



Ein cyf/Our ref: qA1297562

Mr Matthew Gilbert
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25 May 2018

Dear Mr Gilbert

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEAL BY REDROW HOMES NORTH WEST (NW)
ERECTION OF 186 DWELLINGS AND ANCILLARY DEVELOPMENT AT CHESTER
ROAD, PENYFFORDD, FLINTSHIRE
APPEAL REFERENCE: APP/A6835/17/3174699**

1. Consideration has been given to the report of the Inspector, Joanne Burston BSc MA MRTPI, into your client's appeal against Flintshire County Council's refusal of planning application 055590.
2. In accordance with section 79 and paragraph 3(1) of Schedule 6 to the Town and Country Planning Act 1990 ("the 1990 Act"), the appeal was recovered for determination by the Welsh Ministers as the proposal relates to residential development of more than 150 houses on more than 6 hectares of land. Under the provisions of the Government of Wales Act 2006 the power to determine applications under section 79 of the 1990 Act has been transferred to the Welsh Ministers, these functions have been exercised by me as Cabinet Secretary for Energy, Planning and Rural Affairs.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

3. In exercising their functions, as part of carrying out Sustainable Development in accordance with the Well-being of Future Generations Act ("the FG Act 2015"), section 2 of the Planning (Wales) Act 2015 requires the Welsh Ministers, as a public body, to ensure the development and use of land contributes towards improving the economic, social, environmental and cultural well-being of Wales. In order to act in this manner, the Welsh Ministers have taken into account the ways of working set out in section 4 of 'SPSF1: Core Guidance, Shared Purpose: Shared Future – Statutory Guidance on the Future Generations Act 2015' through examination of the appeal by way of Inquiry in accordance with The Town and Country Planning (Inquiries Procedure) (Wales) Rules 2003.
4. The Inspector held an Inquiry on 15-17 November and 18 December, 2017. A site visit was made on 19 December. The Inspector recommends the appeal is allowed and planning permission granted subject to conditions. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, relate to the IR.
5. I have given due regard to representations submitted after the Inquiry closed. However, I do not consider any new evidence or matter of fact has been raised which would materially affect my conclusions on this appeal.
6. The Welsh Government is currently seeking the views of stakeholders on whether paragraph 6.2 of Technical Advice Note 1 : Joint Housing Land Availability Studies (TAN 1) should be temporarily disapplied. However, the consultation ends on 21 June, a formal decision to disapply paragraph 6.2 has not been taken and, therefore, paragraph 6.2 of TAN 1 remains a material consideration in the determination of this appeal.

Main Issue

7. I agree with the Inspector, the main issue is whether, in the absence of a five year supply of deliverable housing land, the proposal would amount to a sustainable form of development in accordance with national and local policy, with particular reference to the effect on the cohesiveness of the community and landscape character and visual amenity (IR 176).

Policy Background

8. The Inspector sets out the policy background in IR 177-186.

Sustainable form of development

Landscape and Visual Effects

9. The Inspector notes the site is not subject to any statutory or local landscape designations and is located in an area of gently undulating countryside (IR 187).
10. I am satisfied the Inspector was provided with sufficient information for the potential landscape and visual impacts to be understood. I note her findings have been informed by the submitted assessments, evidence at the Inquiry, LANDMAP, her visit to the site and viewpoints and from her observations from other public vantage points (IR 188-189).

11. The Inspector has considered the landscape evidence before her and from her own observations finds the site to contain the characteristics and features of the wider mosaic rolling lowland. It comprises an attractive area of small to medium sized agricultural fields, strongly bordered by mature hedgerows and trees with an undulating landform. The Inspector does not consider the site has an overall higher landscape value than other farmland bordering the village, it does not comprise any national or local landscape designation and its value is influenced to a certain extent by the presence of the busy Chester Road and the surrounding pattern of development. The Inspector finds the site to be an attractive area of farmland with a local landscape value (IR 191-194).
12. The Inspector notes the proposed scheme would result in the loss of some open countryside. However, the site is adjacent to the built up area of Penyffordd and it retains many of the existing landscape features, including boundary hedgerows and trees, with the addition of further planting. Therefore, the Inspector does not consider the proposal would introduce features which would be completely uncharacteristic of the immediate area or represent a substantial intrusion into the landscape of the wider area. However, given the nature and scale of the proposed development, the Inspector considers it would cause harm to the landscape character of the appeal site and wider area (IR 195-197).
13. Whilst there would be some loss of limited sections of hedgerows and trees, the vast majority of hedgerows and trees would be retained, which the Council and Appellant agree are important landscape features. The Inspector also agrees these are important features and form part of the character of the area, however, they are not unique to the appeal site. Similar mature and thick hedgerows can be seen in the wider landscape (IR 198).
14. The Inspector accepts the existing screening would be materially reduced during the winter months. However, there would be the opportunity to provide additional planting, which can be secured by planning conditions. I note a condition has been recommended which would require measures to protect hedgerows and trees during construction operations (IR 199).
15. The Inspector notes there will be a substantial visual impact for users of the footpath which crosses the site and the bridleway to the north. Views of the surrounding landscape from these Rights of Way would also be reduced, to the detriment of users. However, the Inspector notes this impact would be transient (IR 200).
16. The proposed development would also be seen when approaching Penyffordd along Chester Road. However, the Inspector considers, given the extent of built development, the proposal would be seen as a continuation of the existing settlement, rather than an isolated development (IR 201).

17. The Inspector recognises views from existing dwellings which border the appeal site would change from rural to urban in nature. However, given the distance between these dwellings and the proposed houses, the proposal would not appear prominent and visually intrusive to the occupiers of these dwellings from within their homes. The Inspector also notes there is no right to a view and this cannot be a significant land use planning reason for preventing sustainable development (IR 202).
18. On this issue the Inspector concludes the proposal would accord with policies in the Unitary Development Plan (UDP) designed to protect trees, woodland and hedgerows. However, the local landscape would fail to be maintained as required by UDP Policy L1. The Inspector notes the landscape would inevitably change but the impact would be localised. Also, the design of the development mitigates the impact of landscape change. The Inspector concludes the limited and localised harm to the landscape weighs against the proposal in the planning balance (IR 203-204).

Community Cohesion

19. The Inspector notes, based on evidence from local residents, Penyffordd is a vibrant and healthy community, however, residents express concern regarding what they perceive as continuing housing developments undermining the community and causing a loss of identity and village character. The Council maintain the proposal, when considered cumulatively with other schemes permitted in Penyffordd, would be of a scale disproportionate to the existing settlement, which would harm the social well-being of the community, risking its cohesion (IR 205).
20. The Inspector notes the content of the Penyffordd Place Plan, particularly paragraph 3.06 which states "The will of the village that there is no more growth under the LDP but if any developments are permitted, the maximum acceptable size of an individual site must not exceed 25 homes" (IR 206).
21. The Inspector notes the village experienced significant growth in the period 2000-2017. The Local Development Plan (LDP) Preferred Strategy Consultation Document sets out Penyffordd/Penymynydd, along with other settlements, is in the third tier of the settlement hierarchy, which are collectively proposed to accommodate a 15-20% share of the housing across the County. The Inspector states there is no evidence to indicate how this housing will be distributed, although the 11% growth which would occur as a result of the proposal would not undermine this emerging plan figure. (IR 207- 209).
22. The Inspector notes the content of the Council's Health, Community Wellbeing and Cohesion Topic Paper. She also notes one of the well-being goals of the FG Act 2015 is "A Wales of cohesive communities". Paragraph 4.4.3 of Planning Policy Wales (PPW) provides further guidance on how planning policies, decisions and proposals should contribute to the FG Act 2015 goals (IR 210-211).

23. The Inspector also notes the Welsh Government has published a Community Cohesion National Delivery Plan 2016-2017 which builds on the Community Cohesion National Delivery Plan 2014. At a local level Flintshire Council has produced an "Assessment of Local Well-Being for Flintshire (April 2017)" which includes detailed analysis of a wide range of factors, including community cohesion (IR 212-213).
24. The Inspector considers the appeal site lies in a sustainable location, adjacent to the eastern boundary of Penyffordd and in close proximity to public transport, services and facilities. She acknowledges residents' concerns, however, on the evidence presented, is satisfied the proposed development would be served by regular bus services in close proximity and within walking distance of a train station on the Wrexham to Bidston train line. The proposals also include an extension of the existing footway along Chester Road, connecting the site to the centre. The footpath would facilitate a new bus stop on Chester Road, directly outside the appeal site, which would benefit existing and future residents (IR 214).
25. Provision would be made for a Travel Plan to encourage future occupiers to use sustainable transport modes. The site is also located in close proximity to local services and facilities in Penyffordd which reduces the need to travel (IR 215).
26. The Inspector notes Penyffordd accommodates a range of local services and facilities and no substantive evidence has been provided to show these facilities could not accommodate future occupiers of the proposal (IR 216).
27. In terms of the impact on schools, the Inspector notes the Council's Education Team raised no objections to the proposed development subject to the provision of commuted sum payments, provided for in the Section 106 Unilateral Undertaking (UU), submitted by the appellant (IR 217).
28. The concerns raised by local residents regarding the capacity of local health services are noted by the Inspector. However, the Inspector states neither the local health centres nor NHS have formally made any representations to the Council or provided any evidence of capacity issues or suggested any mitigation which might be required to cater for the proposed development (IR 218).
29. The Inspector notes the Council does not have a 5 year supply of housing and increasing available housing would be a clear benefit, providing choice and affordable housing. Although the Council contends it has a 6-8 year housing land supply, this is based on an approach which does not comply with national policy and, therefore, is given no weight by the Inspector. The Council state the appellant has not identified a local need for housing, however, the Inspector notes there is no such requirement in national policy (IR 220).

30. No compelling evidence has been provided to demonstrate the proposal would not be accessible to or accommodated by existing facilities in Penyffordd, such would render the scheme incompatible with the FG Act 2015 or PPW in terms of community cohesion (IR 221-222).
31. Also there is no compelling evidence to suggest existing local services and facilities in Penyffordd could not accommodate the proposal, which would also increase patronage to such services and facilities, as well as local clubs and associations. The Inspector concludes the proposed development would not cause significant harm to the community or undermine the principle of the creation of cohesive communities, which forms the basis of the Welsh Government's planning policy (IR 223- 227).

Other Matters

Public Rights of Way and Open Space

32. The Inspector notes Penyffordd is a Designated Locality under the Active Travel (Wales) Act ("the Act"). The appeal scheme maintains an existing Public Right of Way through the site and provides pedestrian links to the existing settlement. Therefore, the Inspector considers there is no evidence the appeal scheme would prejudice implementation of the Act or the Active Travel Map for Penyffordd could not be adopted to include the appeal site (IR 229).
33. The Council's Public Rights of Way officer raised no objection to the proposal and a planning condition has been recommended by the Inspector in order to ensure the Right of Way is protected during construction operations (IR 230).
34. No objections were received from the Highways Authority and there is no evidence which would lead the Inspector to conclude the scheme's layout would be unsafe or would fail to be of an adoptable standard (IR 231).
35. The Inspector is satisfied the Rights of Way network would be maintained with access to the wider countryside for recreation (IR 232).
36. The Council's Public Open Space Manager is satisfied the proposed multi-use games area, together with 1.7ha of recreation space accords with the Council's Local Planning Guidance Note 13. The Inspector has no evidence to indicate the open space provision falls short of the Council's requirements (IR 233).

Travel Plan

37. The Inspector notes the Travel Plan, which would be secured by planning condition, would encourage residents to make sustainable transport choices (IR 234).

Flooding, drainage and biodiversity issues

38. The relevant statutory advisors in relation to sewage, drainage and biodiversity have raised no objections, subject to appropriate conditions. The site is located in Flood Zone A, where flood risk is low. Natural Resources Wales (NRW), subject to planning conditions relating to drainage, expressed no objection to the scheme (IR 235).
39. The appellant undertook an ecological assessment of the proposals through a desktop assessment and Phase I habitat survey. No evidence of protected species was found, however, two buildings and trees within the appeal site have potential for roosting bats and hedgerows and trees on site could provide nesting foraging habitat for bats and birds. No great crested newts or other amphibian species were present during the surveys, although there is a population nearby. Planning conditions have been suggested to implement the recommendations of the ecological reports. The Inspector considers the proposal would not have any unacceptable effects on biodiversity (IR 236 and 237).

Other appeal decisions

40. The Inspector has given regard to the cited appeal decisions, however, she considers none of the cases alter the balancing of issues and conclusions reached in the context of this appeal (IR 238).

Conditions and Obligations

41. I have considered the conditions recommended by the Inspector (IR 239-243) and, subject to minor changes, agree they are necessary and reasonable and meet the tests in Welsh Government Circular 016/2014, "The Use of Planning Conditions for Development Management".
42. I am satisfied the obligations in the Section 106 Unilateral Undertaking (UU) meet the appropriate tests in Section 122(2) of the Community Infrastructure Levy Regulations 2010 and Circular 13/97, "Planning Obligations". As such I have given weight to the UU in the determination of this appeal (IR 247).

Overall conclusions

43. The UDP is the development plan for the purposes of the appeal, however, it is time expired and the weight to be given to it is limited by the lack of five year housing land supply and the advice in TAN 1 to increase housing land supply in such cases. The emerging LDP can be given little weight given its current position (IR 248).
44. The Council cannot demonstrate a five year housing supply. The need to increase housing supply should be given considerable weight where the proposal would otherwise comply with development plan and national planning policies (IR 249).

45. The proposal would be in a sustainable location. Services, facilities and public transport would be in close proximity. The scheme would provide much needed market and affordable housing in Flintshire which should be given considerable weight. The proposal would provide some modest economic benefits in terms of employment and support for local shops and services. In combination these benefits carry substantial weight in favour of the scheme (IR 250).
46. The proposal fails to accord with the adopted development plan as the proposal would constitute a housing development outside the defined settlement boundaries. The proposal would have a moderate impact on the local landscape character and visual amenity of the appeal site and would conflict with policies which seek to protect the landscape (IR 251).
47. The Inspector finds the contribution to the supply of housing, including affordable housing, in a sustainable location to be material considerations which outweigh the conflict with the development plan and localised landscape harm (IR 252).
48. The Inspector has taken account of all the information submitted to the Inquiry and has taken account of the UU, according it significant weight. The Inspector concludes the appeal should be allowed and planning permission granted, subject to conditions (IR 253-254).
49. In reaching her recommendation, the Inspector has taken account of the requirements of the FG Act 2015 (IR 256).

Summary

50. I agree with the Inspector's reasoning and recommendation to grant planning permission, subject to conditions. I am satisfied the proposal would be in a sustainable location, adjacent to Penyffordd. As outlined in the Inspector's report there was no compelling evidence in front of the Inspector which would suggest there would be any unacceptable impacts on local economic, social and environmental infrastructure. I am content the proposed development would not undermine the principles of sustainable development or the creation of cohesive communities, which form the basis of national planning policy.

Formal Decision

51. For the reasons given, in exercise of the power referred to paragraph 2 of this decision letter, I allow your client's appeal and hereby grant planning permission for planning application reference 055590, subject to the conditions detailed in the Annex to this letter. I confirm I have given weight to the Section 106 Unilateral Undertaking, dated 21 December 2017, in the determination of this appeal.

52. In reaching this recommendation, I note the duty to carry out sustainable development under section 2 of the Planning (Wales) Act 2015 and I consider the decision accords with the sustainable development principle set out in FG Act 2015. In accordance with section 3(2) of the FG Act 2015 and the well-being objectives of the Welsh Ministers, set out in the Well-being statement 2017, the decision contributes towards the Welsh Ministers' objective to "build resilient communities, culture and language".
53. A copy of this letter has been sent to Flintshire County Council and to those attending the Inquiry who asked to be informed of the decision.

Yours sincerely

A handwritten signature in cursive script, reading 'Lesley Griffiths'.

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs

Annex

Conditions attached to the Welsh Ministers' decision to allow planning appeal APP/A6835/17/3174699 – "Erection of 186 dwellings" at Chester Road, Penyffordd, Flintshire.

1. The development shall begin not later than two years from the date of this decision.
2. The development shall be carried out in accordance with the following approved plans and documents:
 - Site location plan dwg no. 1164-02-02-002 received 17th June 2016.
 - Proposed amended planning layout plan dwg no. 1164-02-02-101 Rev G
 - Proposed amended boundary treatment plan dwg no. 1164-02-02-108 RevD.
 - Proposed amended materials layout plan dwg no. 1164-02-02-106 RevD.
 - Proposed amended hard landscaping plan dwg no. 1164- 02-02-111 RevD.
 - Proposed amended pos plan dwg no.1164-02-02-116 RevD.
 - Proposed amended tree protection plan dwg no. 5124-03B
 - Tree survey and root protection areas plan dwg no. 5124.01
 - Preliminary drainage layout plan CRP-ENG001
 - Proposed freestanding brickwall plan dwg no. F-SD0806
 - Proposed post and rail fencing plan dwg no F – SD0900
 - Proposed knee rail fencing, chestnut pales and wire fencing plan dwg no. F – SD0902
 - Proposed gate within close boarding fencing plan dwg no. F-SD0910
 - Proposed single garage type 1 plan received 17th June 2016.
 - Proposed double garage type II plan received 17th June 2016.
 - Proposed double garage type 12 plan received 17th June 2016.
 - The Amberley brick elevations and layout plan received 17th June 2016.
 - The Amberley render elevations and layout plan received 17th June 2016.
 - The Cambridge brick elevations and layout plan RevB received 17th June 2017.
 - The Cambridge render elevations and layout plan Rev B received received 17th June 2016.
 - The Canterbury brick elevations Rev B received 17th June 2016
 - The Canterbury brick layout plan Rev B received 17th June 2016
 - The Canterbury render elevations plan Rev B received 17th June 2016.
 - The Ludlow brick elevations plan received 17th June 2016.
 - The Ludlow render elevations plan received 17th June 2016.
 - The Ludlow render layout plan received 17th June 2016.
 - The Malvern 4 Block render elevational plan Rev A received 4th October 2016.
 - The Malvern 4 Block layout plan Rev A received 4th October 2016.

- The Malvern semi- detached brick elevational plan Rev A received 4th October 2016.
 - The Malvern semi- detached layout plan received 4th October 2016.
 - The Oxford brick elevation and layout plan RevB received 17th June 2016.
 - The Oxford render elevation and layout plan RevB received 17th June 2016.
 - The Shaftesbury (CNR) brick elevation plan RevA received 17th June 2016.
 - The Shaftesbury (CNR) layout plan RevA received 17th June 2016.
 - The Shrewsbury render elevation and layout plan RevA received 17th June 2016.
 - The Shrewsbury brick elevation and layout plan RevA received 17th June 2016.
 - The Stratford brick elevation and layout plan received 17th June 2016.
 - The Stratford render elevation and layout plan received 17th June 2016.
 - The Warwick render elevation and layout plan received 17th June 2016.
 - The Warwick brick elevation and layout plan received 17th June 2016.
 - The Worcester brick elevation and layout plan received 4th October 2016.
3. Prior to commencement of the development hereby approved, details of the elevations and plan layout of the Avon and Avon 3 house types 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.
 4. Prior to the commencement of the development hereby approved, samples and/or details of the proposed external finish materials of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. Such submissions shall include samples of materials to be used in the formation of hard surfaces within the approved development. The development shall be carried out in accordance with the approved details.
 5. Notwithstanding the details shown upon the approved plans, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of proposed landscaping, including any necessary phased implementation which shall include indications of all existing trees and hedgerows on land and details of any to be retained, together with measures for their continued protection in the course of development. The scheme shall be implemented as approved.
 6. All planting, seeding or turfing comprised in the approved details of the proposed landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of development, whichever is the sooner, and any trees or plants which, within a period of 5 years of the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
 7. Prior to the commencement of the development hereby approved, a Management Plan for the landscaping works hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full thereafter.
 8. Prior to the commencement of the development hereby approved, details of the proposals for the reinforcement of hedgerows to be retained, together with their protection during construction and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented in full thereafter.

9. Prior to the commencement of the development hereby approved, details of the existing and proposed site levels, including levels of land immediately adjacent to the site and the proposed finished floor levels of the dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full thereafter.
10. No works associated with the proposed development of the site shall commence until details have been submitted and approved in writing by the Local Planning Authority for the provision and delivery of a footpath and bus shelters on Chester Road. The footpath and bus shelters shall subsequently be provided in complete accordance with the approved details prior to the occupation of the development.
11. The works associated with forming the means of site access shall be kerbed and completed to carriageway base course layer up to the end of the junction radii prior to the commencement of any other site building operations.
12. The proposed access shall have a visibility splay of 2.4 m x 160 m in both directions measured along the nearside edge of the adjoining carriageway within which there shall be no obstruction to visibility over 600mm in height.
13. Facilities shall be provided and retained within the site for the parking and turning of vehicles as detailed on the approved layout. The approved details shall be provided and retained in relation to each dwelling prior to their occupation.
14. No development shall take place until a detailed scheme for the protection of Public footpath No. 8 during the construction of the works is submitted to and agreed in writing by the local planning authority.
15. The stiles at the western end of Public Footpath No.8, where it enters and leaves the site, shall be removed once the footpath is fully open and available across the site.
16. No development shall take place until a detailed scheme for the disposal of foul drainage has been submitted to and agreed in writing by the Local Planning Authority. The detailed scheme shall identify a suitable point of connection to the public sewer and any necessary improvement within the public sewerage network. No more than 19 dwellings shall be occupied until the agreed scheme has been completed.
17. No development shall take place until details of a scheme for the implementation; maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - i) a timetable for its implementation, and
 - ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.
18. Prior to the commencement of the development hereby approved, a scheme of double/secondary glazing for those properties fronting Chester Road shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full thereafter.

19. Prior to the commencement of the development hereby approved a scheme detailing the Reasonable Avoidance Measures, including measures to prevent or reduce the risk of incidental capture of Great Crested Newts both during and post construction, shall be submitted to and approved in writing by the Local Planning Authority. Any agreed approved measures shall be implemented in full thereafter.
20. Prior to the commencement of the development hereby approved, details of all external lighting within the development and upon the dwellings hereby approved shall be further submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented in full thereafter prior to the occupation of any dwelling.
21. Prior to the commencement of the development hereby approved, a long term management plan (including surveillance and wardening proposals) for the wildlife corridors shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full thereafter.
22. No development shall take place on site (including stripping of soil, tree felling or pruning) until an Arboricultural Implication Assessment (AIA) has been submitted to and approved in writing by the Local Planning Authority. The AIA shall take into account the surface water drainage scheme and, where required by the AIA, provide updated Arboricultural Method Statements for development works (e.g. hard surfacing, excavations, trenches, changes in levels) proposed within the Root Protection Areas of retained trees. Once approved in writing by the Local Planning Authority the development shall only be carried in accordance with details.
23. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority of the provision of open space throughout the site, including details of the Multi Use Games Area (which shall be provided prior to the occupation of the 94th dwelling). The open space shall subsequently be provided and retained in full accordance with the approved details.
24. Prior to occupation of any of the dwellings, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented as approved.

Notification of initiation of development and display of notice

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties in that section include the following:

Notice of initiation of development

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details that must be given to the local planning authority to comply with this duty.

Display of notice

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details that the person carrying out development must display to comply with this duty.

The person carrying out development must ensure that the notice is:

- (a) firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.