

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 8 JANUARY 2024

APPLICATION NO:
P/2019 /0923

LOCATION:
LAND EITHER SIDE STANSTY
CHAIN ROAD OFF A483 TRUNK
ROAD AND A541 MOLD ROAD
STANSTY WREXHAM LL11 4YF

DATE RECEIVED:
16/12/2019

COMMUNITY:
Gwersyllt

CASE OFFICER:
MP

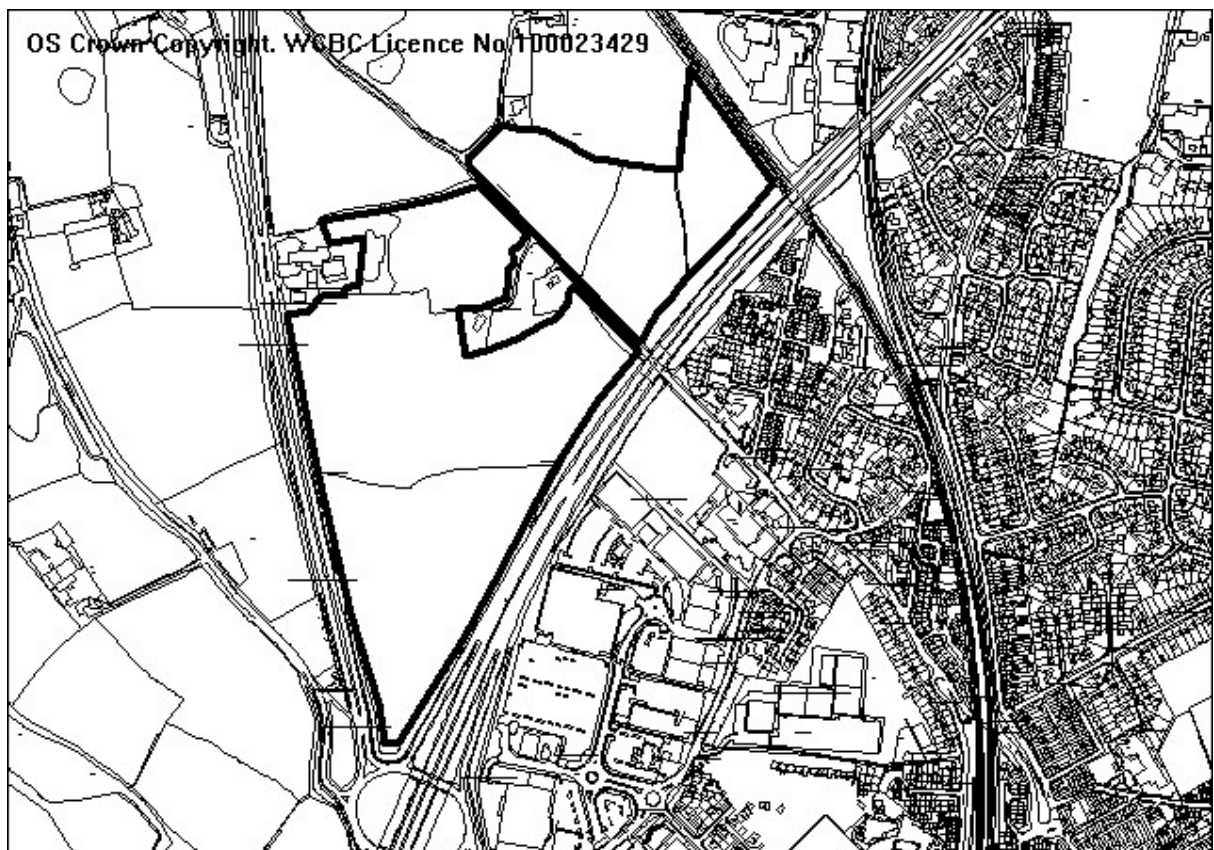
WARD:
Gwersyllt South

DESCRIPTION:
OUTLINE APPLICATION FOR
RESIDENTIAL DEVELOPMENT AND
DETAILED MEANS OF ACCESS
WITH ALL OTHER MATTERS
RESERVED

AGENT NAME:
J10 PLANNING LTD
MR JUSTIN PAUL

APPLICANT(S) NAME:
MR GARY LYNCH, RUSSELL
HOMES (UK) LTD

THE SITE



PROPOSAL

This application seeks outline planning permission for a residential development of up to 455 dwelling houses. Approval for access is sought at

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this stage. The proposed accesses would be directly off the A541 Mold Road and Stansty Chain Road. Matters of appearance, landscaping, layout and scale are reserved for subsequent consideration.

HISTORY

- 15743 Retail park – comprising superstore, retail warehousing units, garden centre, restaurant, leisure facilities, petrol filling station, associated car parking, service facilities and construction of new vehicular and pedestrian access. Refused 27.9.1989
- 15744 Retail park – comprising superstore, retail warehousing units, garden centre, restaurant, leisure facilities, petrol filling station, associated car parking, service facilities and construction of new vehicular and pedestrian access. Refused 27.9.1989

NATIONAL POLICY

Planning Policy Wales 11

The following Technical Advice Notes (TAN) are relevant:

- TAN2: Affordable Housing
TAN5: Nature Conservation and Planning
TAN11: Noise
TAN12: Design
TAN18: Transport
TAN24: The Historic Environment.

DEVELOPMENT PLAN

Future Wales: The National Plan 2024

The County Borough forms part of the Wrexham and Deeside National Growth Area. Policies 1, 2, 7, 9 and 20 are relevant.

Local Development Plan

Within a defined settlement limit and allocated for housing. Policies SP1, SP2, SP5, SP12, SP13, SP14, SP15, SP18, SP19, H1, H2, NE1, NE3, NE6, DM1, CF2, RE1, T1 and T2 apply.

CONSULTATIONS

Community Council

Objects on the following grounds:

- Considers the site is too large and unsuitable for development because of its proximity to the A483 and A541. Suggests that the scale of development would generate a huge increase in traffic on highway network, increasing highway safety issues, including congestion, speeding and safety problems associated with vehicular access. In

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addition, raises concerns about noise and disturbance, increased air pollution and its impact on public health;

- Concerns relating to Stansty Chain Link, which is a rural lane with no footway or street lighting and restricted width at the northern end with very limited room for two vehicles to pass. Points to the fact that at the southern end, it becomes a 20mph zone outside Ysgol Plas Coch with a high number of vehicles at school start and finish times;
- Suggests that increased traffic would pose additional risks to cyclists pedestrians using the footway/cycleway on the eastern side of the A541 in Gwersyllt directed towards Wrexham along the Stansty Chain Road;
- Argues the site forms a significant part of the green belt between Wrexham Town and the community of Gwersyllt. Considers the development would serve only to encourage coalescence between town and country, harmful to the Green Belt and would not be in keeping with policies in place to protect Green Belt land;
- Does not consider the development to contribute towards sustainable development or to take local circumstances into account, to reflect the character, needs and opportunities of the area. Considers the development would overload the local infrastructure and intensify the pressures on already overstretched local services;
- Concerns relating to surface water flooding and overloading of public sewer network;
- Considers that the proposal would result in an increase in the use of two public footpath crossings of the railway line, thereby increasing the risk to the public; and
- Concerns relating to the loss of mature trees, hedgerows and in turn biodiversity.

Adjoining Community Councils

Rhosddu Community Council objects and expresses concerns about the increase in traffic on Stansty Chain Road and Stansty Road causing problems by Ysgol Plas Coch, Stansty Road Railway Bridge and the junction of Stansty Road and Rhosddu Road.

Local Member

Notified 11.5.2023

Adjoining Local Members

Councillor Annette Davies notified 11.5.2023

Councillors I David Bithell and Marc Jones notified 19.12.2019

Councillor Marc Jones objects and expresses the following concerns:

Highway safety: Additional traffic on Stansty Lane. The TA makes no mention of a fatal accident on the road at peak times. The lane is narrow has no pavements and a blind bend. It is difficult for two vehicles to pass, has agricultural vehicles travelling along it. It is used as a rat run. It is not safe

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and increasing traffic would endanger pedestrians, some of whom use the road to access Ysgol Plas Coch.

Pollution: Proximity to the A483, which is subject to a 50mph speed limit because of problems of air pollution. More houses will mean more cars, more congestion will mean more idling cars and air pollution. The health of young people in particular is an important material consideration.

Impact on Infrastructure: The development could see 136 school age pupils. At primary level there is limited capacity to take those additional pupils. Ysgol Plas Coch does not have the capacity for more pupils.

Suggests other nearby schools are full with the other nearest Welsh medium school also being expanded to meet existing demand.

Housing need: There is a fundamental flaw in the current allocation of land for housing. In 2012, it was accepted that greenfield sites should not be built upon for housing when we have sufficient brownfield sites. However the Planning Inspector appointed to examine the 2012 LDP insisted on a new plan, believing that thousands of extra homes beyond those allocated by the Council were needed. This has been shown to be incorrect as the Welsh Government's own statistics show WCBC's population has been static and even falling slightly in the past five years. Despite this evidence, this new Plan continues to work on the basis of the flawed population projections and has included greenfield sites, including this one in Stansty, to make up the numbers. This is the faulty rationale that is leading to urban sprawl in Wrexham and must be challenged at every opportunity.

Urban sprawl: This is the latest in a series of large-scale housing developments are being built on the A483 corridor from Ruabon to Llay. This because we have a planning system that favour developers and not communities. It is creating commuter estates, exacerbating traffic problems and failing to grow organic communities. Overstretched community infrastructure will be put under even greater pressure from these new developments with little or no contribution from the developers profiting from them.

Green wedge: The land lies in the green wedge separating Gwersyllt from Wrexham. This specific site was rejected by planners in 2011 while drawing up LDP1 because it encroached on that green wedge, was good agricultural land and traffic congestion. Planners will say that the Planning Inspectorate is demanding a greater allocation of land for housing for LDP2 than LDP1 but this does not justify turning planning policy on its head.

Highway Officer

Raises no objection and advise that:

- The TA is robust and informed by up to date information;
- The proposed highway improvements would provide betterment to the highway network. This has been thoroughly tested by the Welsh Government and the Council;

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- The scheme is in a sustainable location;
- Active travel improvements would be delivered;
- There would be negligible effect upon the A483 trunk road roundabout if the proposed improvements are delivered.

Recommends that the reserved matters/full application should provide:

- A plan of the internal estate road;
- Swept path analysis for a refuse vehicle;
- Visibility splays for any additional junctions;
- On-site parking provision;
- A Road Safety Audit Stages 1 and 2; and
- Details of proposed traffic lights.

Public Protection Officer

Raises no objection subject to a condition being imposed to limit working times during construction, mitigation measures for dust during construction and advisory notes regarding construction impacts.

Advises that the findings of the Air Quality Assessment are accepted.

Contaminated Land Officer

Raises no objection. Accepts the findings of the Phase 1 Geo-Environmental Site Assessment. Due the site being within 250m of a formal landfill recommends a condition be imposed to require a Phase 2 site investigation be undertaken before development commences.

Ecology Officer

Raises no objection subject to conditions to require the submission of and implementation ecology mitigation and enhancement measures.

Tree Officer

Raises no objection. Considers that the Illustrative Masterplan indicates the successful integration of development within existing green infrastructure, with significant trees of value shown to be successfully protected. Also considers the Illustrative Masterplan demonstrates good connectivity across the whole site through appropriate retention of existing trees and boundary features and coalescence with proposed tree and hedgerow planting and SUDS.

Advises that improvements should be made to allocate more width for highway verge planting particularly parallel to primary routes through the site. Also advises that footpath and cycle networks across the site should be increased to allow residents and visitors access across the development in a safe and green environment away from vehicular traffic.

Conservation Officer

Raises no objection. Comments that there will be some change to the way in which the Grade II listed Lower Stansty Farmhouse is experienced within an otherwise undeveloped, agricultural landscape. However, notes that mitigation is proposed through the incorporation of a buffer to the north-west

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boundary of the development and the strengthening of retained vegetation along this site boundary.

Flood Officer

Raises no objection but advises that there are a number of localised areas at risk of surface water flooding on the site. Also notes that there have been flooding incidents to the nearby Plas Coch Retail Park associated with the watercourse that bisects the southerly section of the site. This is thought to be associated with the development of the Retail Park and truncation of watercourse. As such, no surface water generated by new impermeable surfaces will be permitted to discharge to the water course.

Advises that SAB approval will be required and recommends a pre-commencement condition to requiring a surface water management scheme.

Education Department

Advises that there is insufficient primary and secondary school provision in the locality to accommodate pupils generated by the development. Recommends that financial contributions be secured towards additional primary school provision and towards a project to deliver additional English medium education and Ysgol Bryn Alyn.

Health Board

Raises no objection.

Expresses significant concerns about the sustainability of local Primary Care services if the proposal goes ahead and about the physical space available within current Primary Care facilities to accommodate more patients in the area, as well as clinical staffing concerns. However, confirmed that financial contributions would not be sought.

Fire and Rescue Service

Raises no objection and advises that it is necessary to provide the Fire Service with appropriate access for any fire incident. Explains that access should be in accordance with the directions within the Building Regulations Approved Document B (fire safety) Section 17. Also advises that water supplies for the development should be in accordance with the directions within the Building Regulations Approved Document B (fire safety) Section 16.

Network Rail

Raises no objection subject to the installation of a Meerkat Light System at the Stansty and Forge level crossings, with the cost of installation being met by the developer.

Ramblers Association

Notes that the development is near footpaths Gwersyllt Nos. 27, 29, 47 and 48 and advises that these should not be diverted or blocked by the development.

CPAT

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Raises no objection subject to conditions being imposed to secure the provision of the exclusion area identified on the Parameters Plan and the implementation of an Archaeological Watching Brief.

Welsh Government (Department for Climate Change)

Raises no objection having regard to the following:

- The status of the emerging LDP. The principle of the BMV loss in this specific case has been agreed by the LDP Inspectors, and accepted for the whole Plan by the Department in representations dated 12 July 2018; and
- The status of NDF Future Wales as a material consideration in relation to the lapsed UDP.

Welsh Government (Trunk Roads)

Directs that if permission is granted it should be subject to conditions to secure the submission, approval and implementation of off-site highway mitigation works to the A483 junction 5 and Plas Coch roundabout, fencing to be provided along the boundary with the A483, a scheme of noise mitigation and a requirement that no drainage be connected to the trunk road drainage system.

NRW

Raises no objection subject to conditions being imposed to secure a Conservation Management Plan for Great Crested Newts and to require a scheme of remediation in the event of any unexpected land contamination is found during construction

Express concerns about foul drainage and advises further consideration is given to this matter in light of NRW's Planning Advice regarding phosphorus and River SACs.

Welsh Water

Raises no objection and advises that:

- there is capacity to treat additional wastewater from the proposed development within revised Environmental Permit limits; and
- subject to the implementation of works identified in the submitted Hydraulic Modelling Assessment, that the sewer network and associated WwTW has the hydraulic capacity to accommodate additional wastewater without contributing to an increase in frequency or duration of storm overflows.

Press Notice

Expired 31.1.2020

Site Notice

Expired 24.1.2020

Neighbours

The owners/occupiers of 22 nearby properties and the Head Teacher of Ysgol Plas Coch notified 2.1.2020.

15 representations received. In addition, a petition has been submitted by Councillor Marc Jones within the signatures of 193 people objecting to the application.

Objectors raise the following concerns:

- Site was rejected for development in 2011 on the grounds of Green Barrier. Open countryside, agricultural land, highway issues, mineral resources, no evidence to support the site, not contiguous with any settlement;
- Contrary to preferred strategy;
- Urban sprawl;
- Traffic congestion;
- Lack of space for road improvements to A483, A541 and Chain Road;
- Impact on health services, schools and other essential services;
- Air quality;
- Loss of Grade 2 (BMV) agricultural land;
- Development in Green Wedge/loss of Green Wedge;
- The site is open countryside;
- Highway safety;
- Lack of pedestrian or cycle path on Stansty Chain Road;
- Facilities (shops, post office, GP, density) are not with walking distance;
- Safety of people waiting for a bus on the A541;
- Safety of the proposed drainage ponds;
- Radon gas – is the site safe for development;
- Impact on wildlife; and
- Impact on value of nearby properties.

SPECIAL CONSIDERATIONS

Principle of Development: Wrexham lies within a National Growth Area as defined in Future Wales: The National Plan 2024 (FW). FW's spatial strategy focuses growth within the main built up areas in the Wrexham and Deeside Growth Area. The proposed development therefore accords with FW and the relevant policies within it.

The site is located within the settlement limit and is allocated for residential development in the Local Development Plan. The principle of development is therefore acceptable.

LDP policy H1 allocates the site for 375 dwellings. However this is not maximum. The number of dwellings delivered on each allocated site is to be determined on a case by case basis. The application proposes 455 dwellings. The provision of an additional 80 dwellings would be a significant windfall. Windfall developments are expected to make an important contribution to the housing supply delivered over the LDP plan period, accounting for 10% of the LDP provision. Additionally, there has been a significant under delivery of housing over the LDP plan period to date. The LDP's Annual Average

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Requirement (AAR) is for 517 dwellings to be completed each year. The table below demonstrates that the AAR has been not been achieved in any year since 2013, with average completions being just under half of the AAR:

Housing Completions Wrexham LDP 2013 -2028 Plan Period	
2013-2014	215
2014-2015	235
2015-2016	199
2016-2017	328
2017-2018	222
2018-2019	362
2019-2020	198
2020-2021	202
2021-2022	205
2022-2023	351
Average	252

The significant under supply of housing over the LDP plan period to date is a consideration that weighs heavily in favour the proposed number of dwellings.

Affordable Housing: The site is within the North Wrexham and Gresford sub-market area as defined in policy H2 where a 25% affordable housing requirement applies. The proposed development would deliver up to 113 affordable units. This would be 20 more than if the capacity of the site were limited to 375 dwellings. The provision of affordable housing would be secured by a Planning Obligation.

Best and Most Versatile Land: The application is accompanied by an Agricultural Land Classification (ALC) survey. The Welsh Government Department for Climate Change have reviewed and rejected the developer's ALC survey.

An ALC survey of part of the site was undertaken by the Welsh Office in 1993, which confirmed the presence 10.52ha of Grade 2 land and 4.87ha of Grade 3a land. The Welsh Government's Predictive ALC map shows the Grades 1, 2 and 3a within the application site. The application has been considered on the basis of the Welsh Office Survey and the Welsh Government's Predictive ALC Map.

Paragraph 3.59 of PPW11 advises that BMV land should only be developed where there is an overriding need for the development and either previously developed land or land in low is unavailable, or subject to other constraints that outweighs the agricultural considerations. Where BMV land needs to be developed and there is a choice of land available, PPW11 advises that development should be directed to land of the lowest grade.

BMV land was a key consideration throughout the LDP Sustainability Appraisal and site selection process. Sites have only been allocated for

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residential development where there is an overriding need for development, and either previously development land or land in lower grades is unavailable.

The Department for Climate Change raises no objection to the proposed development. Having regard to this, and that the site is allocated for residential development in the LDP, the requirements of para 3.59 of PPW11 are met.

Highway Safety: Welsh Government as Highway Authority for the A483 and the Council's Highway Officer raise no objections to the development.

Paragraph 4.1.12 of PPW requires the sustainable transport hierarchy to be applied to reduce the need to travel, prevent car dependant developments in unsustainable locations and to prioritise access and movement by active and sustainable transport. The sustainable transport hierarchy promotes walking and cycling, then public transport ahead of private motor vehicles.

Whilst located to the west of the A483, the proposed development would be an urban extension to Wrexham. Wrexham is identified as a Tier 1 or Primary Key Settlement in the LDP. Wrexham has a critical role to play in the success of the County Borough and wider region and which acts as an important local service and employment centre for surrounding settlements and rural hinterlands. This reflects the fact that it is a regionally important town with a high level of service provision and connectivity (i.e. good transport links). For this reason, it is the most appropriate location for strategically important housing developments.

The development would provide pedestrian links to both Mold Road and critically, to Stansty Chain Road. Via this route, the City Centre, retail (Plas Coch Retail Park), primary schools, the Wrexham University campus, a dental clinic and Wrexham General railway station are within 2km. This is a distance generally considered to be one where people may choose to travel on foot.

Journeys of up to 5km are generally accepted as being ones where cycling has the potential to replace short car journeys. Wrexham City Centre, Wrexham Technology Park and Wrexham Maelor Hospital all lie within 5km of the site.

The site is within walking distance of the bus stop in Plas Coch served by buses to Wrexham Bus Station and to Gwersyllt that are half hourly Monday-Saturdays and hourly on Sundays. A bus stop would also be provided on Mold Road to the south of the site access, which would be served by buses to Wrexham.

Taking all of the above into account, the site complies with the sustainable hierarchy and is well placed to promote walking, cycling and public transport use.

The application was submitted with a Transport Assessment which was informed by traffic surveys undertaken in 2019. The TA was subject to

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detailed consideration by the Council's Highways Officers and also the Welsh Government as Highway Authority for the A483 trunk road. Subject to conditions to secure mitigation measures proposed in the TA, the Council's Highway Officer and the Welsh Government raised no objection.

Because of the very considerable delay incurred in the determination of the application, the applicants were asked to revisit the 2019 TA in order to determine whether the conclusions were still robust. Further traffic surveys were undertaken in 2023 and a Technical Note and Technical Note Addendum have been submitted and considered alongside the original TA. The TN takes account of developments granted planning permission since 2019, including:

- The reduction in the number of dwellings proposed at Plas Coch from 410 to 90;
- Costa Drive Thru as Plas Coch Retail Park;
- Wrexham AFC new Kop development;
- 112 dwellings at Gatewen Road, New Broughton.

The 2023 identify some modest changes overall in peak time traffic demand compared to 2019, notably the AM peak extending over a longer period. Traffic flows at the circulatory roundabout of Junction 5 of the A483 and the Plas Coch Road/Mold Road/Berse Road roundabout were 8.6% and 8.5% lower respectively than in 2019. Overall, the 2023 surveys demonstrate that the findings of the 2019 TA remain robust.

Approval for 3 vehicular accesses is sought at outline planning permission stage. A signalised junction onto the A541, incorporating pedestrian crossings and two accesses onto Stansty Chain Road, one to serve the land to the south-west of Stansty Chain Road and one to serve the land to the north east. Whilst the submitted plans show pedestrian access points, it would be appropriate for details concerning further pedestrian access to be required at reserved matters stage given that the number and position of such accesses would be determined by the site layout.

The TA considers the capacity at key junctions on the locality highway network 2030 in the following:

- Scenario 1: A predicted increase in traffic but assuming the proposed development and no junction improvements take place;
- Scenario 2: A predicted increase in traffic, the development takes place, but no mitigation measures are implemented
- Scenario 3: A predicted increase in traffic, the development takes place and a package of mitigation measures set out in the TA is implemented.

The TA indicates that the Mold Road/Hope Street/Alyn Road junction in Gwersyllt would operate well within capacity in 2030 under Scenarios 1 and 2 with traffic from the development making no material difference to queue lengths. It also indicates that the proposed development would make no material difference to the capacity at the Berse Road/Rhyd Broughton roundabout, Plas Coch Road/Stansty Road T junction or the New

Road/Rhosddu Road/Stansty Road junctions, with only a modest increase in queue lengths.

The circulatory roundabout of Junction 5 of the A483 already suffers from operational capacity during the AM and PM peaks, operating beyond capacity. The TA indicates that this would worsen in Scenario 1. It also indicates that Scenario 2 would further exacerbate this situation although the overall effect is that the junction would operate beyond capacity only marginally more than it would under Scenario 1.

The Plas Coch Road/Mold Road/Berse Road roundabout operates within capacity in the AM peak at present and is predicted to under Scenarios 1 and 2. The junction operates beyond capacity in the PM peak at present and this is forecast to worsen under Scenario 1. Scenario 2 would further exacerbate this situation although the overall effect is that the junction would also operate beyond capacity only marginally more than it would under Scenario 1.

The TA sets out the following package of mitigation measures that are considered in Scenario 3:

- Alterations to existing road markings on the circulatory roundabout at junction 5 of the A483;
- Alterations to the existing road markings at the Plas Coch Road/Mold Road/Berse Road roundabout;
- The addition of traffic signals on the circulatory roundabout at junction 5 of the A483 for traffic travelling west (from Wrexham) and south (from Chester or Mold). This measure is a key competent of the Welsh Government's proposed improvements for Junctions 3-6 of the A483 that were cancelled in February 2023 as a result of the Roads Review.

Under Scenario 3, both the circulatory roundabout of Junction 5 of the A483 would continue to operate above capacity in both the AM and PM peaks. However the overall impact would be less than under Scenario 1. In other words, there would be a net benefit in terms of the overall capacity at the junction.

Scenario 3 would also deliver a net benefit to the Plas Coch Road/Mold Road/Berse Road during the PM peak compared to Scenario 1.

From a point just south of the dwelling Oakhurst to just before its junction with Mold Road, Stansty Chain Road is a single carriageway lane without any dedicated footway provision. No changes are proposed to the carriageway width beyond this point, although footways would be provided along the full length of the site boundaries with the road. This would be a significant improvement over the current situation.

Traffic counts along Stansty Chain Road were undertaken in 2019 to inform the TA. To the north of A483 overbridge, 90% of the traffic movements were south-bound i.e. from Mold Road towards Wrexham. This is likely to be because the Stansty Chain/Mold Road junction does not permit vehicles to turn right towards Gwerysllt, thus limiting the utility of this section of road for two way

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movements. Whilst the TN has not undertaken any further traffic counts along Stansty Chain Road to the north, it is considered that due the left turn only design of Stansty Chain/Mold Road junction, it is unlikely traffic conditions will have materially changed.

The TA refers to Crashmap data from Q1 of 2014 to Q3 of 2018 which does not show any incidents recorded along Stansty Chain Road. The TN reviewed Crashmap data for the 2017-2021 period. This also shows no incidents recorded on Stansty Chain Road.

Whilst the development has the potential to increase southbound movements along the single carriageway section of Stansty Chain Road from the Mold Road junction up to the site accesses, it is unlikely there would be any significant increase in traffic travelling northwards. Firstly, as already noted above, the Stansty Chain/Mold Road does not permit vehicles to turn right towards Gwerysllt. Additionally, the development would reduce the need for vehicular traffic to travel northwards along Stansty Chain Road. Any traffic using Stansty Chain Road to access Mold Road would be able to travel through the development and utilise the proposed signalised access.

Subject to the mitigation measures proposed in the TA, the development would not have an adverse impact upon the capacity or safety of the local highway network. In such terms it accords with LDP policies DM1, T1 and T2.

Infrastructure:

Education

The Council's Education Department acknowledge that there is insufficient capacity in a both existing primary and secondary school levels to accommodate the number of pupils likely to be generated by the development. However, the Education Department raises no objection to the application subject to financial contributions being secured towards additional primary school provision and to a project at Ysgol Bryn Alyn to deliver additional English medium secondary school provision in the locality. Subject to the completion of a Planning Obligation to secure the contributions, the development would accord with LDP policy SP5.

Healthcare

The Health Board have expressed concerns about capacity in the local primary care sector, both in terms of staff resources and the physical space at a number of GP practices.

However, it is not the role of the planning system to address shortfalls in the provision of staff in key public services. Planning conditions and obligations can only be used to secure physical infrastructure where there is evidence that this is necessary to adequately accommodate additional demand arising from a particular development.

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Despite the Health Board's concerns, no formal objection has been lodged and no evidence has been advanced to demonstrate that financial contributions are necessary to fund additional physical capacity in the primary care sector.

Having regard to the above, concerns regarding local healthcare infrastructure would not be a valid reason to refuse planning permission. Accordingly there is no conflict with LDP policy SP5.

Ecology: The site was subject to ecological surveys in 2017 and 2021. In light of the delays incurred bringing the application forward for determination, updated ecological surveys were undertaken in 2023. The findings are discussed in an Updated Ecological Assessment which concludes that the grassland habitat within the site is of poor quality. The mature trees and hedgerows within and on the periphery of the site are identified as the features of greatest biodiversity value.

The Indicative Masterplan shows mature trees and the majority of hedgerows being retained. Whilst hedgerow would need to be removed to provide for site the accesses and internal roads, replacement planting could take place within open space areas to ensure no net loss of hedgerow. Bluebells were identified along the northern boundary of the site. This area could be incorporated into areas of open space to ensure their protection.

Protection measures for trees and hedgerows would be required when development works take place. A suitably worded condition could secure the submission and implementation of an Arboricultural Method Statement, either for the whole site or for each individual phase.

Japanese Knotweed is present within the site. A suitably worded condition would be necessary to secure the implementation of a management plan to deal with this matter.

Great Crested Newts (GCN) are known to be present in the wider locality, although they have not been identified on the site. The site offers no breeding habitat for GCN and the terrestrial habitat is of poor quality for GCN and other amphibians. The Updated Ecological Assessment recommends the implementation of Reasonable Avoidance Measures and the enhancement of terrestrial habitat. These measures can be secured by a suitably worded condition.

The Updated Ecological Assessment recommends design measures to avoid adverse impacts to bats from lighting and the planting of native species trees and hedgerows to provide suitable for breeding birds. Bird and bat boxes are also recommended. These measures could also be secured by suitable worded conditions.

An Ecology Technical Report has been submitted which considers the proposed development in light of the updated Chapter 6 of PPW11. When considered in conjunction with Updated Ecological Assessment, this

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demonstrates that subject to the measures outlined above, the proposed development would minimise impacts on species and habitats. Measures to deliver net benefit to biodiversity are also proposed.

Subject to further consideration being given to the detailed layout and landscaping of the site at reserved matters stage and to the protection and enhancement measures discussed above, the proposed development would accord with LDP policies SP14, SP19, NE1 and NE3 as well as the Step-Wise Approach outlined in the recently updated Chapter 6 of PPW11.

Air Quality: The application is accompanied by an Air Quality Assessment (AQA). This concludes that air quality within the site is not a constraint to the development. It also concludes that traffic generated by the development would not have a significant effect on local air quality.

The Council's Public Protection Officer and WG Trunk Roads raise no objection to the development in this regard.

In light of the above, the proposed development would not have a detrimental impact on the health of occupiers if properties in the locality or of the proposed development itself. In such terms there is no conflict with LDP policy DM1.

Noise: The Council's Public Protection Officer and WG Trunk Roads raise no objection to the proposed development, subject to the implementation of noise mitigation measures.

The application is accompanied by a Noise Constraints Assessment (NCA). The site has been assessed for the impact of three different noise sources; road traffic from Mold Road and the A483, railway traffic and commercial activity on the Rhosddu Industrial Estate. Whilst noise from the latter was not audible within the site, the NCA recommends mitigation measures to protect the living conditions of future occupiers from the road and rail traffic noise. The measures include layout to provide buffers to the two main roads, particularly the A483 orientation of plots to minimise noise exposure to habitable rooms and private garden areas, higher specification glazing and acoustic fences. A detailed scheme of mitigation to deal with these matters could be secured by a suitably worded condition.

Subject to the implementation of noise mitigation measures, noise from road and rail traffic would not unacceptably impact on the living conditions of future occupiers of the site. In such terms the development accords with policy GDP1 of the UDP and DM1 of the LDP.

Design: Matters relating to appearance, landscaping, layout and scale are reserved for subsequent consideration. The submitted Indicative Masterplan is purely illustrative and therefore the grant of outline permission would not commit the Council in respect of the layout or indeed density. However, the Indicative Masterplan shows a development of varied form and density across the site, substantial areas of open space with mature trees and the majority of existing hedgerows being retained.

Subject to a Planning Obligation to secure the long term management of open space, the development accords with LDP policies DM1, CF2 and NE3.

Residential Amenity: The site borders 4 existing residential properties, Northcott, Oakhurst and The Hawthorns on Chain Road and Stansty Lodge farmhouse in the A541. Detailed consideration of the impact upon residential amenity would be given at reserved matters stage. However, sufficient scope exists to ensure the proposed development could take place without causing any undue harm to the living conditions of the occupiers of existing nearby properties by way of loss of light, privacy or visual over-dominance in accordance with the requirements of LDP policy DM1.

Railway Safety: The site is close to two footpath level crossings of the adjoining Wrexham to Bidston railway line which are traversed by Footpaths Gweryslt Nos. 27 and 29 at the Stansty and Forge level crossings. The route of the former borders the application site and the route of the latter crosses it. The development therefore does have the potential to increase pedestrian traffic crossing the railway line.

Network Rail (NR) have raised no objection to the development subject to both crossings being upgraded with Meerkat Lighting Systems. Network Rail advises that this would provide adequate mitigation for the increased use. The financial contribution needed to pay for the installation could be secured by Planning Obligation.

Subject to the financial contribution towards level crossing improvements, the development would not pose an unacceptable risk to public safety. In such terms it accords with LDP policy DM1.

Foul Drainage: In accordance with NRW's advice for proposed developments within River Special Areas of Conservation, the proposed development has been assessed to determine whether it is likely to have a significant effect on the River Dee and Bala Lake SAC.

The site would connect to the main foul water sewer network. Foul water from the site would drain to Five Fords Waste Water Treatment Works (WwTW). The Environmental Permit for the WwTW has recently been reviewed. Welsh Water has confirmed that the WwTWs has the capacity to accommodate the additional wastewater in compliance with the revised Environmental Permit limits.

A Hydraulic Modelling Assessment (HMA) has been undertaken. This indicates that subject to the implementation of specific measures, the sewer network and associated WwTW has the hydraulic capacity for new connections without leading to an increase in the environmental impact of storm overflows.

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Having regard to the above, the proposed development is unlikely to have a significant effect on the River Dee and Bala Lake SAC. In such terms it accords with LDP policies NE1 and NE6.

Surface Water Drainage: The surface water drainage arrangements for the site would need approval separately from the Council as Sustainable Drainage Systems Approval Body (SAB) before development commences on site. This is a statutory requirement. There is no requirement for SAB approval be obtained before outline planning permission can be granted. The need to obtain SAB approval means that there are adequate controls in place to ensure surface water is properly managed.

Heritage Assets: The Grade II Listed Lower Stansty Farmhouse is approximately 130m due north of the site boundary. The farmhouse is currently viewed in the context of the largely undeveloped agricultural landscape that separates Wrexham from Gwersyllt. Whilst the development would result in urban development being closer to the farmhouse, a substantial buffer of agricultural land would remain. The Indicative Masterplan also shows the provision of open space adjacent to the northern of the application site. This, together with the additional planting to strengthen the boundary would serve to minimise the impact of the development on the setting of the listed building. Subject to these details being incorporated into the final layout and landscaping scheme, the Council's Conservation Officer raises no objection to the proposal. These matters could be given further detailed consideration at reserved matters stage.

The site has been subject to archaeological investigation which identified significant Roman archaeology at the southern end of the site. The Indicative Masterplan shows this area being retained free of built development, with archaeological remains being preserved in situ. CPAT raise no objection on this basis subject to suitably worded conditions to secure the implementation of Archaeological Watching brief and Archaeological Management Plan.

Having regard to the above, the development accords with LDP policy SP15.

Renewable Energy: Policy RE1 of the LDP requires major developments to incorporate schemes to generate energy from renewable and low carbon technologies.

The application is accompanied by a Sustainable Strategy Statement (SSS) and a Supplementary Note (SN) to the SSS. The SN assesses what measures would be necessary to achieve a reduction in carbon emissions from dwellings. These measures would be required to achieve the new Part L of Building Regulations which will apply to any development that commences after November 2023. The new Part L seeks secure a reduction in energy use and carbon emissions, including guiding development away from the use of gas boilers. However, the requirements of Part L can still be met if gas boilers are installed provided other low carbon and renewable energy technologies are used, such as photovoltaic cells.

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The SN proposes that the fabric of the dwellings would be designed to minimise energy use and carbon reduction. It also indicates the installation of Air Source Heat Pumps and photovoltaic cells.

As this is an application for outline planning permission, all detailed design matters have yet to be finalised, including the use of renewable and low carbon technologies. A detailed scheme of low and zero carbon scheme could be required by a suitably worded condition. This would ensure the development would comply with LDP policy RE1

CONCLUSION

The site is allocated for housing in the LDP and therefore the principle of development is acceptable. Subject to appropriate mitigation and detailing which could be secured by conditions along with the execution of a Planning Obligation, it is considered that residential development at the application site need not give rise to undue highway safety, ecology, noise, air quality or residential amenity concerns. It therefore accords with the relevant LDP policies outlined within this report.

RECOMMENDATION A

That planning permission be granted subject to completion of a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure the provision of affordable houses, contributions towards additional primary and secondary education provision, the management and maintenance of the on-site areas of landscaping and open space and £120,000 towards the cost of the installation of Meerkat Signal Light system at the Stansty and Forge Level Crossings (with the Chief Officer Economy and Planning given delegated authority to determine the final form and content of the Obligation) and to the conditions below.

RECOMMENDATION B

That if the Obligation pursuant to Section 106 of the Town and Country Planning Act, as detailed above, is not completed within six months of the date of this Committee resolution, the Chief Officer Economy and Planning be given delegated authority to REFUSE planning permission subject to the reasons below.

1. In the absence of a mechanism to ensure that the proposed development would deliver an appropriate level of affordable housing, it conflicts with policy H2 of the Local Development Plan.
2. In the absence of a mechanism to ensure that the proposed development makes an appropriate contribution towards the provision of secondary education, it conflicts with policy SP5 of the Local Development Plan.
3. In the absence of a mechanism to ensure that the proposed development makes adequate provision for the long term maintenance

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- of on-site open space, it conflicts with policies DM1 and CF2 of the Local Development Plan.
4. In the absence of a mechanism to ensure that the proposed development makes adequate provision for the long term maintenance of the on-site habitat provision, it conflicts with policy NE1 of the Local Development Plan.
 5. The proposed development would be likely to increase the intensity of the use of two level crossings. In the absence of a mechanism to ensure the delivery of a Meerkat Lighting System to mitigate against the consequent increased risk to the safety of pedestrians, the proposal conflicts with policy DM1 of the Local Development Plan.

CONDITION(S)

1. Details of the appearance, landscaping of the site, layout and scale, (hereinafter called ""the reserved matters"") for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority before any part of the development in that phase begins. The development shall be carried out in accordance with the details as approved for each phase of the development.
2. The first reserved matters application shall include a plan showing the first phase of development and location of all subsequent phases of development (hereinafter called ""the Phasing Plan""). The Phasing Plan shall include the percentage of affordable housing in each phase. All subsequent reserved matters applications shall be submitted in accordance with the approved Phasing Plan.
3. The Reserved Matters shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
4. The development hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
5. The development hereby permitted makes provision for a maximum of 455 dwellings
6. The development shall be carried out in accordance with the following plans:
 - i) Drawing no. 002 Revision C (Red Line Plan);
 - ii) Drawing no. A106224-PP001 Rev J (Parameters Plan) in respect of the area identified as Archaeological Preservation in Situ Area;
 - iii) Drawing Nos. J000069-GA001 (Proposed Signalised Site Access Junction with A541 Mold Road) and J000069-GA002 (Proposed Site Access Junctions with Stansty Chain Road) in respect of vehicle and pedestrian access; and
 - iv) Drawing J000069-GA004A - Stansty Chain Road Speed Limit.
7. Notwithstanding the pedestrian accesses shown on Drawing Nos. J000069-GA001 (Proposed Signalised Site Access Junction with A541 Mold Road) and J000069-GA002 (Proposed Site Access Junctions with Stansty Chain Road), the Reserved Matters shall include details of additional

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pedestrian accesses onto the A541 Mold Road and Stansty Chain Road from any phase adjoining those highways. The pedestrian accesses shall be laid out, surfaced and drained prior to the first occupation of any dwelling in that phase and retained thereafter.

8. No development (excluding site clearance works) shall take place within a particular phase until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

9. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 08 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

10. No development shall commence in any phase until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority for that particular phase of development. No development or other operations within that phase shall take place except in strict accordance with the approved Method Statement. The Method Statement shall include:

- a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
- b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
- c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
- d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
- e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
- f) Method for protecting retained trees during demolition works;
- g) Details of all proposed tree works, including felling and pruning.

11. No development shall commence in a particular phase until a Conservation Management Plan for that phase of development has been submitted to and approved in writing by the Local Planning Authority. The Conservation Management Plan include but not be limited to:

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- i) Reasonable Avoidance Measures (RAMs) Scheme for Great Crested Newts and common lizard (to include details of measures such as fence construction and maintenance);
- ii) Measures to protect trees with the potential to support bats;
- iii) A lighting scheme and external lighting to be to be compliant with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting in the UK;
- iv) Measures to deliver net benefit to biodiversity, to include a long term management and maintenance plan.
- v) Biosecurity Risk Assessment for the removal, control and long-term management of invasive species during construction and following completion of the development;
- vi) A timescale for the implementation of the Conservation Management Plan

The Conservation Management Plan shall be implemented in accordance with the approved details.

12. The area identified on Drawing no. A106224-PP001 Rev J (Parameters Plan) as Archaeological Preservation in Situ Area shall be brought forward in accordance with the Archaeological Management Plan (ref: 15003/21)

13. Prior to commencement of development in each phase, the appointed Ecological Clerk of Works shall undertake a site walkover and inspection for the presence of badgers. The findings of the walkover over together with any mitigation measures as may be necessary shall be submitted for the written approval of the Local Planning Authority. Development shall thereafter only be carried out in accordance with any approved scheme(s) of mitigation.

14. Development shall not commence on any phase until a scheme of foul water drainage has been submitted to and approved in writing by the Local Planning Authority for that phase. The scheme as approved shall be implemented prior to the first dwelling in that phase.

15. Development shall not commence on any phase until a scheme of noise mitigation for that particular phase has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in full prior to the first occupation of any dwelling in that phase and all measures for noise mitigation shall be retained thereafter.

16. No development shall commence in any phase until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority in respect of that particular phase of development. The approved statement shall be adhered to throughout the construction period in that phase. The statement shall provide for:

- 1) the parking of vehicles of site operatives and visitors;
- 2) loading and unloading of plant and materials;
- 3) storage of plant and materials used in constructing the development;
- 4) an earthwork balance in respect of materials arising from excavations carried out on site, including measures to ensure those materials are re-used on-site;
- 5) hours of working and deliveries;
- 6) a scheme of dust management; and
- 7) a scheme to manage the impacts of construction noise and vibration.

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17. Development shall not commence until a scheme of improvements to junction 5 of the A483 and the Mold Road/Berse Road/Plas Coch Road, along with a timescale for the implementation of the scheme, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared with reference with the following Drawings: J000069-SK006-1 - Stage 1 A483 J5 (1 of 2), J000069-SK006-2 -Stage 1 A483 J5 (2 of 2), J000069-SK007 -Stage 1 Plas Coch Roundabout and J000069-SK008 -Stage 2 A483 J5

Improvements to junction 5 of the A483 and the Mold Road/Berse Road/Plas Coch Road shall thereafter be undertaken in accordance with the approved scheme and timescale.

18. No part of the development hereby permitted shall commence until details of an on-site Archaeological Watching Brief, prepared and carried out by a suitably qualified archaeologist for the duration of the construction works has been submitted to and approved in writing by the Local Planning Authority. The Archaeological Watching Brief must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for archaeological watching briefs. The development shall be carried out in strict accordance with the approved Archaeological Watching Brief and a copy of the resulting report should be submitted to and approved in writing by the Local Planning Authority and the Development Control Archaeologist, Clwyd Powys Archaeological Trust (41 Broad Street, Welshpool, Powys, SY21 7RR Email: markwalters@cpat.org.uk Tel: 01938 553670) prior to the first occupation of any dwelling in a phase adjoining the area identified as Archaeological Preservation in Situ Area on drawing no. A106224-PP001 Rev J (Parameters Plan)

19. The Reserved Matters shall include an area or areas of public open space within each phase, together with a scheme that includes the following details:

- 1) the siting, size, layout and appearance of any formal equipped play areas;
 - 2) hard and soft landscaping of the open space area(s);
 - 3) the timing of the construction and landscaping of the open space area(s);
- Public open space shall be provided on site within each phase in accordance with the approved scheme and permanently retained thereafter.

20. Prior to commencement of development in any phase adjoining the A541 Mold Road a scheme for the provision of a bus stop on the south-bound carriageway of the A541 Mold Road, to include a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The bus stop shall be provided in accordance with the approved scheme and shall be retained thereafter.

21. No dwelling shall be occupied until a Final Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include measures to encourage occupiers of the development to walk, cycle and to use local facilities and public transport.

22. The speed limit changes shown on drawing J000069-GA004A - Stansty Chain Road Speed Limit shall be implemented prior to first occupation of any dwelling in a phase adjoining Stansty Chain Road.

23. Development shall not commence until a suitably qualified ecologist (Ecological Clerk of works) has been appointed and details of an ecological watching brief, to include 6 monthly audits, have been submitted to and

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approved in writing by the Local Planning Authority. Development shall thereafter be carried out in strict accordance with watching brief, including the submission of the findings of each 6 monthly audit.

24. Vegetation clearance shall not take place in any phase of the development hereby permitted between March and September (inclusive) other than in accordance with details submitted to and approved in writing by the Local Planning Authority.

25. No dwelling shall be occupied until a fence has been erected along the full length of the boundary with the A483 trunk road in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The fence shall thereafter be permanently retained.

26. No drainage from the site shall be connected to or allowed to discharge into the trunk road drainage system.

27. No dwelling shall be occupied until a scheme of low and zero carbon technology has been implemented in accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the measures installed in accordance with the scheme shall be retained.

REASON(S)

1. To comply with Section 92 of the Town and Country Planning Act, 1990.
2. To ensure that the development of the site takes place in a coordinated manner and to ensure compliance with LDP policy H2 in respect of the delivery of affordable housing.
3. To comply with Section 92 of the Town and Country Planning Act, 1990.
4. To comply with Section 92 of the Town and Country Planning Act, 1990.
5. To define the scope of the planning permission.
6. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
7. To secure safe and convenient means of pedestrian access to the site in the interests of promoting sustainable transport choices in accordance with policies DM1 and T1 of the Wrexham Local Development Plan.
8. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.
9. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.
10. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies SP19, DM1 and NE3 of the Wrexham Local Development Plan.
11. In order to protect wildlife interests, which are afforded special protection in accordance with Policies SP14 and NE1 of the Wrexham Local Development Plan and to ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 11
12. To protect archaeological remains in accordance Policy SP15 of the Wrexham Local Development Plan.

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13. In order to protect wildlife interests, which are afforded special protection in accordance with Policies SP14 and NE1 of the Wrexham Local Development Plan.
14. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policies DM1 and NE6 of the Wrexham Local Development Plan.
15. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.
16. In the interests of minimising disruption arising from the development as well as securing a sustainable use of materials excavated during construction in accordance with policy DM1 of the Wrexham Local Development Plan.
17. In the interests of highway safety in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan.
18. To ensure archaeological remains are recorded and protected in accordance Policy SP15 of the Wrexham Local Development Plan.
19. In the interests of the appearance of the development and the standard of amenity afforded to future occupiers in accordance with policies DM1 and CF2 of the Wrexham Local Development Plan.
20. To assist future occupiers of the development to make sustainable transport choices in accordance with policies DM1, T1 and T2 of the Wrexham Local Development Plan.
21. To assist future occupiers of the development to make sustainable transport choices in accordance with policies DM1, T1 and T2 of the Wrexham Local Development Plan.
22. In the interests of highway safety in accordance with policies DM1 and T1 of the Wrexham Local Development Plan.
23. In order to protect wildlife interests, which are afforded special protection in accordance with policies SP15 and NE1 of the Wrexham Local Development Plan.
24. In order to protect wildlife interests, which are afforded special protection in accordance with Policies SP15 and NE1 of the Wrexham Local Development Plan.
25. To prevent direct access to the A483 trunk road in the interests of highway safety and in accordance with policy DM1 of the Wrexham Local Development Plan.
26. In the interests of highway safety in accordance with policy DM1 of the Wrexham Local Development Plan.
27. To ensure the development minimises energy use and carbon emissions in accordance with policy RE1 of the Wrexham Local Development Plan.

NOTE(S) TO APPLICANT

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

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 forms set 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 of 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.
-