped areas including the open spaces other than privately owned domestic gardens along with details of the laying out/equipping of all areas, minor artefacts and structures (e.g. furniture/seating, refuse or other storage units, signs, etc.) associated with the open spaces to include the timing of works, shall be submitted to and approved in writing by the Local Planning Authority.  
The development and Landscape Management Plan shall be carried out and undertaken as approved.  
**(Condition discharged under code no. 42/2019/0378 dated 3 June 2019)**
12. Prior to the application of any external materials full details of the wall and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
**(Condition discharged under code no. 42/2019/0379 dated 28 May 2019)**
13. Only foul water from the development site shall be allowed to discharge to the public sewerage system and this discharge shall be made at manhole reference number SJ05793601 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.
14. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
15. The development shall be undertaken in accordance with the approved Drainage Strategy and Flood Risk Assessment (CADARN Consulting Engineers, Revision K, December 2018).
16. Prior to the commencement of any development a local employment strategy, containing details of measures which contribute to the promotion of local employment and training in association with the development, shall be submitted to and approved by the local planning authority. The local employment strategy shall be implemented in accordance with the approved details.  
**(Condition discharged under code no. 42/2019/0380 dated 13 May 2019)**

The reasons for the conditions are:

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. To ensure suitable arrangements are in place to control construction stage works, in the interests of residential amenity and highway safety, and to minimise the impact of this phase of the development.
4. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
5. To ensure that adequate visibility is provided at the proposed point of access to the highway.
6. In the interest of nature conservation.
7. In the interest of nature conservation.
8. In the interests of visual amenity and character of the area.
9. In the interest of visual amenity.
10. In the interests of visual amenity and character of the area.
11. In the interests of visual amenity and character of the area.
12. In the interests of visual amenity and character of the area.
13. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
14. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
15. In the interest of protecting the environment.
16. In the interest of protection of local employment.

## **PLANNING POLICIES RELEVANT TO THE DECISION**

**Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)**

**Policy RD1 – Sustainable development and good standard design**

**Policy BSC1 – Growth Strategy for Denbighshire**

**Policy BSC4 – Affordable Housing**

**Policy BSC11 – Recreation and open space**

**Policy VOE 1 – Key Areas of Importance**

**Policy VOE 2 - Area of Outstanding Natural Beauty and Area of Outstanding Beauty**

**Policy ASA3 – Parking standards**

### Supplementary Planning Guidance


Supplementary Planning Guidance Note: [Access For All](#)

Supplementary Planning Guidance Note: [Affordable Housing](#)

Supplementary Planning Guidance Note: [Conservation and Enhancement of Biodiversity](#)

Supplementary Planning Guidance Note: [Parking Requirements In New Developments](#)

Mr Stuart Andrew  
Macbryde Homes Ltd.  
Unit 28  
St. Asaph Business Park  
St. Asaph  
Denbighshire  
LL17 0LJ

  
**Emlyn Gwynedd Jones**  
Head of Planning and Public Protection Services  
10/04/2019

Supplementary Planning Guidance Note: [Recreational Public Open Space](#)  
Supplementary Planning Guidance Note: [Residential Development](#)  
Supplementary Planning Guidance Note: [Residential Space Standards](#)  
Supplementary Planning Guidance Note: [Trees & Landscaping](#)

Site Development Brief: Residential Development and Open Space – Cae Ffyddion, Dyserth

Government Policy / Guidance

Planning Policy Wales (Edition 10) December 2018

Development Control Manual November 2016

Technical Advice Notes

TAN 2: Planning and Affordable Housing (2006)

TAN 5: Nature Conservation and Planning (2009)

TAN 12: Design (2009)

TAN 18: Transport (2007)

**SPECIAL NOTES TO APPLICANT**

**Notification of Commencement of Development and Display of Site Notice**

The Development Management Procedure (Wales) (Amendment) Order 2016 places a duty on you to notify the Local Planning Authority of the commencement of development and to display a notice on site. You must complete and return a 'Notification of initiation of development' form and display a site notice (please find blank forms/notice attached). Further information relating to the requirements is available on the Planning pages at [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk) or [www.gov.wales/topics/planning](http://www.gov.wales/topics/planning).

**Highway Advice**

Please be aware that in addition to planning permission the following agreements will need to be secured in order for the highways works related to the scheme to be authorised;

**Highways Act 1980 Section 278/38 Combined Agreement**

This agreement relates to the adoption of any new highways proposed and works required to existing highways which are proposed to be improved as part of the development.

- (i) Highway Supplementary Notes Nos. 1, 2,3,4,5 & 10
- (ii) New Roads and Street Works Act 1991-Part N Form

**Ecology**

Please be aware of the need to contact Natural Resources Wales in relation to the relevant Licence.

#### NRW Advice for the Developer

##### Environmental Management

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 33 and 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes. Suitable pollution prevention measures will need to be in place during construction to minimise any risk of pollution, in particular giving the close proximity of watercourses.

In particular, we refer you to the Pollution Prevention Guidelines PPG1: Understanding Your Environmental Responsibilities - Good Environmental Practices  
GPP5: Works in, near or over watercourses

The Guidance are available at the following link:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

#### DCWW Advisory Notes


##### ASSET PROTECTION

The proposed development site is crossed by a 225mm and 600mm diameter combined gravity public sewers with their approximate position being marked on the attached Statutory Public Sewer Record. Under Section 159 of the Water Industry Act 1991, Dwr Cymru Welsh Water has rights of access to its apparatus at all times, and as such would require an easement of 3m either side of the centreline of this pipe. Should the proposed development be located within the protection zones of the sewer crossings, there would be a requirement to divert the public sewer, which can be applied for under Section 185 of the Water Industry Act 1991.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a

Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

Mr Stuart Andrew  
Macbryde Homes Ltd.  
Unit 28  
St. Asaph Business Park  
St. Asaph  
Denbighshire  
LL17 0LJ

  
Emlyn Gwynedd Jones  
Head of Planning and Public Protection Services  
10/04/2019

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

#### **SEWAGE TREATMENT**

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

#### **WATER SUPPLY**

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.

## **NOTES TO APPLICANT**

### **1. APPEALS AGAINST REFUSAL OF PLANNING PERMISSION, OR IMPOSED CONDITIONS**

- 1.1 If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval of the proposed development, or to grant permission or approval subject to conditions he/she may by notice served, appeal to the Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990. In the case of a householder appeal or a minor commercial appeal, the notice must be served within twelve weeks from the date of the notice of the decision or determination giving rise to the appeal; in the case of any other appeal under section 78(1), six months from the date of the notice of the decision or determination giving rise to the appeal; or in a case in which the local planning authority have served a notice on the applicant in accordance with article 3(2) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2015 that they require further information and the applicant has not provided the information, the date of service of that notice.
- 1.2 If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Planning Inspectorate, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the County in which the land is situated, as the case may be, a Purchase Notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

1.3 In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Planning Inspectorate on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Part V of the Town and Country Planning Act 1990.

## 2. THE CHOICE OF APPEAL PROCEDURES

2.1 There is a choice of three appeal procedures and the Planning Inspectorate will co-operate with you, or your agent, in enabling your appeal to be processed in the way you would prefer. But there may be a few occasions when the Planning Inspectorate has to use a procedure which is not your own preference, in order to ensure that all aspects of the appeal are thoroughly and fairly considered. When this happens, the Planning Inspectorate will explain why.

2.2 The available appeal procedures are:


- i. by written representations which you and the Local Planning Authority make, followed by an accompanied or unaccompanied inspection of the appeal site by the appointed Inspector.
- ii. by written representations which you and the Local Planning Authority make, followed by an Informal Hearing conducted by the appointed Inspector who hears oral representations from interested parties which may continue on an accompanied inspection of the appeal site.
- iii. by a formal Local Inquiry conducted by the appointed Inspector following submission of proofs of evidence/statements of case. The Inspector hears representations from interested parties, allowing cross-examination of witnesses, and undertakes an accompanied inspection of the appeal site.

The procedures described in i. and ii. are likely to enable you to receive the quickest possible decision on your appeal, as the procedures for exchanging written representations are tightly timetabled. Written representations or Hearings are not suitable for cases which have generated substantial third party representations, or which involve cases where it is desirable to cross-examine evidence.

The procedure described in iii. is usually the slowest and most expensive method of appealing and you should only opt for this procedure if you have good reason to ask for a local hearing of your appeal. Normally, local inquiries are confined to those cases that require advocacy.

2.3 Should the appellant wish the Planning Inspectorate to appoint a Welsh speaking Inspector to hear any appeal against the Local Planning Authority's decision, the request should be made to the Planning Inspectorate when notice of the appeal is forwarded.

Mr Stuart Andrew  
Macbryde Homes Ltd.  
Unit 28  
St. Asaph Business Park  
St. Asaph  
Denbighshire  
LL17 0LJ

  
Emlyn Gwynedd Jones  
Head of Planning and Public Protection Services  
10/04/2019

#### THE ADDRESS FOR APPEALS AND APPEAL FORMS

- 2.4 All appeals have to be submitted to the Planning Inspectorate within the relevant period of the date of the Local Planning Authority's decision against which you are appealing. The best way to appeal is to complete the Planning Inspectorate's official appeal form which may be obtained from:

THE PLANNING INSPECTORATE, CROWN BUILDINGS, CATHAYS PARK, CARDIFF, CF10 3NQ.

- 2.5 The telephone number is 0303 444 5940, if you need more information or advice from the Planning Inspectorate.

#### 3. COMPLIANCE WITH APPROVED PLANS AND CONDITIONS

- 3.1 You are reminded that any permission or consent must be carried out strictly in accordance with the approved plans, and any conditions attached to the certificate of decision. If any amendments are proposed to the plans, you should not proceed without obtaining the written approval of the Local Planning Authority. Any proposed amendments must be notified to the Head of Planning Services in writing with detailed plans suitably revised to illustrate the changes proposed. The Head of Planning Services will advise in writing whether the amendments can be accepted within the terms of the permission granted, or whether a fresh application is required. You are reminded in accordance with other Notices that it will also be necessary for you to ensure that amendments are acceptable to the other County Council Departments and statutory bodies where separate legislation applies.

- 3.2 Responsibility for the accuracy of the detailed plans and drawings forming part of the submission rests with the applicant, agent or developer.

- 3.3 Applications for Compliance with Conditions - If this Decision Certificate includes conditions requiring the further consent, agreement, or approval of the planning authority, you should submit the information required for consideration by way of an application form stating the reference number of the permission and the condition in question, and with a suitable description of the proposed details, and plans or drawings to a recognised metric scale. The planning authority has eight weeks to determine such an application.


- 3.4 Proceeding Without Permission - Any further development carried out prior to the grant of the relevant permission/consent, without compliance with the plans and particulars forming part of this permission, or without compliance with the conditions of this permission, is entirely at the owner/developer's own risk, and may oblige the planning authority to take formal Enforcement Action.

#### 4. REQUIREMENT FOR SEPARATE CONSENTS

- 4.1 It is important to appreciate that this decision certificate relates solely to an application submitted in accordance with the Acts/Regulations specified on the first sheet of this document. The Certificate does not convey any approval which may be required under separate legislation or from other statutory bodies, and does not override any private legal restrictions which may prevent the implementation of the proposal. (e.g. development on land in third party ownership).

- 4.2 Your particular attention is drawn to the possibility that the proposal MAY require Building Regulations Consent or oblige compliance with regulations under the control of the Council's Public Protection Officer. The onus rests on the applicant, agent or developer to ensure all relevant consents are obtained in connection with any development.
- 4.3 The erection of building extensions or other property alterations may give rise to important issues affecting the provision of gas, electricity, water and/or telephone services for an occupier and his/her neighbours. In certain circumstances interference may contravene legislation and you are advised that if it is possible that the provision of any service to the premises is within the area of a proposed extension or alteration you should notify the appropriate authority prior to commencing the works.
- 4.4 Where development involves works on or close to a boundary, including on shared internal walls, compliance may be necessary with the requirements of the Party Walls etc., Act 1996, and you should obtain separate legal advice on this matter. The Local Planning Authority is not responsible for the enforcement of The Party Walls etc., Act, or for resolving private legal disputes arising therefrom.

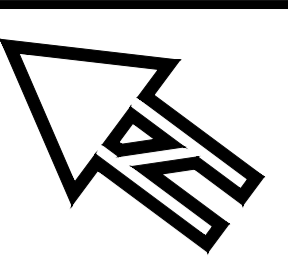
Mr Stuart Andrew  
Macbryde Homes Ltd.  
Unit 28  
St. Asaph Business Park  
St. Asaph  
Denbighshire  
LL17 0LJ



**Emlyn Gwynedd Jones**  
Head of Planning and Public Protection Services  
10/04/2019







SCHEDULE OF ACCOMMODATION				
HOUSETYPE	DESCRIPTION	SOFT	NUMBER	PERCENTAGE
Oakley (Affordable)	2 Bed 2 Storey Semi-Detached	705 SQFT	4	6.56
Marlow (Affordable)	3 Bed 2 Storey Semi-Detached	862 SQFT	2	3.28
Oakley	2 Bed 2 Storey Semi-Detached	705 SQFT	6	9.84
Highfield	3 Bed 2 Storey Semi-Detached	822 SQFT	6	9.84
Huxley	3 Bed 2 Storey Semi-Detached	881 SQFT	4	6.56
Marlow	3 Bed 2 Storey	979 SQFT	6	9.84
Kingsley	3 Bed 2 Storey	1026 SQFT	8	13.11
Ferwick	3 Bed 2 Storey	1049 SQFT	2	3.28
Kingsdon	4 Bed 2 Storey	1256 SQFT	8	13.11
Westworth	4 Bed 2 Storey	1398 SQFT	10	16.59
Heatherington	4 Bed 2 Storey	1352 SQFT	1	1.64
Chatsworth (enlarged)	4 Bed 2 Storey	1422 SQFT	3	4.62
Mayfair	4 Bed 2 Storey	1522 SQFT	1	1.64
<b>TOTAL</b>		<b>64018</b> SQFT	<b>61</b>	
Gross Site Area (excluding land retained by DCC)				
		7.29 Acres	2.95 Hectares	
POS		1.4 Acres	0.57 Hectares	
Ecological Exclusion Zone		1.26 Acres	0.51 Hectares	
Site Entrance & Single-Sided Road		0.2 Acres	0.08 Hectares	
<b>NETT SITE AREA:</b>		<b>4.43 ACRES</b>	<b>1.79 HECTARES</b>	
Gross Density:				
		8.37 Units/Acre	20.68 Units/Hectare	
<b>NETT DENSITY:</b>		<b>13.77 UNITS/ACRE</b>	<b>34.03 UNITS/HECTARE</b>	
Gross Footage:				
		8781.62 SQFT/Acre	2015.96 SQM/Hectare	
<b>NETT FOOTAGE:</b>		<b>14451.92 SQFT/ACRE</b>	<b>3317.46 SQM/HECTARE</b>	

**Key:**

- Site Boundary
- 1.8m high boundary fence
- 1.8m high screen wall / fence
- Feature Junction / Square
- Private Drive
- POS land of 1000sqm to be delivered by Phase 1 site but intended to meet the POS requirement of Phase 2 site still in DCC ownership.
- Existing Combined Sewer & Easement
- Visibility Plays - 2.4x120m to Site Entrance and 2.4x25m to internal estate road junctions and private drives
- Indicative Landscaping
- 3 Number of parking spaces proposed to Semi-Detached and Detached Dwellings in accordance with Denbighshire's Parking Standards
- \* Parking space allocation to Frontage Parking Dwellings
- K Knee rails to parking bays to Oakley Housetypes
- \* Affordable Housing

Rev:	Description:	Date:
A	Schedule updated, equipped play area removed (replaced by committed sum), LPG tank farm added. Amendments to Plot 50 & potential link access	05.01.18
B	Amended in line with Highways comments	27.02.18
C	Plot substitutions & general layout amendments, Road to plots 40-48 increased to 4.8m	07.03.18
D	Amendments to affordables, blocks updated & Marlow added	26.03.18
E	Minor amendments to Marlow & Heatherington updated	06.07.18
F	Rear boundary walls of Plots 48, 50 & 61 revised	17.07.18
G	Boulevard arrangement added to access road	25.02.19
H	Boulevard arrangement amended to 3m both sides	26.04.19
I	Footpath adjacent to LPG tanks revised	17.05.19
J	Chatsworth & Wentworth Blocks & Footage corrected	20.05.19
K	Verge & LPG tank area revised	22.05.19
L	Plots 37 & 40 changed to Mayfair house types, fencing positions adjusted. Oakley handings corrected.	28.06.19
M	Plot 37 changed back to a Chatsworth, plots 38 & 39 changed from Huxleys to Marlows.	05.07.19
N		11.12.19



**MACBRYDE  
HOMES**

Macbryde Homes Limited,  
Macbryde House, Unit 28,  
St. Asaph Business Park,  
Ffordd Richard Davies, St Asaph,  
Denbighshire. LL17 0LJ.  
Tel. 01745 536677  
Fax. 01745 536688

Site: **Meliden Road, Dyserth**

Title: **Site Layout**

Scale: **1:500 at A1**      Date: **09.11.17**

Ref: **MRD-SL.01**      Rev: **N**