

Pen-y-ffordd Community Group

www.PenyfforddCommunity.org

Hawarden Road Ref: 056694



The planning application has now been submitted for this site on Hawarden Road - opposite Famau View Drive. The plans are now in consultation - that means we have until **21st April 2017** to object or support the application.

You can object to or support the application on the [Flintshire Planning Portal](#). The Planning reference number is **056694**.

or by writing to the Head of Planning at Flintshire County Council. You must include your name and address and the planning reference number 056694. Your submission will be on public record.

The issues you raise must involve planning matters such as:

- Impact on residential amenity (e.g. hours of use, loss of privacy, loss of light, over dominance, noise, traffic)
- Impact on the character and appearance of an area (design, appearance and intensity)
- Impact on highway safety (e.g. poor visibility, pedestrian safety, parking)
- Impact on community facilities
- Planning policies and proposals, or Government planning advice. (SEE BELOW)

If you are objecting, your objection needs to be personal to you and relate to a planning regulation and why it makes the development unsustainable - how will the development affect you personally. As well as planning objections, if you do not believe the development is good for the community, it is good to demonstrate the harm that has been caused to the community by the rapid expansion in recent years and the potential damage to the social cohesion of the village.

They cannot take into account comments on the following types of concerns:

- Personal characteristics of the applicant
- The effect of the proposal on property values
- Disturbances during building work
- Loss of view
- Private rights of way, private drains and other private easements and legal covenants
- Disputes over land ownership
- Commercial competition
- Building Regulation issues (e.g. structural stability, drainage, fire precautions, hygiene and internal space)

Relevant Policies:

PLANNING POLICY WALES (National planning policy)

TAN 1 6.2

The housing land supply figure should also be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5-year requirement or where the local planning authority has been unable to undertake a study (see 8.2 below), **the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies.**

THESE ARE SOME OF THE NATIONAL AND LOCAL POLICIES WHICH ARE NOT BEING COMPLIED WITH. THE MOST RELEVANT TEXT IS HIGHLIGHTED IN RED.

2.8.1 The weight to be attached to an emerging LDP (or revision) when determining planning applications will in general depend on the stage it has reached, but does not simply increase as the plan progresses towards adoption.

2.8.2 Refusing planning permission on grounds of prematurity will not usually be justified except in cases where a development proposal goes to the heart of a plan and is individually or **cumulatively so significant, that to grant permission would predetermine decisions about the scale, location or phasing of new development which ought to be taken in the LDP context.**

2.5 Priorities for Urban Areas and Rural Areas

...to secure environmentally sound and socially inclusive regeneration in those urban areas which require it, so that they become more desirable places in which to live and work; and foster sustainable change, **in particular making it possible to live with less noise, congestion and traffic pollution, and improving the quality of life.** To secure sustainable rural communities with access to affordable housing.

Population, Household Growth and Housing Topic Paper No. 10 June 2015, page 2 '**Population growth is slowing down in Flintshire** in comparison to historical trends (the last 30 years.). 2011 Census based WG projections indicated that Flintshire's population is only likely to grow by 2% over the plan period for the LDP.' – 2015-2030.

According to the Wellbeing Assessment of Flintshire consultation document, February 2017, in the year ending March 2016, 662 new homes were built in the area, compared to Welsh Government's 2011-based projections predicting a new dwelling requirement of around 350 each year in order to keep pace with population growth.

The build rate in Flintshire is nearly double the estimated need.

FLINTSHIRE UNITARY DEVELOPMENT PLAN (UDP)

STR1 New Development

New development will be:

- a. **generally located within existing settlement boundaries**, allocations, development zones, principal employment areas and suitable brownfield sites **and will only be permitted outside these areas where it is essential to have an open countryside location;**
- b. required to incorporate high standards of design which are appropriate to the building, site and locality, maximise the efficient use of resources, minimise the use of non-renewable resources and minimise the generation of waste and pollution;
- c. required to create a safe, healthy and secure environment and protect standards of residential and other amenity;
- d. **required to respect community identity and social cohesion** including the adequacy and accessibility of community facilities and services;
- e. **required to respect physical and natural environmental considerations such as flooding and land stability;**
- f. required to minimise or negate pollution to air, water and land; and
- g. **assessed in terms of a precautionary approach whereby development proposals that would have a significant and uncertain environmental, social, economic or cultural impact, will be refused, in the absence of the best available information which proves that the impact can be negated or mitigated through proper risk control measures.**

GEN1 General Requirements for Development

Development that requires planning permission and is in accordance with the Plan's other policies, should be located on land, or within suitable buildings, which satisfies the following requirements:

- a. the development should harmonise with the site and surroundings in terms of the siting, scale, design, **layout, use of space, materials, external appearance and landscaping;**
- b. the development should take account of personal and community safety and security in the design and layout of development and public/private spaces;
- c. **the development should not have a significant adverse impact on recognised wildlife species and habitats, woodlands, other landscape features, townscapes, built heritage, features of archaeological interest, nor the general natural and historic environment;**
- d. **the development should not have a significant adverse impact on the safety and amenity of nearby residents, other users of nearby land/property, or the community in general, through increased activity, disturbance, noise, dust, vibration, hazard, or the adverse effects of pollution;**
- e. **the development should provide, where appropriate, safe and convenient access for pedestrians, cyclists, persons with disabilities, and vehicles, together with adequate and suitably located parking spaces and servicing/manoeuvring space;**
- f. **the development should not have an unacceptable effect on the highway network as a result of problems arising from traffic generation, and should incorporate traffic calming measures where appropriate;**
- g. **the development should have, where appropriate, convenient access to public transport, and wherever possible is well related to pedestrian and cycle routes;**
- h. **the development must have regard to the adequacy of existing public services (e.g. gas, water, electricity), with new infrastructure capable of being provided in reasonable time and at minimum public cost;**
- i. **the development should not result in/be susceptible to problems related to drainage, land stability, contamination, or flooding, either on or off site;**
- j. **the development should not prejudice land or buildings safeguarded for other uses, or impair the development or use of adjoining land; and**
- k. **the development should not result in the permanent loss of the best and most versatile agricultural land where either suitable previously developed land or land in lower agricultural grades is available.**

GEN3 Development in the Open Countryside

Development proposals outside settlement boundaries, allocations, Development Zones and Principal Employment Areas will not be permitted, except for:

- a. essential worker housing (policy HSG4);
- b. small scale infill development, comprising **one or two housing unit(s)** within a clearly identified group of dwellings (policy HSG5);
- c. conversion, extension, adaptation and re-use of buildings (policies HSG7, RE4, and RE5);
- d. replacement dwellings (policy HSG6);
- e. **affordable housing exceptions schemes adjoining existing villages (policy HSG11);**
- f. small scale rural enterprise exception schemes adjoining existing settlement boundaries (RE4 and RE5);
- g. development related to agriculture, minerals extraction, rural diversification, tourism, leisure and recreation, and existing educational and institutional establishments, provided there is no unacceptable impact on the social, natural and built environment;
- h. essential works associated with statutory undertakers subject to the appropriate environmental considerations
- i. the expansion of existing employment development (EM5); and
- j. other development which is appropriate to the open countryside and where it is essential to have an open countryside location rather than being sited elsewhere.

4.9 Development outside settlement boundaries or other development allocations and development designations (Development Zones and Principal Employment Areas) is usually termed development in the ‘open countryside’, and because of the need to protect the countryside from unsustainable development, new development will in general not be permitted. There are however, very specific circumstances outlined by this policy and expanded elsewhere in the Plan, where new development may be permitted. “Appropriate” development in the open countryside is usually restricted to proposals for extensions to dwellings, conversions, development related to agricultural and forestry industries and recreational uses such as sports pitches. Essential development will include works associated with the utilities such as pipelines and cables which have to pass through open countryside and cannot be sited elsewhere.

HSG11 Affordable Housing in Rural Areas

Outside village settlement boundaries, proposals to develop affordable housing in rural areas will only be permitted, where:

- a. there is evidence of genuine local need for such provision;
- b. there are no suitable alternative sites or properties within settlement boundaries to meet the need;
- c. schemes abut settlement boundaries and form logical extensions to settlements, avoiding ribbon and fragmented development and incorporating suitable boundary treatment and landscaping measures;
- d. the scale, design, and layout of the proposed development are sympathetic and appropriate to the size and character of the settlement and its landscape setting, and reflect the scale of need identified; and
- e. houses will remain affordable in perpetuity for those in need, managed by a housing association, the County Council, a bone fide trust or similar organisation.

D1 Design Quality, Location and Layout

All development must incorporate good standards of design. Development will be permitted only if:

- a. it respects the scale of surrounding development, its location, siting, and layout make the best use of land, minimise the need to travel, and provide a safe and attractive environment;
- b. it is of the highest net density appropriate to its setting and function;
- c. it relates well to local topography, aspect, microclimate, street pattern, orientation and views;
- d. it creates positive and attractive building alignments and frontages;

- e. adequate provision is made for space around buildings, setting of buildings, imaginative parking and landscaping solutions;
- f. maximises the efficient use of resources, minimises the use of non renewable resources and minimises the generation of waste and pollution; and
- g. it is accompanied by design information commensurate with the scale and type of development proposed.

D2 Design

Development will be permitted only where:

- a. the proposed building and structures are of a good standard of design, form, scale and materials; and
- b. **it protects the character and amenity of the locality and adds to the quality and distinctiveness of the local area.**

L1 Landscape Character

New development must be designed to maintain or enhance the character and appearance of the landscape.

7.7 Flintshire's landscape is the result of centuries of past human activity and as such is a non renewable resource which should be safeguarded for future generations. All landscapes including undesignated landscapes are important, and Plan policy will seek to ensure that the particular character and features of each landscape will be protected from development or to ensure that those identified character features are protected or retained within new development. **Attractive rolling farmland or degraded land on the urban fringe can have significant local value, though in the case of the former the emphasis will be on protection and on enhancement with the latter. Urban fringe locations are those which are most likely to be developed, and it is therefore important to consider landscaping buffer areas to reduce the effect of new development on the countryside around settlements. This will generally take the form of native trees and shrub planting and protection of existing vegetation.**

7.8 This policy seeks to ensure that new development takes into consideration features within the landscape which make up its character and local distinctiveness. These will vary between localities and may include for example, undulating farmland interspersed with hedgerows, small woodlands, ponds, dry stone walls or the flat coastal saltmarsh of the Dee Estuary. In this regard the landscape setting and the potential visual intrusion from distant viewpoints will be important considerations. Where the Local Planning Authority considers it appropriate, applicants must demonstrate that a landscape appraisal has been carried out and taken into consideration in development proposals. In these cases the effect of the development on the surrounding landscape and also a landscaping scheme associated with the design of the development, should be addressed.

Housing

11.16 The settlement strategy of the UDP sets out a framework to allow for a sustainable level of growth in Flintshire. Arising from this, a key concern expressed in the preparation of the UDP, has been the **desire to reduce house building rates in Flintshire in order to avoid perpetuating past high levels of housing development, which are regarded as being unsustainable.** This would complement the reassessment of the supply of employment land in the UDP, reflecting the relative consolidation of Flintshire's economy which seems likely to occur over the next few years. **The Plan therefore seeks to provide primarily for local need, and a reasonable amount of in-migration.** The issue of house price increases and social exclusion are to be addressed through a firm approach to securing affordable housing.

11.17 The approach to housing should also give consideration to the need to avoid overdevelopment in villages, and to protect against providing for displaced housing demand

from Cheshire, especially in the border areas around Chester. In the past such demand has led to excessive growth in some villages which cannot be sustained.

11.18 Taking these factors together, a housing need of 7,400 dwellings is proposed for the Plan period. This provides for the needs of local people, but also allows for some net in-migration, reducing past trend levels which have been shown to produce unsustainable housing growth. As an annual average, this figure represents 493 new dwellings per year throughout the Plan period, 16% below Flintshire's average housing completion rate for the five year period up to the start date of the Plan. This approach is wholly consistent with that set out in the adopted Regional Planning Guidance for North Wales (para. 7.3 Housing Provision in UDPs...) and which has been followed by other Local Planning Authorities in North Wales.

HSG4 New Dwellings Outside Settlement Boundaries

New dwellings outside settlement boundaries will only be permitted where it is essential to house a farm or forestry worker who must live at or very close to their place of work and not in a nearby dwelling or settlement, provided that:

- a. the proposal is accompanied by an appropriately completed questionnaire, which will be the subject of an independent assessment of the functional and financial need for the dwelling in relation to the enterprise;
- b. the need cannot be met through the economic conversion and reuse of existing buildings on site;
- c. there has been no prior disposal of a dwelling or existing building suitable for conversion on the farm unit which could have been used to meet this need;
- d. the dwelling is sited so as to relate to buildings on the existing farm or forestry complex and that its design, scale, and appearance takes into consideration the landscape setting of the surrounding area; and
- e. the size, floorspace and type of proposed dwelling should be appropriate to that which the farm/forestry enterprise can sustain.

HSG8 Density of Development

New housing development will be permitted where the density of development:

- a. makes the most efficient use of available land;
- b. reflects the characteristics of the site and surrounding area;
- c. helps to meet the needs of Flintshire residents for a range of house types;
- d. uses high quality design principles to maximise the density of development without compromising the quality of the living environment provided; and
- e. makes adequate provision for privacy and space about dwellings.

HSG5 Limited Infill Development Outside Settlement Boundaries

Outside settlement boundaries infill development for one or two housing unit(s) may be permitted, provided that the proposal is to meet a proven local housing need and:

- a. comprises a small gap which is not an important landscape, nature conservation, historic or other amenity feature within a clearly identifiable small group of houses within a continuously developed frontage;
- b. does not constitute, or extend existing, ribbon development which would be detrimental to the character and appearance of open countryside, and does not create fragmented development; and
- c. respects adjacent properties and the surrounding area in terms of its siting, form, design and scale, and does not represent overdevelopment of the site.

11.59 In the absence of significant housing allocations in the rural areas, and **recognising the need to strictly control housing development outside settlement boundaries, there is also a need to ensure some opportunities exist for small-scale development to take place to meet the social and economic needs of rural areas.** Any new development in rural areas should be well related to the existing pattern of settlements, reducing the pressure for sporadic and isolated development.

11.60 This policy provides limited and strictly controlled development opportunities in rural areas, by restricting new dwellings to single unit infill development within small groups of houses outside settlement boundaries. These groups of houses are not defined in the Plan and each development proposal under this policy will be considered on its own merits. In line with the requirements of HSG3 regarding new housing within category C settlements, any new houses permitted in the form of infill development in small groups of houses will be required to meet local housing needs. If the proposal seeks to provide a home for an essential worker whose employment requires that they live in a specific locality then it will be necessary that the applicant submits details of their employment in support of their application. The LPA will consider the need for a functional and financial test to establish that the need is genuine and whether a person engaged in the enterprise is required to live at or very close to the place of work. If the proposal seeks to provide a home or homes to satisfy the affordable housing needs then it will be necessary for the applicant to provide the following information to support development proposals as follows: the number of dwellings; the size of dwellings; an estimated sale/rental cost for dwellings; indication of measures to put in place to retain the affordability of the property; and justification for the proposed sale/rental costs by way of a summarised financial appraisal of the proposed development. In both cases where the LPA resolve to grant planning permission the LPA will seek to apply conditions and where appropriate legal requirements to ensure that any subsequent local needs housing delivered is retained for as long as required by the community.

11.61 In order to meet the requirements of this policy, a group of houses must form a continuous built-up frontage and/or a focus of dwellings for example on a cross roads, and should comprise six or more dwellings. A group of houses must not be interspersed by individual field parcels. Similarly, an infill housing plot is defined as a small gap capable of accommodating a single housing unit or two semi-detached units where this is the prevailing house type in the group or frontage, within a continuous line of built up frontages. The proposed infill dwelling must be of comparable scale, character and size to surrounding properties, and must not represent an overdevelopment of the infill plot.

11.62 Careful consideration will be given to the cumulative effect of any development proposals under this policy, on the form and character of the existing group of houses. Proposals that result in or perpetuate ribbon development will be refused.

HSG10 Affordable Housing within Settlement Boundaries

Where there is a demonstrable need for affordable housing to meet local needs, the Council will take account of this as a material consideration when assessing housing proposals. Where this need exists the Council will negotiate with developers to provide 30% affordable housing in suitable or appropriate schemes within settlement boundaries.

11.73 Where there is a demonstrable lack of affordable housing within a given locality the Council will enter into negotiations with the developer to secure appropriate mixes of affordable housing types and tenures as part of a new housing scheme. For the purposes of the plan **Affordable Housing is defined as including both low cost market/discount housing and social housing for sale and/or rent, which is made available to people who could not otherwise afford housing available on the open market.**

Flintshire County Council has undertaken extensive work in assessing the Flintshire Housing Market to identify and plan for the County's housing needs. In 2005 Flintshire launched its Housing Needs Assessment which was undertaken by the consultancy Fordhams. This study identified the need for 808 affordable dwellings each year, for a period of five years depending on the continued strength of the housing market. The housing market has changed significantly since 2004/05 and consequently the scale of demand indicated by the Fordhams study has changed.

11.74 In 2008 the draft North East Wales Market Housing Assessment (NEWHMA) was released. The North East Wales Market Housing Assessment is a joint study which has been undertaken in partnership with neighbouring Welsh authorities. The NEWHMA study concluded similarly to the

Fordhams study that there are significant unmet housing needs in Flintshire. To meet identified housing needs the NEWHMA study recommended that 480 new homes be built within Flintshire every year up to the year 2021. **NEWHMA recommends that 38% of all new housing built in Flintshire be dedicated affordable homes, and that there should be greater variation in the types and tenures of all homes provided to meet the needs of lower income households, single and two person households as well as elderly and disabled households.**

11.75 Whilst the Council remain committed to increasing dedicated affordable housing, Policy HSG10 has been developed to cater for market changes which might otherwise make the provision of affordable housing economically unviable for a developer. In this respect the Policy seeks to provide at least 30% affordable housing on sites with a minimum size threshold of 1.0 hectare or 25 dwellings, this is significantly less than the recommendations contained within the Housing Needs Survey undertaken in 2005 but is justified by the need for a balanced policy which is considerate of inevitable and unforeseeable economic changes which can dramatically affect the viability of a development scheme.

AC13 Access and Traffic Impact

Development proposals will be permitted only if:

- a. **approach roads to the site are of an adequate standard to accommodate the traffic likely to be generated by the development without compromising public safety, health and amenity; and**
- b. **safe vehicular access can be provided by the developer both to and from the main highway network.**

TWH2 Protection of Hedgerows

Hedgerows which are important for their wildlife, landscape, historic or archaeological value will be safeguarded from significant damage or loss. Where development proposals affect hedgerows the Council will seek to ensure that, wherever possible, they are retained and incorporated into the layout of the development.

6.8 Hedgerows are a distinctive feature of the countryside which contribute to the character and interest of the landscape. Many date back to the first enclosure of the land and are therefore also of historic interest. Hedgerows, particularly older hedgerows, often contain a great diversity of plant and animal species and have an important role in conserving and enhancing biodiversity.

6.9 The Hedgerow Regulations 1997, which came into force on the 1st June 1997, conferred new powers on Local Planning Authorities to protect important hedgerows in the countryside through the application of a series of criteria. The County Council, in applying these regulations, will take action to prevent and where necessary refuse development proposals which would lead to significant loss or damage to such hedgerows. Where the removal of a hedgerow is essential, a suitable replacement must be provided.

6.10 The policy also recognises that hedgerows which do not qualify for protection under the Hedgerow Regulations, can still form a valuable part of the landscape character of the County and make an important contribution to biodiversity. The County Council will therefore ensure that, wherever possible, hedgerows are retained and sympathetically managed.