

Pen-y-ffordd Community Group

www.PenyfforddCommunity.org

REASONS FOR REFUSAL

17 April 2017

A Summary of Objections in relation to Proposed residential development

Ref. 056694 for 32 homes on land off

Hawarden Road, Pen-y-ffordd

This document presents the reasons why the Pen-y-ffordd Community Group believe that this proposal should be refused. It is a combination of local knowledge from the Pen-y-ffordd Community Group, supported by the Community Council, and the feedback of over 780 residents; along with local and national policies which the proposal fails to adhere to.



Hawarden Road with the proposal land behind the hedgerows on the left

“you and your community are vital in the plan preparation as you hold local knowledge”

LDP Wales – Planning Your Community (Welsh Assembly Government Publication)

In Planning Policy Wales Edition 8 - January 2016 in Chapter 4.3.1 there is reference to the Well-being of Future Generations (Wales) Act establishing a Sustainable Development Principle. This is the wording:

“...a defined public body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. In order to achieve this principle we expect all those involved in the planning system to adhere to:

putting people, and their quality of life now and in the future, at the centre of decision making.”

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This document sets out why adding this development to our village will harm the community and the quality of life of residents now as well as the reasons why it is unsustainable.



“The community have given clear expression to their concerns regarding this proposal via a community questionnaire which received a very high response rate, and the development of their own Village Plan. Part of this is a clear concern for the impact of this proposed development on the loss of village identity and their sense of community, the pace and scale at which development has happened, and could be compounded by this proposal, and the impact it will have on the economic, social and environmental infrastructure of the community and settlement.”

These are the words of the Chief Planning Officer referring to the Redrow Chester Road application, refused permission at committee in April 2017. That was one of 4 applications outside of the settlement boundary of Penyffordd to be considered in the past 12 months.



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Part 1 – Evidence of Harm and Sustainability

1. Loss of Village (Harm)

1.1 This is a view of Penyffordd looking towards Dobshill along the A550. The proposed site is the wedge shaped field just right of centre.



1.2 The appeal of Pen-y-ffordd/Penymynydd for many villagers is its rural setting – to live surrounded by countryside. The agricultural grading of the land is not as important as the recognition that land is a finite resource and we have to cherish it and use it wisely.

No house in Pen-y-ffordd/Penymynydd is further than 230 metres from a field.

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1.3 The second part of the appeal of Pen-y-ffordd/Penymynydd is the sense of community – that it is a village, not so large that people don't know what's happening. That sense of community is brought about by a core population who are born in the village, grow up in the village and stay to bring up their own families in the village.



1.4 There are many different threats to village life in Wales. There are few remaining genuine village communities, where local businesses can thrive and sustain the residents, where the population is small enough that the sense of community is maintained – where village groups thrive, where the village gathers as a real community for special celebrations.

1.5 The sense of our village retaining the 'feel' of a village remains intact – just. This is the intangible thing that we believe makes this development unsustainable more than anything else.

1.6 The rapid growth of the past few years has put a strain on every aspect of village life, but most crucially to this delicate, fragile, undefinable sense of 'community'. There are few enough settlements that have managed to thrive as a

community – many have grown into sprawling small towns, many others have lost their shops, post offices and pubs to become sleeping communities. Pen-y-ffordd is a rare and precious success and it needs to be recognised as such.



Images showing St John's Church, Penymynydd which hosts a well attended Choir.

Village Carnival Poster. The Carnival has been an annual celebration since 1922.

Attendance at the 2016 Bonfire was larger than ever with huge queues and the surrounding streets full of people.

The Pen-y-ffordd Community Centre full of Scouts and villagers for the 2016 Remembrance ceremony.

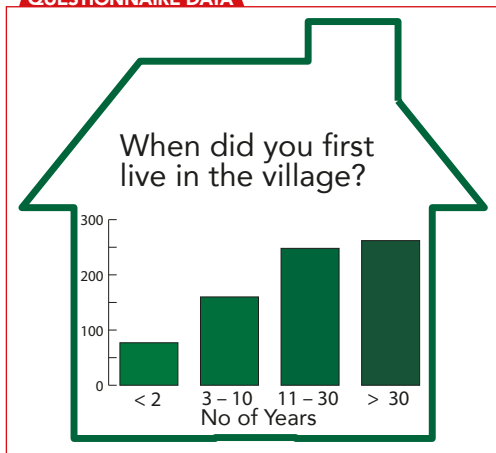


1.7 Pen-y-ffordd/Penymynydd is a fantastic place to live for lots of reasons and the residents are not completely opposed to new housing – what they want is small scale growth of the type of houses needed to maintain the balance of population – to include housing for elderly, for first-time buyers, some rented accommodation, housing accessible for the disabled or infirm, houses for families.

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QUESTIONNAIRE DATA



1.8 Penymynydd and Pen-y-ffordd became joined physically during the housing growth of the 1970s, which brought new families into the community. Many of them have stayed and brought up their own families who are now doing the same.

1.9 The sheer scale of the most recent growth has started to dilute some of that community spirit and change the nature of the village – the fear is that additional large scale developments with a lack of houses which can be afforded by first-time buyers, will result in the next generation moving away. The sense of 'family' in the village is under serious threat.

1.10 In many cases family means family living nearby. That natural support network that stems from in-migration within a community is evident across the generations in Pen-y-ffordd. 40% of people living in the village have family living in the village (not in their home). Some are second generation, others have as many as four generations living in the village. That connection and support cannot be maintained without the right type of housing.

1.11 In response to recent planning applications, a community group was formed, including County and Community Councillors, to create a 'Place Plan' for the community, setting out the priorities and wishes of the village– to guide the LDP process as well as future planning applications. The plan is written and the first Draft is being consulted on by Community Councillors now (April 2017).

1.12 One of the first parts of the process was to share a questionnaire with every one of the 1,700 homes in the village. The responses from that questionnaire – in total **774** responses were received – provided data and comments from villagers which have been used throughout this document.

1.13 We asked people if they would share what brought them to the village in the first place and the answers vary depending on how recently people moved to the village, but the sentiment is consistent – here are the first 100 of those answers:

1. I was attracted to a small village location with good facilities and a community spirit, but this has been eroded over the years.

2. it felt like the village I was brought up in, housing, green fields surrounding the village, schools,(there being no secondary school, I had to travel to next area for that).Now that village is a village no more.

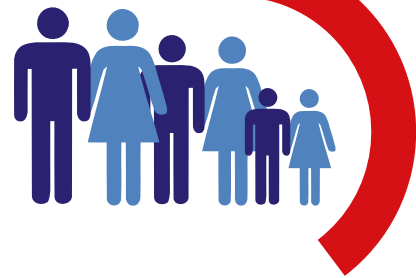
3. cheaper house prices than Chester, living in Wales (positive) and close family links

4. I have grown up in Pen-y-ffordd all my life, most of my family also live within the village. We moved away from the village when we bought our first house, but have now moved into a New Build property on the Taylor Wimpey site.

5. Grew up here and stayed here

QUESTIONNAIRE DATA

Do you have relatives living in the village? (not at home with you) **40%** say yes



6. The fact that it is a village and village life and its a small village.
7. Secondary education at Castell Alun High School. Escape a large town, for a small village
8. husband stationed at RAF Sealand 1972
9. Reasonable price and easy access to Chester
10. Family connection
11. Village life and a sense of community, a small village where I can raise a family, surrounded by countryside.
12. I liked the idea of living and bringing my children up within a village.

13. the friendly people

14. A quiet life, away from the crazy world

15. Liked the idea of living in the countryside so that we could start a family in a friendly community. However, the village is quickly changing so it's more of a rural area making us consider leaving as even in a few years, the community feeling is being lost.

16. the proximity to Chester, Wirral and North Wales Coast

17. Close to husbands work, (we moved from St. Helens) Great proximity to shops at broughton and nightlife in Chester but still in a quiet community with lots of green

18. Me and my now husband bought a house, I lived in Hawarden and we couldn't afford to buy in the area, he has lived in Pen-y-ffordd all his life and so we settled on Penymynydd.

19. House price

20. Married a bloke from the village who had a large family connection to Pen-y-ffordd

21. The rural feel and the countryside

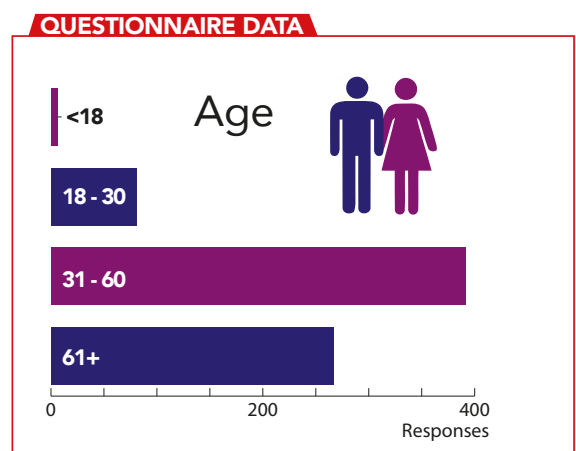
22. Small country village with good access for work commuting

23. I worked as a nurse in Tunnel Cement and found Penymynydd so pleasant, small as it was then but we knew everyone and it was lovely, still is but in a different way now

24. Marriage

25. Accessibility to local schools (we didn't want to move our children to new schools when we moved house). Still a village feel (only just though).

26. Rural area and schools



27. Four generations

28. It was a small countryside village with a lot of open green fields!

29. My husband's employment. We moved a long way and chose carefully where to live as we were both born and bred within a village.

30. I was born here

31. Peacefulness

32. The location of my property ,not being overlooked !!!!

33. Have lived here since I was 3 years old

34. Mum has lived here all her life. When she and Dad married they bought a house here and it was been the family home ever since.

35. That it was a village, nice and friendly with good schools.

36. Cheaper housing options than Chester (where I moved from) and easy access to the North Wales countryside.

37. Close to work in Mold and liked the village setting

38. I have always lives in Broughton but moved to Penymynydd due to its small village feel and community spirit. I feel proud to be a member of this outstanding village.

39. It was in good commuting distance for work

40. We moved to the area from Sheffield 22 years ago. we chose Pen-y-ffordd because it seemed a nice community to bring up our children whilst having good road access for work and travel to the rest of the UK.

41. Affordable rental housing

42. We were attracted to the village because of the public transport facilities and the amount of other amenities e.g shop, pubs, post office, chippy, chemist etc. Everything is within easy reach.

43. Nicest development we saw in our area when looking for a new home. Fell in love with the village as soon as we drove through.

44. Location close to family in Buckley, work and access to Chester/Liverpool. Able to walk into countryside (Penymynydd woods) but still have local amenities.

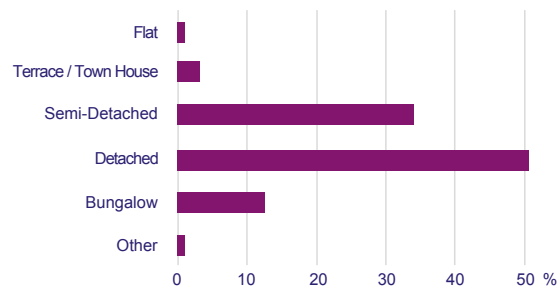
45. Size, location, character - two of which have changed dramatically over 20 years...and not in a good way!

46. Born here, Love the place.

47. Started work at Airbus

QUESTIONNAIRE DATA

What type of house do you live in?



48. Close to where I was born, convenient transport links to Chester, where I work.

49. Liked the schools

50. Lived in village since age 5

51. Family connections

52. Was born here

53. How small and well kept the village was

54. Initially the property, fell in love with it immediately but love the village itself

55. I'm Flintshire born and bred and wanted a nice family house in a nice area.

56. The chance to live in a pleasant village environment in Wales, near to areas of exceptional natural beauty, with good facilities and good connections to larger urban areas.

57. New housing

58. Lived all my life

59. Great community, smallish village with easy access to motorways

60. We lived in Port Sunlight on the Wirral, the free paper advertised the new bellway houses by the butchers, we drove over on the Sunday. It was a lovely sunny morning, we loved it and moved to our existing home 29/11/96. Love the village and the way of life, and so do our children.

61. I thought it was a pretty sleepy village with easy access to Chester and Wrexham

62. I was working in Chester at the time and Pen-y-ffordd was an easy commute. As a Welsh speaker I always wanted to move into Wales from mid Cheshire.

63. My fiancé has lived in the village all of her life.

64. Surrounded by green fields

65. My husband already lived and had a house in the village.

66. Family

67. I married a village girl

68. location, close to Chester and North Wales and the lovely housing

69. I was born there

QUESTIONNAIRE DATA



Half would consider moving within the village



70. Employment opportunity.
71. I have lived in the village all my life.
72. Came to view one of the new Taylor Wimpey houses and feel in love with the village
73. Penymynydd - pleasant and quiet
74. To live with my wife who was already a resident of the village.
75. Very nice village life
76. Work (Airbus)
77. My family have lived here all my life, on Hawarded Rd, we joined Pen-y-ffordd 1998. My children grew up here, have married and also live in the village. we need more 3 bed affordable housing.
78. I grew up here and it has always felt like home. It's a lovely village and I feel safe walking around.
79. I moved from the south and I have family in Chester. I work in Mold and I wanted somewhere close to both but quiet and not full of council housing or new build developments
80. Airbus (worked there for 40 years) The village feel similar to where I originally lived. Good village interaction
81. Desirable village, good community spirit, good schools and local pubs. Accessible to key towns cities and employment
82. we moved here because it was a village
83. Cost and village life
84. The small Village life
85. My parents moved here
86. A larger home
87. Our first family home
88. Parents lived here. Born and Bred here
89. To Work in Wales
90. It is a pleasant village in North Wales having close proximity to my employment at Llay, it was important to move to a village, as we had previously lived in a village in Suffolk.
91. I thought it looked like a welcoming village to 'outsiders'. Starting to question that unfortunately. The house I bought was what attracted me.

QUESTIONNAIRE DATA



12%

Can
Speak
Welsh*

*32% would like to learn

92. Work and Education

93. We're from Hope and Treuddyn originally and wanted to live somewhere local with good access to the A55 and within the Castell Alun catchment

94. I was born here

95. The new homes, location and general vibe of the village

96. My partner works in Wrexham, and I was studying in Chester. We were looking to buy a house that had the potential to become a family home. The location of the village was a great point for us, being close to the A55 as both our families live down the North Wales coast.

97. It was a village with good community spirit, good schools and easily accessible to work and services in nearby towns

98. We lived locally. We desired a community that was friendly for our girls to grow up in. Away from the larger towns of Buckley and Mold and city of Chester

99. Community feel and this questionnaire is a shining example of that reason.

100. the size layout amenities and transport links were far better than the village we lived before also within the catchment area still for castell alun school

1.15 There are lots of comments there but they give a sense both of the appeal of the village and the awareness of something being lost with the recent growth.

1.16 As a group of villagers, we have identified some of the tangible 'harm' and practical considerations through the eyes of the villagers as well as those Welsh Government laws and policies and Flintshire policies which we believe need to be considered before a decision is taken.

In the recent research document **What about the people; The socially sustainable, resilient community and urban development**, published in February 2017 by researchers from the University of Oxford and Georgetown University
<http://be.brookes.ac.uk/research/iag/resources/what-about-the-people.pdf>

There is a great deal of research, evidence and analysis into what makes a community resilient and socially sustainable. These are extracts:

Links with neighbours

- This is about creating a place where people know their neighbours and trust each other.
- If you can encourage social interaction and social networks locally, this is strongly linked with lower crime rates and higher life satisfaction.
- Start by asking what would help people get on here: what would prompt people to stop and talk to their neighbours? Could you borrow things or ask for help?
- Design streets and squares so that they can be used as social and play spaces, not just a thoroughfare; think about the design and use of street furniture and benches, for example.
- Invest in neighbourhood projects which both new and existing residents will use, like a sports or social club, or a way for people to connect online.

Source: <http://www.berkeleygroup.co.uk/media/pdf/lh/berkeley-social-sustainability-toolkit.pdf>

Community resilience is the existence, development, and engagement of community resources by community members to thrive in an environment characterised by change, uncertainty, unpredictability, and surprise. Members of resilient communities intentionally develop personal and collective capacity that they engage to respond to and influence change, to sustain and renew the community, and to develop new trajectories for the communities' future.¹²⁹

“Social sustainability is about people’s quality of life, now and in the future. It describes the extent to which a neighbourhood supports individual and collective well-being. Social sustainability combines design of the physical environment with a focus on how the people who live in and use a space relate to each other and function as a community. It is enhanced by development which provides the right infrastructure to support a strong social and cultural life, opportunities for people to get involved, and scope for the place and the community to evolve.”

Bacon, et al. (2012: 9); Woodcraft (2012: 35)

Social cohesion happens when people from the same community or society get along, trust each other, and live peacefully together with or without social or ethnic differences. This is supported by economic equality and inclusion, democracy, people having their basic needs met, and social solidarity between people.

We still have this social cohesion and community resilience in Pen-y-ffordd and we don’t want to lose it. There are photographs from the latest village meeting on the 8th March 2017, shortly after the pre-application public consultation ended.



2. Pace of Change (Unsustainable)

2.0 We have detailed below the evidence for why we believe that the pace of change experienced by the village in the past 5 years is unsustainable. However, prior to that, these are the words of the Chief Planning Officer with regard to the settlement growth in the Redrow Chester Road report:

“7.24 This site if developed would...growth to the 27% that has substantially only come forward in the last 5 years or so, i.e., in the latter years of the UDP period. Given the present lack of a 5 year supply, it is anticipated that these speculative sites, if granted planning permission, would be delivered over the early years of the LDP period.

Over the UDP period only one category B settlement experienced a higher actual growth rate from completions which was Drury/Burntwood at 26.7%. However, if the Meadowslea development is included in the calculations, then Penyffordd/Penymynydd had the highest growth of any settlement in the County. It is interesting in looking at Category A settlements that only Mold at 10.1% and Buckley at 17.4% fell within the indicative growth band of 10-20%. In this broader context the growth in Penyffordd/Penymynydd is in excess of any other settlement in Flintshire. The UDP Inspector supported a higher level of growth in the settlement given the location and characteristics of the settlement and the availability of two logical and defensible housing allocations. However, this does not necessarily mean that a similar growth in the LDP period is either acceptable or sustainable. In those terms this is clearly unacceptable growth.

7.25 It is also arguable that, given the growth band for category B settlements envisaged growth up to 15% during the UDP period, and this settlement has grown at almost double that level, then the settlement's contribution to housing provision has been substantial, both within the UDP period and requirement, and extending beyond into the emerging LDP timeframe. This is particularly important from the perspective of community cohesion and the time required for new housing and residents to become successfully integrated into the community.

7.26 From this perspective it is not an automatic presumption that this settlement will, or needs to, accommodate growth as part of the LDP and certainly not at this scale. Indeed, it has already had smaller scale consents grant during the LDP plan period which count as commitments to address the local needs of the settlement.”

2.2 The UDP Inspectors report

The growth of Penyffordd/Penymynydd beyond the 8-15% recommended for Category B settlements was planned for and endorsed by the UDP inspector, who believed that it was sustainable. The community warned at the time that it was not.

The inspector believed that phasing was not necessary and that, while there would not be sufficient school places, the developments would not be complete before the school places became available through developer contributions. We can view the harm caused by the two UDP developments with hindsight or, if lessons are to be learned for the future, we must view the objections raised by community representatives at the time with more weight. There is a clear evidence in this community that large developments and multiple developments which individually substantially increase the population of a community are not sustainable. Small developments, phased, with infrastructure to support are key.

This is the summary of objections to the Groves site on the same farmland as the proposed Hawarden Road development (they are almost identical on the White Lion site):

The plan does not comply with PPW with regard to the settlement strategy; selection of sites to allocate; or, appropriate density. **Further housing is not required in this settlement which is losing its village character. The allocation will not serve needs of local people but those from Cheshire. The overall development exceeds the indicative growth band for a category B settlement. Will result in town cramming and loss of green belt. Inadequate services and facilities – doctors, dentists, leisure, community facilities and shops. Schools already at capacity.** Provision of church school education should be at least maintained at present levels. **Drainage and sewerage systems should have been surveyed and a traffic impact study should have been carried out. The highway network is inadequate. Additional traffic has environmental consequences. Should ensure provision of starter homes/affordable housing and should comprise bungalows not houses.** Should include further recreational space within the allocation. Need to safeguard footpath through the site. Development will result in an increase in crime and vandalism and have an adverse effect on property values. The area is subject to pollution from Castle Cement. **This is a large site and development should be phased over the life of the plan. Agreements with residents should be entered into to address issues before development commences.** Alternative sites within the old settlement boundary have not been considered. A buffer of trees should be planted along the bypass. A community woodland should be created at the south western corner of the allocation. The football pitch should remain in its current position. Alternative sites have been suggested at Vounog Hill and either side of Corwen Road. **Land previously proposed for a sports pitch is unsuitable for housing due to poor drainage; Houses would result in loss of privacy and natural daylight**
The number of houses should be significantly reduced on the entire site

And these are the responses from the inspector to these concerns:

I find the allocations are generally in line with PPW; **development would not lead to town cramming**; it is appropriate that this settlement makes provision for a portion of the housing needs; **it would not be reasonable to ignore migration given Flintshire's attractive border location and relative economic prosperity; growth of 25% (taking into account the former Meadowslea Hospital site) is not unreasonable**; the settlement's range of shops and community facilities is adequate; there is spare capacity in local schools; there would be adequate time to address any shortfall in the medium to longer term; and, the bodies responsible for the provision of medical facilities have not objected to the housing allocations.

The most recent information before me indicates there is spare capacity in local schools. **Whilst the additional number of schoolchildren from the two allocations would result in a shortage of school spaces this scenario would not happen overnight** and there would be adequate time to address such matters through developer contributions towards additional school facilities.

The bodies responsible for the provision of medical facilities have not objected to the housing allocations.

The site is not in an area identified as being at risk of flooding and I note that the bodies responsible for such matters have not objected to the allocation. DCWW do not object to this allocation. Policies in the plan including GEN1(h) and EWP15 will ensure the appropriate provision for surface and foul water disposal. I do not consider the allocation is diminished by the lack of a survey of drainage and sewerage.

The plan does not phase developments and I see no reason why it should do so in this case.

The housing allocation has not increased in size as a result of the change. And despite the amended area my conclusions on matters such as risk of flooding, drainage and sewerage, overlooking and loss of daylight remain the same. **Because I consider the size of the allocation is appropriate for this settlement, it follows I do not support the reduction in the number of dwellings.**

I recommend that all allocated sites should achieve a minimum of 30 dwellings/ha. Development at such a density would result in the efficient use of land and would not lead to town cramming.

(the typical density in the village is 23 dwellings/ha)

Flintshire is not a self contained unit and there is an interdependence between it and neighbouring areas in terms of housing and employment markets. This is recognised in the WSP. Penyffordd & Penymynydd is a category B settlement with an indicative growth band of 8–15 %. It is one of the larger settlements in this category and it is appropriate that it makes provision for a portion of the housing needs. In my view it would not be reasonable to ignore migration with other authorities given Flintshire's attractive border location and relative economic prosperity.

Completions, commitments and the allocations result in growth of some 23%. Planning permission has been granted on appeal for housing development at the former Meadowslea Hospital site. This development would increase growth to 25%. Whilst this is above the indicative growth band, bearing in mind the location and accessibility to facilities and services in the settlement and nearby, I do not consider this level is unreasonable. Some objections assert that the village facilities are inadequate to serve the additional population. However, during my visit I saw a reasonable range of shops and community facilities. Whilst I have no doubt many would like to see more facilities and services in town and villages I do not find the settlement is poorly provided with facilities in the Flintshire context.

The residents of the resulting development, known as 'The Groves' have had to endure drainage problems, some properties suffer from serious loss of privacy, the density of housing is far greater than anywhere else in the village, the single access road causes problems, there are residents who are unable to get their children into schools in the village, there are no doctors appointments and, because the development is isolated from the rest of the village and not at all integrated, the new residents have no connection with existing residents and to compound that problem, the schools being full prevents them from meeting other villagers at the school gates.

In other words, the concerns of the past residents predicted the problems of the future residents.

2.3 The Rhos Road Inspectors Report

Worryingly, the inspector who managed the appeal on the Rhos Road proposal, which also assumed the A550 bypass was the settlement boundary, used these words to describe the growth bands under the UDP:

Penyffordd and Penymynydd is a Category B settlement and the Unitary Development Plan allocated a growth rate of 15% to such settlements. The Council confirmed that the growth rate had reached 27% to date, which is close to the figure achieved in 2009 and referred to by the Unitary Development Plan Inspector in her report on that Plan. She did not consider that the growth rates in the Plan should be considered to be prescriptive. Given the status of the settlement, the growth already experienced and the range of facilities available, I do not consider that exceeding the specified growth rate is significant.

This inspector had read the UDP inspectors report published in 2009 but he was writing in 2016 when the Groves development was still not complete (it is still under construction today April 2017). There are factual inaccuracies in this statement:

- The growth band recommendation was 8 – 15% (the top end was 15%)
- Growth had not reach 27% in 2009 when the UDP inspector reported, she was forecasting 25% growth and believed that to be sustainable. What is the basis of the presumption that if it is sustainable to add a further 40 houses without evidence?
- The facilities in the village had reduced between 2009 and 2016 and the schools were already full (in some classes) by that time

As it is, outline planning permission has been granted for these additional 40 houses, we absolutely cannot allow any more prior to the LDP adoption.

2.1 This is the description of the village in the LDP settlement audit based on 2014 data:

PENYFFORDD & PENYMYNYDD – SETTLEMENT SERVICE AUDIT

Settlement Commentary

Penyffordd / Penymynydd is a growing settlement which is located at the confluence of the A550 and the A5104 and has its own railway station on the Wrexham – Bidston line, one km from the village centre. The settlement has excellent communications to nearby towns and employment centres as well as further afield, given the presence of the railway station. The settlement has been by-passed (in 1986) along its western edge by the new line of the A550 and estate type residential development has taken place on either side of Wrexham Road and Hawarden Road. The settlement has two schools St Hohn the Baptist School and Ysgol Penyffordd (which is split between infants at Abbots lane and juniors at Ffordd Penyffordd), and a range of local shops and facilities and is considered to represent a sustainable settlement. There is significant development taking place at the village at the present time which will benefit existing services and facilities. As part of new developments for example new sport and recreation facilities are being provided.

2.2 These are the housing and population figures:

2.3 Where we quote settlement growth under the UDP and talk about 28% growth (referenced in detail in the policy section of this document), what that fails to express is the sheer rate at which that growth has actually taken place. If you look at these figures closely, it shows that the population between the 2001 and 2011 census' has increased

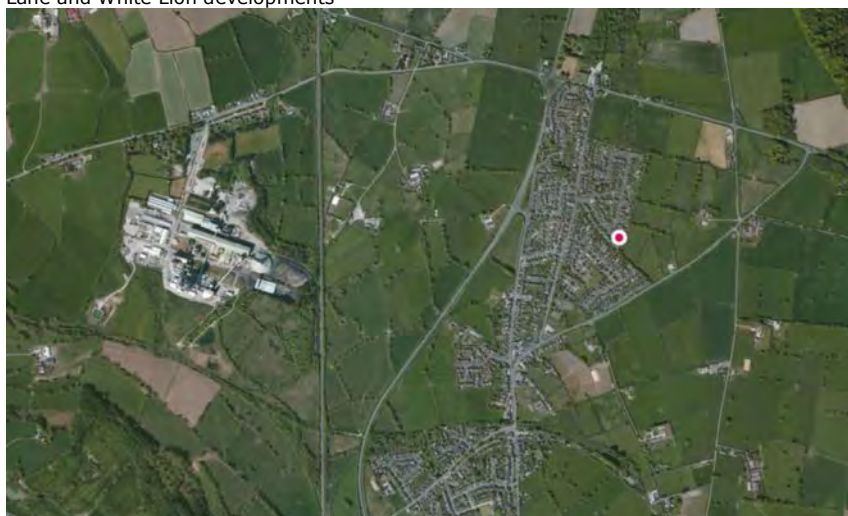
by just 110 people (most on the Meadowslea site). Between 2000 and 2014, the number of dwellings increased by 187 and today we calculate the current housing figure to be 1,730 – which means that between 2014 and 2016 a further 203 dwellings. Combining both sets of data, it becomes clear that after small and modest growth over the first 10 years of the UDP, there have been close to 400 houses – over 1,000 people added in the past 5 years or less.

	Settlement No. of Dwellings
2000 UDP Baseline Figure	1,340
2014 Housing Land Study	1,527

	Settlement Population
2001 Census	3,444
2011 Census	3,554

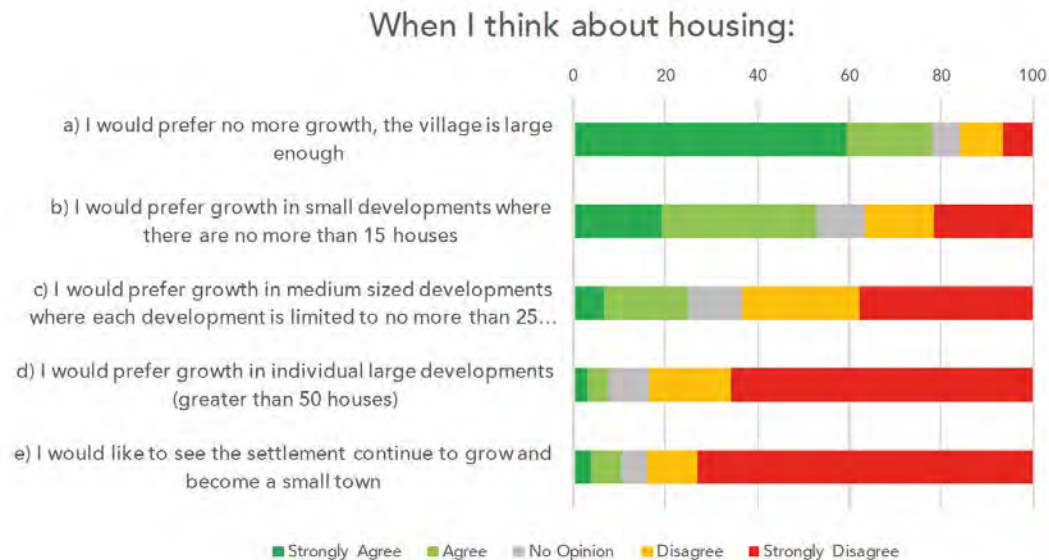
2.4 With planning permission already granted for a further 40 homes on Rhos Road, it is clear that this pace of growth is unsustainable because even the record keeping cannot keep pace, let alone the infrastructure.

This is the 'current' Ordnance Survey Aerial Map of Pen-y-ffordd – missing both the Wood Lane and White Lion developments



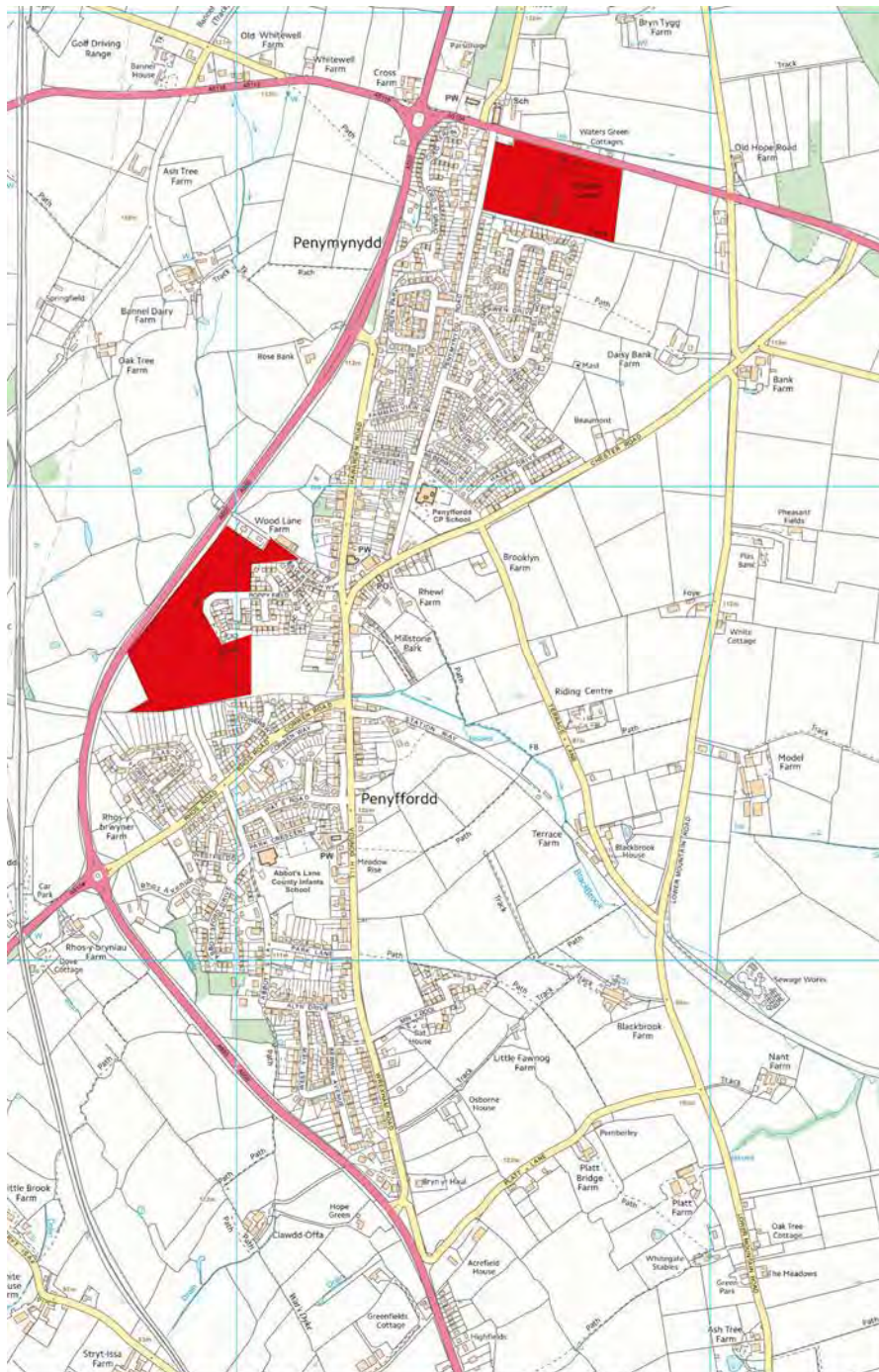
2.5 We asked the village what growth they wanted – we asked them to say whether they strongly agreed, agreed, disagreed or strongly disagreed or if they had no opinion – and we asked them to consider different levels of growth. These were the responses:

Questionnaire Data on housing:



2.6 It is clear that the vast majority in the village do not want developments larger than 15 houses on a single site.

This OS map of the village is the most current available but does not include the most recent developments – we have added the 2 most recent developments with houses shown in RED.



3. Rail Transport (Unsustainable)

3.1 Pen-y-ffordd railway station is sited outside the village and was originally Hope Junction station. The original Pen-y-ffordd-Hope station in the centre of the village closed (in 1962) along with the railway line which linked Pen-y-ffordd to Chester and Mold.

3.2 The Borderland railway runs an hourly service (weekdays and Saturday) and two hourly after 6:30pm and Sunday. It has old and refurbished diesel rolling stock with £100m investment plan for electrification on hold. The Wrexham-Bidston line future plan proposals involve partly electrified from Deeside Industrial Park to Liverpool with the addition of direct trains. Growth is limited on the Borderland line under the current agreement.



Arriva train leaving Pen-y-ffordd station enroute to Wrexham

3.3 The train station provides a useful local service, but it is unrealistic to present it as a heavily used resource for commuters to work or places of learning. There is no pedestrian access across the A550 to either Pen-y-ffordd or Buckley train stations – therefore pedestrians travelling from Pen-y-ffordd must cross the A550 where the speed limit is 60mph and close to the busy roundabout at the junction with Rhos Road.

3.4 In the current Transport Wales **Design of Wales and Borders Rail Service including Metro** consultation, the Bordline railways features on the network map but gets no other mention in the documentation.

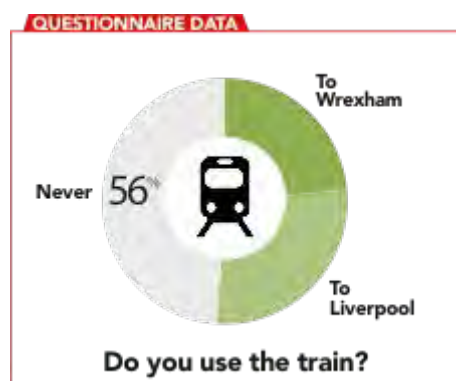
<https://consultations.gov.wales/consultations/transport-wales-design-wales-and-borders-rail-service-including-metro>



The Grosvenor Park Miniature Railway in Chester was operating as normal on Sunday 13 November. Unlike the Wrexham-Bidston line (where some trains have run late or even been cancelled in recent weeks due to "slippery rails"), this particular railway doesn't appear to suffer any significant problems with leaf-fall and the autumn weather.



Tongue-in-cheek social media post poking fun at the unreliability of the train service



"An increase in the frequency of trains from Pen-y-ffordd Railway Station to every half hour would greatly improve the attractiveness of this service."

"Transport links to train stations (either Penyffordd or Buckley) as it's a 15-20-30 minute walk from some areas of the village."

"Penyffordd Train Station (tourist trail not a good commuter route) - lived in village over 15 years, never used. In order to reach 'anywhere' you have to change at Chester or Wrexham so people opt to travel to those stations to reduce train travel time"

4. Bus Service (Unsustainable)

4.1 There are some commercial bus services connecting to Wrexham, Buckley, Chester and Mold though because of the routes, journey times and frequency, they are impractical for most working people to use for commuting. There are complaints about the reliability of the service and about the lack of non-peak services particularly on Sunday. The X55 service has been recently removed.

73% of villagers want better bus services at work times or to local medical and other services.

4.2 There is no bus service to Hope, which includes the medical practice. Most people in the village use cars as their only method of transport.

Flintshire County Council is currently in consultation for the removal of community transport services, the only way many older residents are able to access local services.

4.3 A new timetable has been introduced for the No 3/3A service from April 2017, which reduces the regular weekday service from every half hour to every hour. This is an extract from the new timetable:

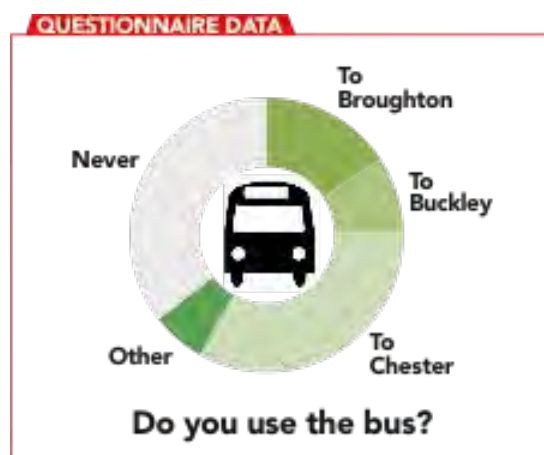
Mold Bus Station - Chester Bus Station

Service operates from 09/04/2017 until further notice
Service operates Monday to Saturday

Inbound, Monday to Friday

	3	3	3	3	3	3	3	3	3	3	3	3	3A	3A
Mold, Bus Station, Stand 5	06:21	07:21	08:41	09:41	10:41	11:41	12:41	13:41	14:41	15:41	16:41	17:41	18:40	19:30
Buckley, Police Station	06:30	07:30	08:50	09:50	10:50	11:50	12:50	13:50	14:50	15:50	16:50	17:50	18:49	19:39
Penyffordd, War Memorial Institute	06:44	07:44	09:04	10:04	11:04	12:04	13:04	14:04	15:04	16:04	17:04	18:04	18:59	19:49
Broughton, Shops	06:50	07:50	09:10	10:10	11:10	12:10	13:10	14:10	15:10	16:10	17:10	18:10	19:04	19:54
Bretton, Bretton Lane End	07:00	08:00	09:20	10:20	11:20	12:20	13:20	14:20	15:20	16:20	17:20	18:20	19:14	20:04
Chester, Gorse Stacks East, Stop 2	07:18	08:18	09:38	10:38	11:38	12:38	13:38	14:38	15:38	16:38	17:38	18:38		
Chester, Railway Station, S4													19:30	20:20

"We have no Sunday service to anywhere. Some people without their own transport have to work on a Sunday."



There is no Sunday or Bank Holiday bus service.

"Penymynydd end needs a better service as majority of bungalows housing the older generation are situated here. The walk up Penymynydd Road from the No. 3 bus stop, with a shopping bag, can be quite a struggle !! Now they're stopping passes and buses????"



No3 bus on Vounog Hill, Pen-y-ffordd

"X55 - I know it's gone but working on the business park and then having to get a bus to Chester and then stand around waiting for the

No.3 and then walk home in the dark/bad weather etc is dangerous. Maybe if a service was offered Just at peak times it would make money. The only other choice is get the X4 to Buckley and wait for the No.3 there. Either way it's not ideal."

"Totally inadequate as a regular bus user and paying passenger. No service at all from Penymynydd!"

"More frequent bus and train service would encourage me to use them and leave my car at home. Once an hour is a disincentive"

"As many of the older residents rely solely on public transport for banking, medical, shopping more services should be made available for them. Also people that rely on public transport to get to their work."

"Penymynydd has no public transport anymore and the walk to and from the middle of the village is too far for some of us with disabilities and age related problems. The bus service to Hope family medical centre runs only every two hours and is a problem. Community transport has to be booked in advance and does not fit with appointments at the Drs having to be made on the day, if there are any."

5. Surrounding Road Network (Unsustainable)

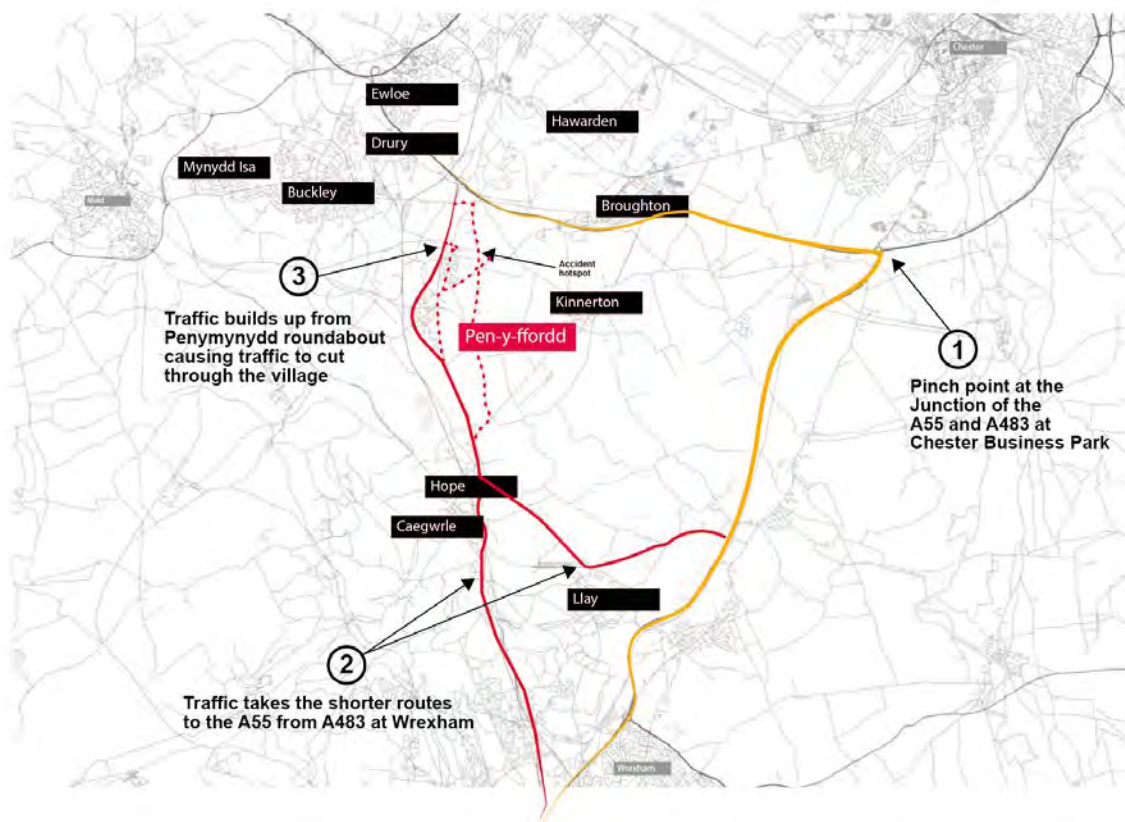
5.1 The local road network has become increasingly overloaded at peak times. During the extended improvement work on the A55 / A483 junction, adjacent to Chester Business Park, there was a recommended diversion on the A483 at Wrexham and at Llay which diverted traffic along the A550 to meet up with the A55, Chester bypass. Since that work was completed, many drivers have continued to use the A550 as a cut-through - partly because it is a shorter distance if travelling from Wrexham towards Deeside Industrial Park and onward to the Wirral or the North Wales coast, and partly because the A55/A483 junction improvements have not eliminated the queues for Chester bound traffic.

5.2 The consequence for Pen-y-ffordd is queueing traffic from the Penymynydd roundabout (Junction of the A550 / A5104) back to the Rhos road roundabout by Pen-y-ffordd Train Station, and often beyond. At the same time, traffic heading the opposite direction, for the same reason, queue from the right turn at Hope (the continuation of the A550 towards Wrexham) all the way back to the top of Vounog Hill / Wrexham Road in Chester.

5.3 The school buses carrying students from the village to Castell Alun High School are regularly late for the start of school to due traffic delays – there are now 5 buses needed to accommodate all of the children for Castell Alun.



Typical morning A550 by-pass traffic queuing towards Penymynydd



5.4 There are only 6 ways out of Pen-y-ffordd/Penymynydd by car.



5.5 (Map Ref 1) Exit to the south (Vounog Hill / Wrexham Road) onto the A550 - here the speed limit has recently been reduced to 50mph. A traffic island has helped for those entering the village, but it can be perilous pulling onto the A550 when traffic is free flowing, in either direction (an intention to reduce the speed limit to 40mph was objected to). At peak times, it is necessary to 'push' into the crawling traffic.

5.6 (Map Ref 2) At the bottom of the village, where most people leave the village is the exit from Hawarden Road onto the A550. Here the speed limit has been reduced to 40mph and road markings provided to ease the traffic - but the majority of traffic leaving the village turns right, across the busy carriageway and into the, often queuing, traffic. The difficulty of this junction leads to queues back into the village at peak times. The junction is adjacent to the proposed development site.

5.7 (Map Ref 3) There is a main access point onto the A550 heading west where the bypass meets Rhos Road, close to the train station. At this point the A550 has the National Speed Limit and through traffic treat the roundabout as a chicane. This is also the point where pedestrians have to cross to get to the train station. At the weekend and in summer particularly, main vehicles pass through this roundabout enroute for Corwen / Llangollen and the mountains – particularly motorcycles, road cyclists and 4x4 enthusiasts.

5.8 (Map Ref 4) The third most frequented exit is at the top of Chester Road. Once traffic passes the village sign it is able to increase to 60mph. The junction of Chester Road and the A5014 is onto the busy trunk road with traffic arriving up the hill from Broughton at speed. People using this exit are again usually turning right towards Broughton, across the busy traffic. This has long been a popular cut-through and as the traffic on the A550 gets worse, increasing numbers of drivers come down the Vounog Hill, up Chester Road and out of the village. **In March 2017 junction improvement work was completed on this junction, funded by Welsh Assembly Government.** Alternatively they leave the A550 outside Hope and use Lower Mountain Road to access Chester Road (Map Ref 5).

5.9 Further to that, there are drivers who fork off onto the Old Hope Road (the old Roman road Map Ref 6), across the A5014 and up the single track lane to pop out at the A550 in Dobshell. There have been accidents at this crossroads involving drivers going straight across the junction. The Chester Road development would feed the majority of its traffic either through the village or via this exit.

5.10 (Map Ref 7) There is a second exit onto Chester Road (A5104) via Oakland Way on the new White Lion site. Following the introduction of a one-way restriction on the Chester Road end of Penymynydd Road, village traffic from Penymynydd can now exit the village via Oakland Way. This road is usually restricted with cars parked half on the pavement outside houses. The exit is into the 30mph limited section of Chester Road with left turns past the school. It is the easiest way out of the northern end of the village with the least traffic delay and is therefore increasingly popular.

"The road layout through the Heritage Park (Redrow White Lion) development to and from Penymynydd road needs serious reconsideration- heavy volumes of traffic using it as a cut through and travelling at speed through residential estate where children play - accident waiting to happen. Needs to be access only."



Morning traffic queuing to leave Oakland Way onto Mold Road (A5104)

5.11 (Map Ref 8) Finally, there are two ways out of the village along the single track lanes - Terrace Lane (off Chester Road) and Platt Lane (off Wrexham road) Both of these lanes connect with Lower Mountain Road which is without markings, and itself is used as a cut through by vehicles, including larger skip lorries, to avoid the congestion around Pen-y-ffordd, when travelling from Chester / Saltney / Broughton onto Hope and Higher Kinnerton.

"The roads in the village are used as rat runs at peak times because the local infrastructure is overloaded. Some strategic changes could alter

that and make it easier for villagers to get in and out of the village at busy times - the areas outside the schools, shop and takeaway can become dangerously busy with pavement parking and maneuvering"

"Speeding on lower mountain road. The majority of vehicles using LMR are not resident, but using it as a short cut. Cars are racing at 50mph+. Only a matter of time before fatal accident involving cyclists, walkers, mothers with prams, we speed limit of 30mph"

"The road layout through the Heritage Park development to and from Penymynydd road needs serious reconsideration- heavy volumes of traffic using it as a cut through and travelling at speed through residential estate where children play - accident waiting to happen. Needs to be access only."

"Old Hope rd - large traffic uses, this road, noisy and dangerous."

"I live on Rhos Road and find it difficult to exit my drive in the morning as cars are using our road as a rat run to avoid the congested, slow moving by-pass.
Would like traffic calming measures on Rhos Road."

"Living on the outskirts of the village (Lower Mountain Road). I believe traffic is being diverted from the village and the bypass to the roads less able to cope with the volumes and far more dangerous and robust and more account of this situation needs to be taken by various councils"

"The new estate at the top of Penymynydd Road NEEDS speed bumps ASAP. People are driving around the road far too fast, and as there are no markings on the road due to it being thin, they are driving in the middle of the road around blind bends and then slamming their breaks on in shock when they meet someone. It is utterly ridiculous and dangerous. As I no longer use the one way (as it is still marked access only), using the road through the new estate has added another 5 minutes to my drive home because of the cars parked on blind bends and meeting people driving at such a high speed. This really needs addressing before there is an accident."

"I think the access only into Penymynydd should have been reinforced, it has never been acted on previously despite police presence, this way we may have been able to reverse out of our drives in the morning effectively and not have to wait due to ongoing traffic"

"Vounog Hill should have calming restrictions at the FULL length were at present cars speed down especially at night times...an accident waiting to happen for the pedestrians' on the kerb side."

"Urgently need traffic calming measures in place on Rhos Rd/Corwen Rd. Pedestrian access across that road to access the Infant School site is very dangerous. Numerous pets killed on this stretch of road as very few adhere to 30mph speed limit."

"We need a speed limit on lower Mountain Road some drivers are speeding at 60 mph and above. This road is now used as a shortcut for aerospace workers who avoid the traffic calming measures in the village"

"poor transport links and roads are far too busy. lack of parking where required forces bad parking by individuals. Excessive amount of speed bumps. Too many houses placed into a rural village with ever increasing amounts of vehicles. Too many houses parking cars on road rather than off road. Too many vehicles present at busy times e.g school blocking access"

"HGV in village, poor road surfaces, cars speeding on lower mountain road, terrace lane, platt lane and entry points to village."

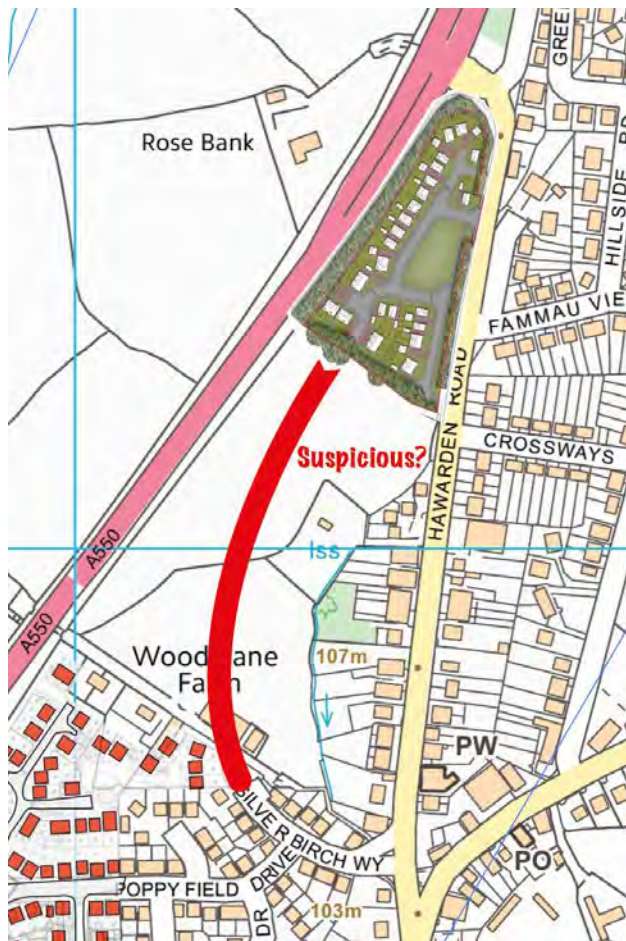
6. Roads in the Development (Harm & Unsustainable)

6.1 This new development has a single entry and exit point onto Hawarden Road, virtually opposite Famau View Drive, a long established route for residents from Penymynydd to access Hawarden Road to turn right to leave the village or left to visit the Spar shop.

6.2 Car parking is an issue on every housing development in the village, worst where a single width drive is incorporated with 2 car capacity.



Oakland Way in the new Redrow White Lion development showing car parking on the road – this is typical throughout the village



6.3 There is real concern that the road layout leaves open the prospect of connecting this development with the Wood Lane (Groves) development, still under construction. The land in-between the two is also an LDP candidate site proposed for development.

7. Potholes (Unsustainable)

7.1 The road surfaces around the village are in poor repair already - significant increase in traffic journeys – estimated to be over 150,000 more annually - will exacerbate this problem.

"Re-laying of the road surface on Penymynydd road and speed bumps taken to the end of the road (Oakland way on the White Lion estate) rather than just stopping, so people can speed up around Oakland Way."

"Road surfaces are shocking! Roads not resurfaced in years. Potholes."

7.2 The other significant modern phenomenon is the use of internet shopping. Over half of the villagers said that they were receiving online deliveries weekly of several times a month – this is increasing the number of van and commercial vehicle journeys into the village and damage to the roads.

8. Traffic Impact inside the Village (Unsustainable and Harm)

79% of villagers want more car parking at village hotspots

"Hawarden Road around the Spar needs a complete rethink hundreds of cars and commercial vehicles every day scramble for the 5 spaces they have, the road is constantly blocked with huge delivery vehicles and it's no longer acceptable for visitors to block driveways and illegally block pavements. It's time to either find a more suitable site or impose yellow lines or traffic wardens"

"Parking on new estates poor - can hardly get 2 cars to pass"

8.1 Car parking is an issue for many residents.

8.2 Garage sizes are too small for modern cars, increasingly households have 2 or more cars and resort to parking on the pavement.

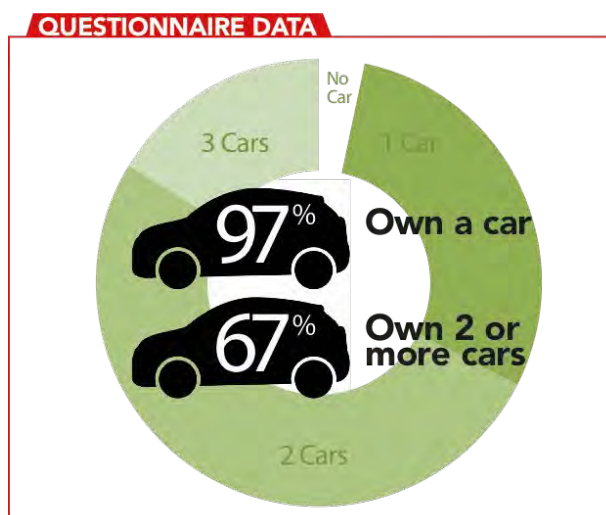
67% of villagers have 2 or more cars.

8.3 This is evident all over the village but particularly outside the village 'hotspots' for traffic. The Spar is the only local shop with just 4 car parking spaces and 1 disabled space - cars regularly park on the pavement around the site, blocking the pavement and dangerously narrowing the road, which is busy at peak times.

8.4 Car parking around the Spar shop, just along Hawarden Road from the entrance to the proposed development, has become so bad that the neighbouring residents have been paying to have white lines painted onto the road the attempt to prevent parked cars blocking their driveways.

"Parking outside the Spar shop [also on Hawarden Road] is ridiculous. There is often a gridlock during peak times and visibility is restricted. There's an accident waiting to happen!"

8.5 The Pen-y-ffordd junior school on Penymynydd Road has cars parked for significant lengths of time around school start and close times as well as during events. This causes the road to be narrow



and congestion in and around the school - dangerous for children and inconvenient for both pedestrians and road users.

8.6 The proposed new school sited on the current Abbots Lane infant school site, will mean that children from the Chester Road development of infant and primary school age will be attending either the St John's school (with very limited places) or more likely Ysgol Pen-y-ffordd which will be more than 30 minutes walk with small children and so is more likely to be a journey taken by car – further increasing traffic directly through the village centre.



The village shop (Spar) showing the space available for car parking – since reduced through the addition of painted parking bays

8.7 The area around the village takeaway suffers similar problems in the evenings and the increasingly busy Oakland Way can be difficult to negotiate by car and as pedestrians as cars parked half on the pavement restrict the flow into and out of the village.

8.8 Some residents have expressed concern about the safety of dozens of children waiting for school buses close to the Pen-y-ffordd bypass (A550) – there are currently 5 dedicated school buses running from Pen-y-ffordd to Castell Alun each day.

8.9 This is an extract from the Evening Leader newspaper 3rd December 2016, referencing problems with traffic on Penymynydd Road following changes to the traffic flow after the completion of the Redrow White Lion development. Previously there had been lower traffic volumes and limited access, but the new development and road changes have caused problems for the old residents of Penymynydd Road and the new residents of Oakland Drive, and genuine safety concerns for pedestrians.



Residents have 'no idea' how to stop motorists driving the wrong way on Flintshire one-way road

RESIDENTS say they have "no idea" what can be done to stop people driving the wrong way down a one way road.

LEADERLIVE.CO.UK

"What they are doing is extremely dangerous. People are still trying to go down the patch of road which says no entry, and there is very little pavement and it has always been a problem taking children down there on foot. If there were children on the last stretch of the road, then they wouldn't be expecting a car to come down that way."

One resident, Nathan Jamieson, said the road has been an "access only" road for as long as he can remember. Residents recently petitioned the council to make it a one way system in an effort to reduce volumes and make it more predictable for legitimate traffic and pedestrians.

► [Follow and like the Leader Live Facebook page by clicking here](#)

"When the Redrow Estate went up [the road](#) widened slightly and traffic volumes and speeds began to rise to a worrying level, worrying because there are stretches of the road without footpaths, pedestrians therefore being forced to walk along the road and with parked cars visibility isn't great," Mr Jamieson said.

8.10 This sort of unintended harm is very real for residents and a grave concern for the Hawarden Road development and for future residents of this development.

9. Lack of School Places (Unsustainable)

9.1 School places in the village are limited right now. There is a plan for a new single site school to replace the infants / juniors of Ysgol Pen-y-ffordd sited on Abbots Lane (the plan is by 2019), but that will only increase the number of places in line with the capacity and needs of the village today (by a maximum of 60 places), it will not provide for additional capacity.

9.2 The provision of S106 contributions to schools on the previous two developments in the village were not forthcoming in time to be of benefit to the new residents of those developments and therefore the provision of S106 money, while welcome, should be given reduced consideration in light of its effectiveness at fulfilling the needs of the residents of the community in real terms. Practically, St John's School cannot increase capacity and has used the White Lion S106 money for laptops and internal improvements, both welcome, but neither increase the capacity of the school to accommodate the extra children.

9.3 The reality is that there are no playgroup places available in 2017. There are no reception spaces available for the next intake at Ysgol Penyffordd. Class sizes in 4 classes are well of 30 pupils. There are children in the newest development on the Groves where face going to school outside the village.

9.4 There is further concern about the number of spaces available at the closest secondary school, Castell Alun in Hope and it is already the case that children from St John's school who finish year 6, will be allocated to Castell Alun or Hawarden High School dependent on where they live – this separates friends and splits families but there is insufficient capacity at Castell Alun to make exceptions.

There are potentially 64 children's bedrooms in the proposal.


10. Broadband Provision (Unsustainable)

10.1 According to the latest OFCOM data (2013) Pen-y-ffordd & Penymynydd post codes (where data is available) have a median average broadband range of 1.4- >30 megabytes per second with most postcodes at 3 mbps. Accordingly it is to be expected that broadband provision in Pen-y-ffordd & Penymynydd is very poor and highly constrained indeed many areas are likely to struggle to access broadband speeds in this locality. This will have a negative effect on businesses in their day to day activities and on local residents seeking to access online services such as banking, post office services or online shopping.

10.2 That is an extract from Flintshire Local development Plan , Flintshire County Council – Planning Policy December 2015

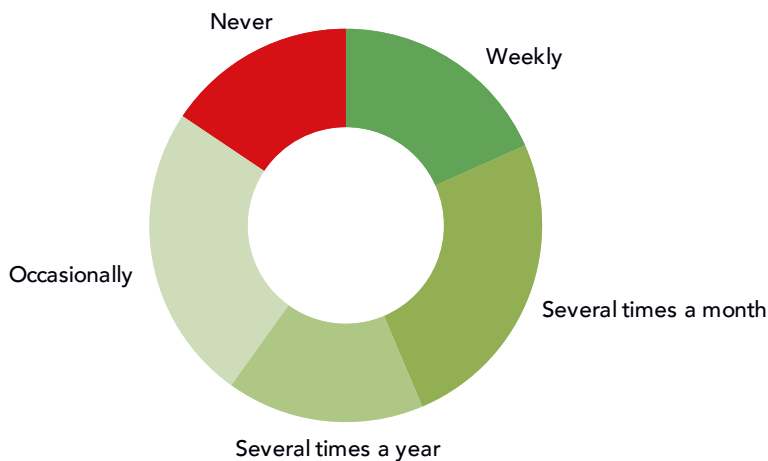
"...there is fibre optic broadband , but that seems to be for the select few"

QUESTIONNAIRE DATA


90%
Have
Home
Internet

QUESTIONNAIRE DATA

How often do you get goods ordered online delivered home / to a collection point?



11. Open Space (Unsustainable and Harm)

11.1 Open space in Pen-y-ffordd is a significant failing in past developments and the village would require significant new open space to provide the correct provision under HSG8. In 2005, at the last measure, there was 0.85 Hectares of open space in Pen-y-ffordd against a recommendation of 5.9 Hectares. Newer developments since then have provided only for childrens' play provision. There is a significant lack of planning affecting Pen-y-ffordd and steps must be taken during the preparation of the LDP to address the shortfall. In the revised plan, the open space provision has reduced.



The public footpath through a village field, most often used by dog walkers



Recent story in The Leader local newspaper referring to the increase of the problem in the past year

11.2 One practical and real life harm from this lack of provision is with dog walkers. There are no public open spaces in village where dogs can be allowed off the lead. No dogs are allowed on any of the public open spaces currently due to the proximity of children's play areas.



Dog waste in and around the bin in the playpark adjacent to the newest White Lion development

11.3 Since the additional housing was added to the village there are visibly more people walking dogs within the village itself. Among the many dog walkers there are a handful who are irresponsible and allow their dogs to foul the pavements. This has become such a problem in recent months that it has made the local papers – it is in fact the number one complaint in the village in our Questionnaire. It is not helped by the fact that there are too few dedicated dog-waste bins in the village and the bins on the play areas on both the Groves and White Lion sites are rarely emptied.

1 in 3 residents own a dog

12. Waste (Unsustainable and Harm)

12.1 We understand that Welsh Water have objected to this application because the main sewer in the village is already beyond capacity. There are recurring problems with sewers in the village involving overflowing, flooding and smells. The issue of sustainability is key in respect of development based solutions and S106 money. In practical terms, the main sewer in the village is too small for the number of houses using it.

12.2 Work-around solutions involving temporary storage and pumps - as was the case on the adjacent White Lion and Meadowslea sites - are not sustainable. In order to consider the sustainability of the development, it is imperative that it is considered within the wider context of the whole village capacity and not simply managing the capacity of the development in isolation – pumping into an already over-loaded sewer will create future problems.

"Drains smell on new Redrow estate are appalling even in colder months."

12.3 We understand that the lack of capacity extends to the pumping stations, the closest of which is on Lower Mountain Road, and are regularly failing. They have been over-capacity for the last 15 years.



This is View of the sewage pumping station at Meadowslea (above) and the sewage pumping station at the White Lion site (left), between the houses and the children's play area

12.4 This frustrated quote is from a resident of White Rock Road on the Wellhouse Estate.

"Constant problems with water pressure and drains. The problem has recently got worse since the development of Redrow and Elan in the last 3 years! We are now waiting for 12 metres of new drains to be installed as ours have collapsed. This is due to be started in the next few weeks we hope! Water pressure is so so low and have had to install pumps on shower units to enable them to work!"

These are photographs of White Rock Road, with work taking weeks to repair collapsed drains:



13. Surface Waste (Unsustainable and Harm)

13.1 The village is near the headwaters of Pulford Brook which is a tributary of the River Dee. Where possible land in this position should be considered to alleviate flooding risk lower down the catchment. Climate change will bring about warmer wetter winters with intense downpours becoming more common. This has contributed to the present thinking on flood management and influenced the policy of both the NRW in Wales and EA in England. The aim now is to catch rainfall where it lands and to slow its subsequent flow down the catchment.

Land classed as low grade agricultural land, is ideal for planting trees and shrubs and creating water impoundment by pond creation. This would produce ideal habitat for a wide variety of wildlife, close to the village in addition to contributing to flood alleviation. Conversely, using land for housing development, even with obligatory sustainable urban drainage system (SUDS), is likely to lead to faster run off and exacerbate flooding in areas downstream.

"Gardens on the Redrow [White Lion] estate have poor drainage and are prone to flooding"

13.2 Rhos Road and the Groves estate, both close to the development site, both suffer from flooding from overloaded surface water drains.

"would like to see improvements to the drains to alleviate the backup of main water backing up through the grids in the lower part of penymynydd road and chester road around the village institute."



This is Penymynydd Road (Nov 2016) outside the Village Institute after heavy rain.

14. Water (Unsustainable and Harm)

14.1 There are no mains water pipes wider than 6 inch in the whole of Penymynydd. The new houses are connected to the original 3 inch pipes along Penymynydd Road, which originally fed the handful of houses the ran from opposite the school towards Pen-y-ffordd.

14.2 The addition of several large housing developments in the 1970s fed off this supply, followed more recently by developments of Hawarden Road and the latest White Lion development - upwards of 500 homes off the original water supply intended for fewer than 50 homes. The current monitored water pressure is just above the minimum threshold, as measured at the mains supply pipe.



"We regularly have no water or discoloured water due to water leaks. Minimum four plus years times a year since we have lived In our house over the last three. Each year the repairs seem to take longer and we have to run the water for longer to clear it. When on a water metre we are being charged to help clear the water boards repair. I have never experienced as many water faults living here than anywhere else I have lived."

14.3 At peak times, the water pressure experienced in households on the Wellhouse and White Lion estates means that a tap running downstairs leads to showers stopping upstairs.

"Since moving the the village our water pressure has been up and down, and some days no water at all !!!"

14.4 Dee Valley Water are investing £6m in improvements to the water pipes in Flintshire:

Dwr Cymru Welsh Water
21 October · 🌐

We're investing £6 million in the water network in north east Wales to provide customers with clean fresh drinking water for years to come. To do this we will be renewing and clearing around 60km of pipe.

But sadly none of this investment is earmarked for Penymynydd or Pen-y-ffordd (it is being spent on Sandycroft, Connah's Quay, Bagillt, Buckley, Queensferry, Mold, Mancot and Mostyn).

15. Affordable Housing (Harm)

"I am a youngish person who in the next couple of years would like to buy my own house and would like to stay in the village. But for that to happen we need affordable housing."

"A large proportion of the houses built are not affordable. If they are then they're not very big and have very limited parking. Perhaps some apartments may be a better option."

15.1 It is clear that the village enjoys a strong sense of its identity through families staying in the village generation-by-generation. For that to continue at all requires some homes to be affordable. The prices of the White Lion Redrow homes which have been re-sold are more equivalent to the same house-types on the fringes of Chester – prices out of reach of many existing villagers and certainly first-time buyers or those looking to downsize. We acknowledge that a 30% provision is good by commercial standards, if this land is considered suitable for development, its location and size might be more suitable for development by a social housing organisation where a higher number of homes suitable for disabled, elderly or social needs could be provided.

15.2 Flintshire's Local Housing Market Assessment (LHMA), Single Access Route to Housing (SARTH) and the Affordable Housing Register show 1,699 applicants waiting for a suitable sustainable home.

16. Healthcare (Unsustainable and Harm)

16.1 There is currently a wait time of up to 5 weeks for doctor's appointments at the surgeries in both Hope and Buckley. The re-location of the medical practice in Hope to a new surgery building has not changed the situation, it has made car parking easier, but not access by public transport. There has been no increase in the number of doctors working there, although there have been personnel changes.

"I had a very poorly baby recently and feel the lack of medical facilities really was a struggle for us as not many nurses or health visitors will come out to home."

16.2 There is no A&E Hospital in Flintshire. The closest to Pen-y-ffordd is Wrexham Maelor, which is consistently one of the worst performers in Wales with just 72 percent of patients seen within 4 hours and hundreds of people waiting for more than 12 hours (during October 2016) according to Welsh Government figures. Right now Wrexham is under 'Special Measures'.



16.3 This is supported by anecdotal evidence from villagers who are frustrated by the poor service. The

BRIEFING PAPER

Number SN06994, 2 March 2016

Table A: Major hospital A&E attendance and performance, 2015

Hospital	Location	Attendance	Patien
University Hospital Of Wales	Cardiff	125,053	17.8%
Morriston Hospital	Swansea	79,812	38.4%
Royal Gwent Hospital	Newport	79,228	18.1%
Wrexham Maelor Hospital	Wrexham	64,433	30.0%
The Royal Glamorgan Hospital	Llantrisant	60,476	12.4%
Ysbyty Glan Clwyd	Rhyl	55,876	26.2%
Prince Charles Hospital	Merthyr Tydfil	54,811	12.6%
Princess Of Wales Hospital	Bridgend	50,419	24.2%
Ysbyty Gwynedd	Bangor	50,009	16.5%
Nevill Hall Hospital	Abergavenny	44,050	10.4%
Glangwili General Hospital	Carmarthen	38,731	18.3%
Withybush General Hospital	Haverfordwest	38,499	20.8%
Bronglais General Hospital	Aberystwyth	26,110	8.6%

NHS Wales Statistics

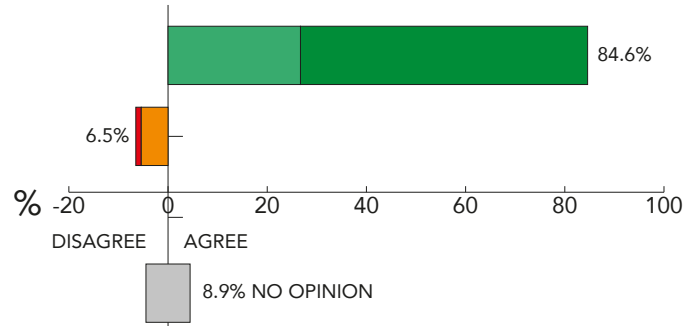
alternative in England is the Countess of Chester which is threatened once again with a merger with Wirral hospitals.

16.4 This data from the village questionnaire along clearly demonstrates that villagers are not being provided with adequate access to medical facilities today. Adding an additional 100+ residents will only make the problem worse for new and existing residents.

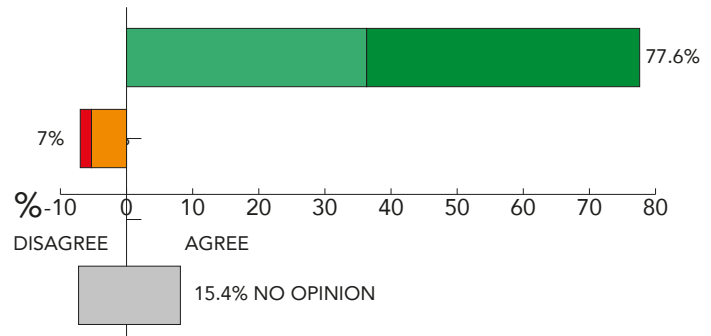
"It's about time we had a proper medical centre, if you want to see a doctor you have to go to Buckley and then walk half a mile from the Cross to Hawksbury"

QUESTIONNAIRE DATA

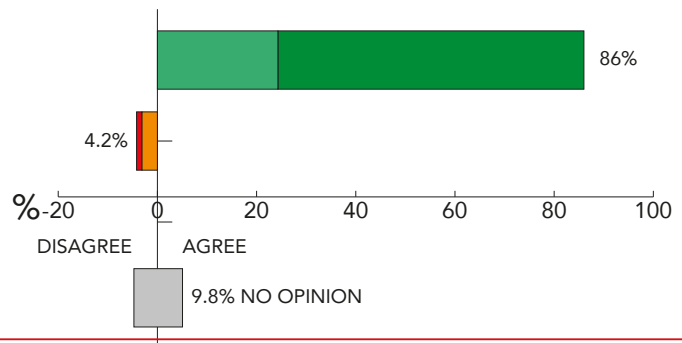
I believe that there should be a doctors surgery in the village



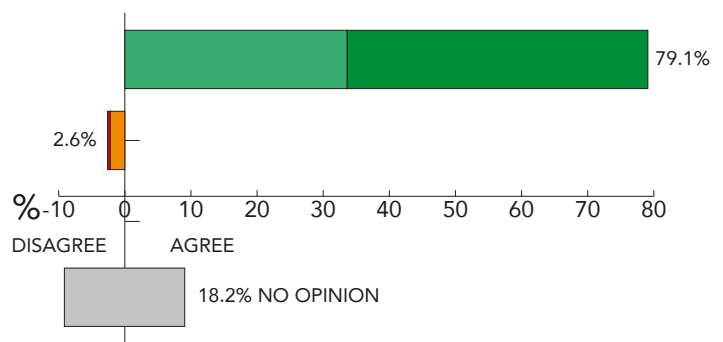
I believe there should be a weekly clinic in the village



I believe there should be better availability of Doctors appointments in Hope / Buckley



There should be better transport links to local doctors



UPDATED

17. Horses (Harm)

17.1 Accidents involving horses are on the increase. Pen-y-ffordd has a number of stables and many horses and riders.



The screenshot shows the top of a news article from the Daily Post. The header includes the site's logo, social media icons for Facebook, Twitter, Pinterest, and Instagram, and a 'SIGN IN' button. The article title is 'Rider dies after fall from 'spooked' horse in Flintshire'. Below the title is a sub-headline: 'Stephanie Morrissey, 38, suffered head injuries and died later in hospital after incident in Broughton, an inquest opening has heard'. The article is attributed to 'BY GARETH HUGHES' and shows a share count of '288 SHARES'. It also indicates the article was updated at '20:00, 15 DEC 2016'.

17.2 There have been accidents in and around Pen-y-ffordd which have resulted in the death of riders and horses in separate incidents.

17.3 Additional traffic in the village increases the risk to equestrian traffic.



The screenshot shows a news article from 'the Leader'. The header includes the site's logo and a navigation bar with links for HOME, NEWS, SPORT, LIFESTYLE, PROPERTY, and FIND A B. Below the navigation bar are links for News Map, Business News, News Features, Weather, and Browse Archive. The article title is 'Horse destroyed after being hit by car in Flintshire'. Below the title is the publication date 'Published date: 27 December 2012' and the author 'Published by: Staff Reporter'. A red 'BREAKING NEWS' banner is visible on the right side of the article. The main text of the article describes an incident where a horse was destroyed after a collision with a car in Flintshire.

Part 2 - Planning Policy

There are a number of planning policies in the Flintshire Unitary Development Plan and Planning Policy Wales which are not complied with in this application.

For absolute clarity, we received this correspondence from Lesley Griffiths AC/AM, Cabinet Secretary for Environment and Rural Affairs, 18th August 2016:

With regards to your query concerning the decision making process for planning applications, Flintshire County Council's Unitary Development Plan will remain extant until replaced by the Local Development Plan. It is for the decision-maker, in the first instance, to determine whether policies in an adopted development plan are outdated for the purposes of determining a planning application. Where this is the case, local planning authorities should give the plan decreasing weight in favour of other material considerations such as national planning policy.

18. Prematurity

18.1 Planning Policy Wales Edition 8 - January 2016 - Chapter 2 Local Development Plans 2.8.2 refers to the question of prematurity, *"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."*

18.2 The Flintshire Unitary Development Plan, adopted in Sept 2011, described growth of between 8 and 15% (an increase of 110 - 205 additional houses against the baseline count of 1,370 houses). The village has not changed significantly since then in terms of facilities or services (there has been the introduction of a handful of new businesses and the loss of others).

18.3 Between the baseline date and today, there have been close to 400 new houses - nearly double that intended. The new Local Development Plan is not significantly progressed, but has reached a stage where settlement sizes have been assigned and consulted on. Pen-y-ffordd/Penymynydd has been described as a Sustainable Village - this is the third largest of five tiers. What that means in growth terms under the LDP is yet to be decided.



*“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**.”* Planning Policy Wales Edition 8.2

18.4 In light of the fact that since this application was submitted:

Planning permission has been granted for 40 houses, outside the settlement boundary
Pre-application consultation has taken place for two additional developments
- 32 Retirement apartments

Applications are underway for an additional 32 dwellings not including the 32 in this application.

Context is very important and the word ‘cumulatively’ features in the prematurity policy for a reason:

UDP Baseline housing count	1,340 houses
Target growth (category B settlement) 8 – 15%	107 – 201 houses
Total number of houses built in Penyffordd under the UDP	281 houses
Total Growth under the UDP	21%
LDP Baseline (2015)	1,621*
*This excludes 34 houses on the Meadowslea windfall site	
Houses completed since 2015	51
Planning permission granted on houses not yet completed	40
Total Growth to date under the LDP (2015-2017)	6%
<i>Pending Applications</i>	
- Rhos Road South (Pre-app)	32
- Hawarden Road	32
- Chester Road	186
Total Pending	15%

Given that there are a further 26 potential sites which could be brought forward ahead of the LDP process the only reasonable approach is to consider all of the sites properly under the LDP process.

18.5 The projected number of houses needed across Flintshire is currently under consultation - figures range from 4,000 - 10,000+. At the same time, the consultation is looking at 5 different Spatial options:



Option 1. Shares developments across all of the settlements in the county according to settlement size. With this option, we would expect modest growth of less than 8% in the plan period.

Option 2. Centres developments on only the largest two categories of settlement, therefore Pen-y-ffordd/Penymynydd would be unaffected.

Option 3. Centres development on the economic growth area around Deeside and would bring growth to all settlements within that area, irrespective of their size. In this instance, Pen-y-ffordd would expect further development.

Option 4. Centres development along transport corridors, which include the Borderlands trainline - this would affect Pen-y-ffordd.

Option 5. Flexible, Sustainable Development. It is not clear how this option would affect Pen-y-ffordd specifically but it is reasonable to expect low growth given the impact on the village from previous overdevelopment.

18.6 Whether Pen-y-ffordd/Penymynydd is to be considered for further development at all is currently being considered under this Spatial Plan consultation. Add to this that the scale of this proposal alone would increase the village size by over 10% based on current housing figures.

18.7 There are 44 candidate sites in the LDP within Pen-y-ffordd - 29 of which are land for housing development. Three of those refer to all or part of the same land at Wood Lane Farm, part of which is this application site:

PEN009 Hawarden Road
1.36216 hectares

PEN036 Hawarden Road
1.36216 hectares

PEN037 Wood Lane Farm
(North) 3.48232 hectares



18.8 In January 2017 residents were invited to consult pre-application on a proposal for the 1.36216 hectares off Hawarden Road. Viewing this application in isolation presents a very different proposition than as part of a 15% growth when considered cumulatively with the other applications



18.9 The land is to the north of the recent Taylor Wimpey development (where 235 houses are in the process of being built). This is space for 94 homes at the same density as the adjacent site.

The site at Rhos Road:

PEN039 Rhos Road 1.57806 hectares

PEN014 Rhos Road 1.57806 hectares

has already been approved for planning for 40 houses – it features twice in the Candidate Site register.



18.10 In total, removing duplicates, there is 29.166 Hectares of land for housing in the Candidate site register.

18.11 At a density of 0.04 houses per Hectare (as per Rhos Road approval) this could yield **729** houses. It has not been decided whether Pen-y-ffordd will have any new development in the coming LDP and indeed when you assess the consultation on the number of homes to be built in Flintshire varies from 3,750 – 10,350, it would be unlikely that Pen-y-ffordd would be expected to contribute a high number of homes given the number of available locations submitted countywide.



18.12 Together these factors suggest that the consideration goes to the heart of local development plan as it impacts Pen-y-ffordd and the surrounding area and should be considered properly under the LDP.

18.13 In a recent LDP meeting with local councillors, Elwyn Thomas of Planning Aid Wales outlined the need for an even spread of developments that should not be concentrated in one area. A fair distribution of growth is needed and the LDP process should be the enabler for that.

18.14 In Chief Planning Officer's report recommending refusal of the Redrow Chester Road application in Penymynydd, these were the words used in reference to the LDP process:

"Whilst the work done to date at the pre-deposit stage of the LDP does in general consider Penyffordd and Penymynydd as a sustainable village, this places the settlement in the third category of the settlement hierarchy below main and local service centres. This does not state, and nor therefore should it be assumed, that this means that growth that occurred at the level in the UDP can and will be acceptable as part of the LDP. Given that there are two tiers of settlements above the tier of 'sustainable settlements' it would be logical to assume that the upper two tiers i.e. Main Service Centres and Local Service Centres would be more appropriate to accommodate larger development proposals, reflecting their size, overall character, role and level of services and facilities. To simply assume as the applicant has, that this level of development will be sustainable in a third tier settlement, falls significantly short of the minimum required to demonstrate and justify a presumption in favour of sustainable development."



18.14 For reference – this is off Oak Drive, part of the Groves (Taylor Wimpey) development. It appears to be an access road to the field behind the new houses. The field is one of the candidate sites (PEN010 0.66 Hectares) for consideration in the LDP. It could be presumed from the existence of this access 'road' that the developer is expecting to get planning permission to continue building on the field.

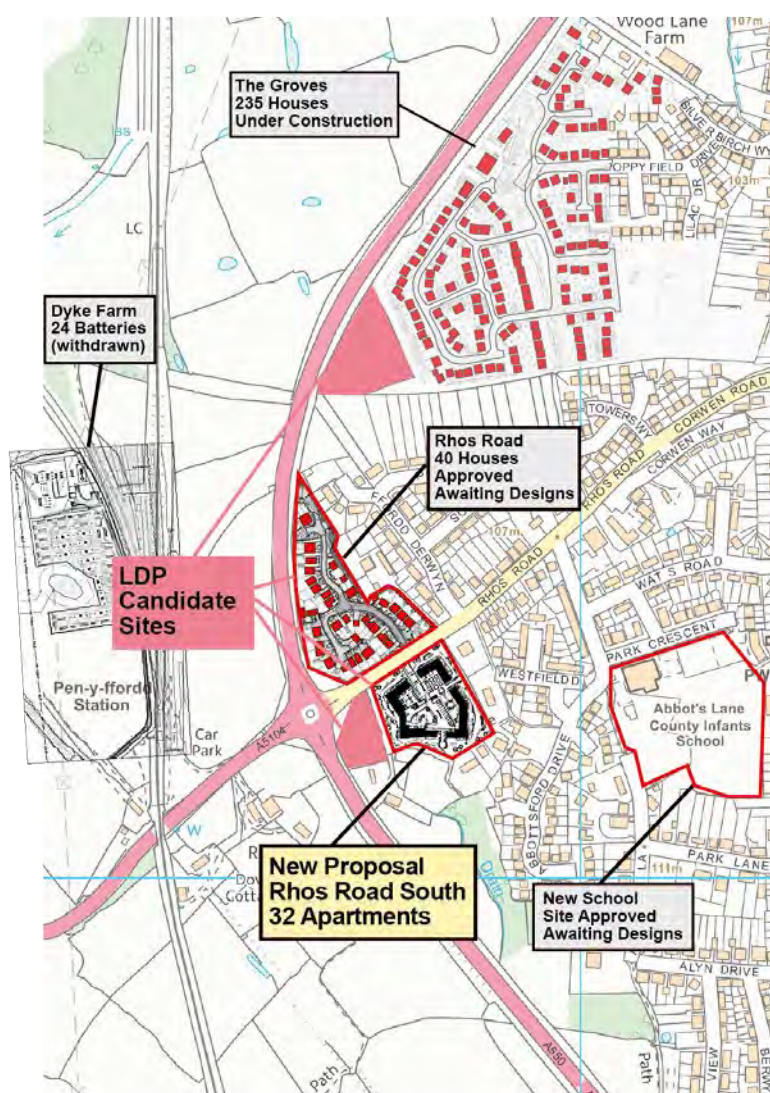


This is a view looking North West from Platt Lane towards Hanson Cement. The red areas are some of the candidate sites at the top of Pen-y-ffordd – please note that one of them is the Abbots Lane school site which is likely to be proposed as the site of the new school

18.15 In January 2017 a new developer is consulted villagers on a proposed development of 32 'retirement' flats. These are the areas of the village around Rhos Road which are affected by existing, approved and pre-application developments, as well as LDP candidate sites:

Developments around Rhos Road, Pen-y-ffordd

January 2017



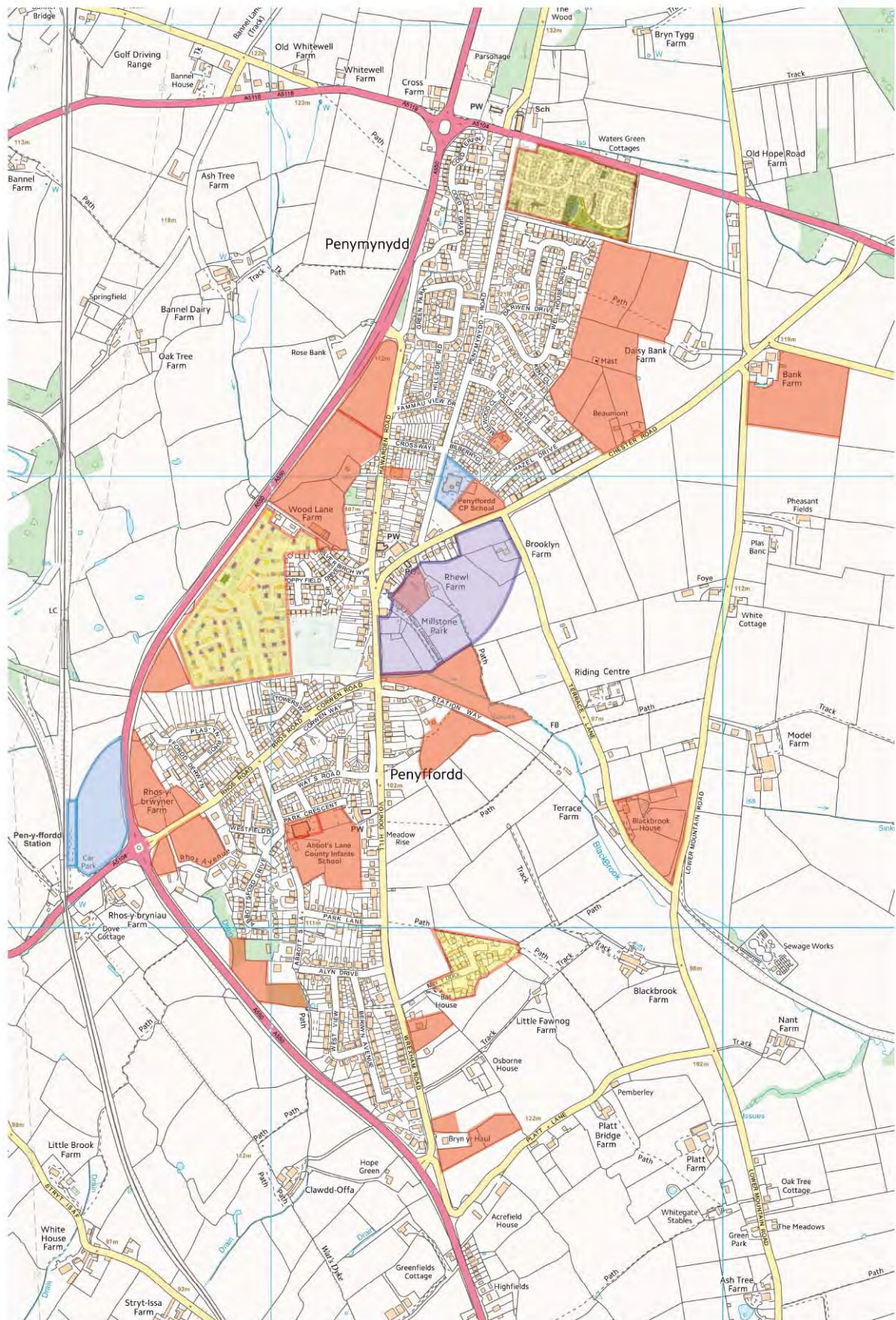
18.16 What the latest proposed development raises is the prospect of building which is more suited to the needs of the community, which in isolation should be encouraged, but outside of the LDP, outside of the settlement boundary and therefore outside of process, must be refused.

18.17 While the council continues to support applications outside of the settlement boundary and outside of the LDP process, developers with intentions to submit future applications are compelled to submit early and outside of the process in order to reduce the risk of being 'left behind' or 'missed out' while other developments are passed. The very fact that applications have been supported and approved outside of the LDP, such as the Rhos Road site, is bringing forward more applications outside of due process.

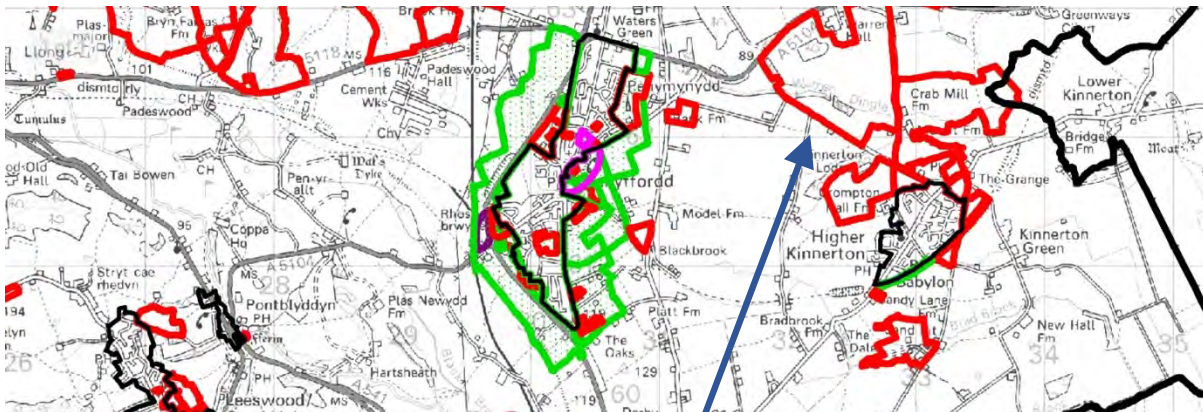
18.18 If the village is to grow further over the coming 10-15 years, then it must be in a planned way, with priority given to applications which suit the needs of the community, as laid out in the Community Development Plan.

Candidate Sites for Development
 Flintshire County Council Local Development Plan 2015 - 2030

- Site already developed
- Employment or mixed use
- Proposed for housing
- New School



19. Coalescence



This is an extract from the Flintshire candidate site map showing Pen-y-ffordd (circled in green) with the Buckley sites creeping closer (top left), Kinnerton on the right and Warren Hall top right.



Drawing of proposed development

19.1 There is real concern about the development taking the village boundary ever closer to neighbouring Buckley, which itself is experiencing a high level of growth.

19.2 There is an advanced proposal to develop Warren Hall Business Park - it is one of the showcase projects in the North Wales. The original proposal was to create 7,000 jobs but we understand from Flintshire that the realisation will be a mixed development of commercial and homes.

19.3 Warren Hall would bring the industrial development of Broughton to within a handful of fields of Pen-y-ffordd. We would like to protect this particular boundary and would like it considered within the wider context in the LDP.



A55 Warren Bank Interchange

19.4 The recent significant development of Drury has brought it closer to Dobshill and the huge number of large sites proposed in Buckley under the LDP could bring Buckley close to Padeswood and to Pen-y-ffordd.

19.5 There is precedent for coalescence – Pen-y-ffordd and Penymynydd were allowed to join together in the 1960's. In the forthcoming LDP our neighbouring villages – Hope, Caegwrle, Abermorddu and Cefn-y-bedd have been considered as a single 'service centre'. Buckley, Drury and Hawarden have now coalesced

20. Emerging LDP

PPW 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.

20.1 Pen-y-ffordd/Penymynydd has already been categorised as a 'Sustainable Settlement', the third of 5-tiers in the hierarchy of settlement sizes under the new LDP. Alongside Pen-y-ffordd in that category there are other settlements which have seen significantly less development under the UDP and therefore, given the sheer number of Candidate sites proposed across Flintshire, we believe that Pen-y-ffordd is not be subjected to as much as 10% growth under the LDP.

LDP Candidate Site Analysis	
Estimated Number of houses in top two settlement categories	26,267
Estimated total number of houses	39,433
Total No of Sites for housing	394
Total Hectares	1,716.72
31 additional villages - assume 25 houses each	620

No of houses calculations based on 0.04 Hect per house

20.2 If you consider this analysis of all the 394 candidate sites to be reviewed as the next stage of the LDP process, it is clear that there is far more potential than the maximum number of homes needed in the LDP period (3,750 - 10,350 homes).

20.3 How frustrating would it be to follow the democratic LDP process, get that outcome and find ourselves with 190 extra houses that cannot then be 'unbuilt'. Land is a finite resource.

21. TAN1 and Planning Policy Wales

21.1 What is significant about **Planning Policy Wales** is that it sets out the basis of plan based development policy:

PPW 1.2.1 A well functioning planning system is fundamental for sustainable development.

21.2 While the UDP is time expired, and the LDP not in place, consequently the policies set out in the UDP remain extant. This is agreed by Lesley Griffiths AM and Andrew Farrow, Chief Officer (Planning and Environment) at Flintshire County Council. It is also understood that UDP policies have decreasing weight in favour of national policies at the discretion of the decision maker.

*PPW 1.3.1 ...ensuring that all interested parties are fully consulted, particularly on development plans and planning applications;
...treating everyone fairly*

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.

21.3 Everyone involved in planning in Wales is familiar with TAN1 and the effect it is having on areas which are desirable to developers. In order for the planning system to function properly, it is imperative that the UDP policies retain significant weight until the LDP is ready. It is vital that the planners and planning committee stand against developments which are clearly attempting to exploit TAN1.

21.4 There is an urgent need for Local Authorities and Welsh Assembly Government to clarify the scope and intention of TAN1 if we are to avoid irreparable damage to border villages and consequently to the validity of the whole LDP process. It cannot be underestimated the level of distrust in a planning process that allows development in breach of policy as has happened in Pen-y-ffordd already and is happening all over Wales under TAN1.

21.5 In the appendices of the Flintshire LDP Spatial Plan it explains that the failure to build all of the houses planned under the UDP is not the responsibility of the Council:

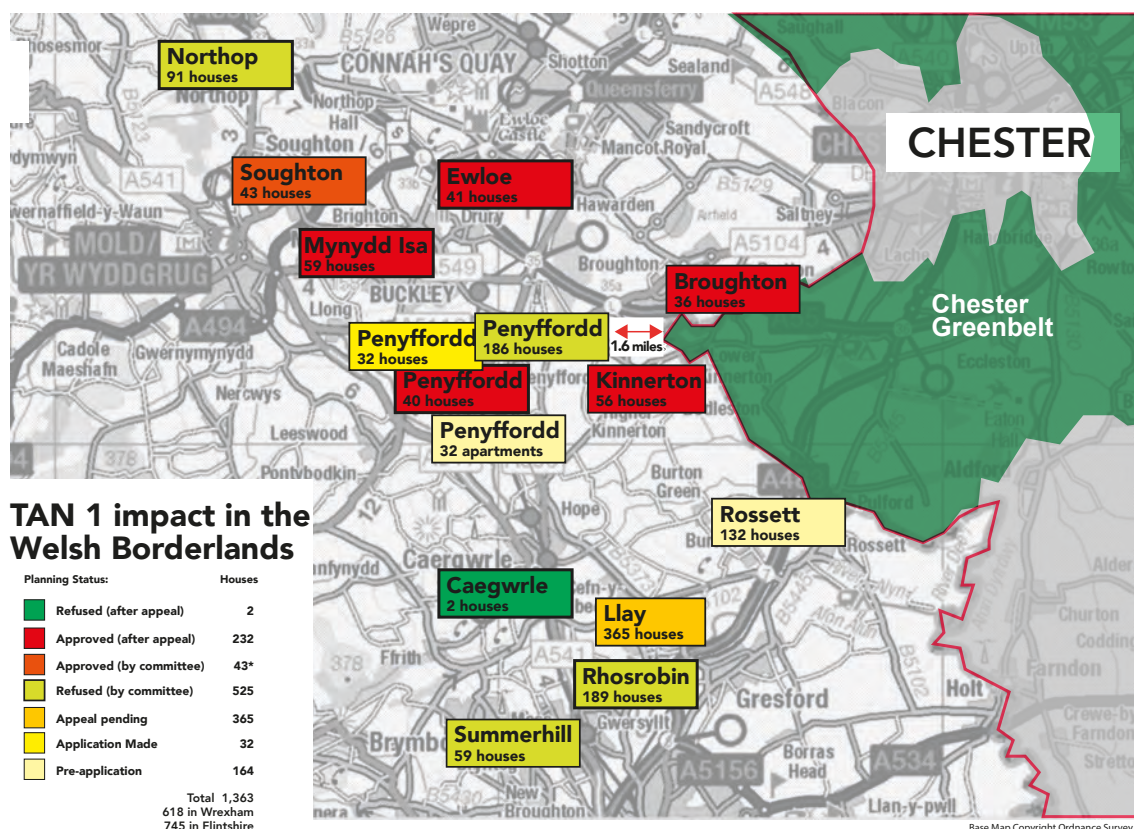
- 1.5 It is also the case that the Council is planning for a new plan period, 2015 – 2030, and within it a new assessment of housing need. There is a perception amongst some observers, particularly members of the development industry, that the Unitary Development Plan (UDP) has somehow failed to deliver all of its housing requirement and as such this under-delivery should transfer over into the LDP time period (i.e. that the 'unmet need' from the UDP should be added onto the LDP housing requirement figure). There is no logic in reality to this 'numbers game', as it is not the case the UDP failed to deliver its housing requirement, for the simple reason that the UDP did not and cannot 'deliver' housing on the ground per se. The plan makes provision for enough land to meet the housing requirement – it is the interaction of the market and development industry that determines if and how many of these homes are actually delivered. In Flintshire

21.6 The economics of house building seem clear. Developers have the capacity to build a finite number of houses each year. They are constrained by three things:

1. Money - in the form of cash flow
2. Builders – physical building capacity
3. Land – with planning permission

21.7 The primary objective of most developers is to return a good profit in order to pay a dividend for shareholders. With the limitations of money and capacity, they want to devote their resources to the most profitable projects. That means they will always favour land which offers the greatest yield. TAN1 inadvertently opens up prime greenfield land, in very marketable locations, to developers.

21.8 Inevitably developers will prefer these prime sites over the remaining, less lucrative and more expensive to develop, land in the UDP, if the planning system allows them to. As we can see from the local picture:



21.9 There is an absolute responsibility on the planning departments locally and nationally to protect against the abuse of the system through TAN1 and ensure that land is brought forward according to policy.

21.10 With a UDP policy specifically intended to protect against cross-border developments: [UDP Chapter 11.17](#) "...avoid the over development in villages, and to protect against provision for displaced housing from Cheshire, especially in border areas around Chester. In the past such demand has led to excessive growth in some village which cannot be sustained. - how have so many of these speculative developments been allowed to go through?

21.11 After a number of significant cases in Mynydd Isa, Ewloe and indeed Pen-y-ffordd (Rhos Road), more recently there appears to be a shift towards a better balance of housing need and planning policy. This is demonstrated in these two recent cases:

Appeal Ref: APP/A6835/A/16/3148776

Site address: 2 Houses on Land at Rhyddyn Farm, Bridge End, Caergwrle, Wrexham LL12 9AY

Cyf ffeil/File ref: APP/Z6950/A/15/3010121

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 APPEAL BY TAYLOR WIMPEY PLC

LAND SOUTH OF PORT ROAD WEST, WEYCOCK CROSS, BARRY

Residential development of up to 200 no. dwellings and associated works

<http://www.valeofglamorgan.gov.uk/Documents/Living/Planning/Policy/LDP/Examination-Documents-2015/Planning-Inspectors-Report-Appeal-by-Taylor-Wimpey-Plc-Land-South-of-Port-Road-West-Weycock-Cross-Barry.pdf>

21.12 In both of these instances the 5-year supply and TAN1 was referenced but not considered to outweigh the other policies including the settlement boundary.

21.13 UPDATE ON TAN1 FROM LESLEY GRIFFITHS AC/AM MARCH 2017

Dear Mr Wight

Thank you for your further e-mail of 2 March on behalf of the Pen-y-ffordd Community Group regarding Technical Advice Note 1 (TAN 1) and housing developments in Flintshire.

I issued a clarification regarding TAN 1 on 23 February in the form of a letter to all Local Planning Authorities in Wales. This letter was also copied to the Planning Inspectorate and to the Home Builders Federation, an organisation which represents a number of house-builders. A copy of my letter is enclosed with this correspondence and is also available on the Welsh Government's website at the following link:

<http://gov.wales/topics/planning/policy/dear-cpo-letters/delivery-of-affordable-housing-through-the-planning-system/?lang=en>

My clarification letter states all development proposals should comply with the relevant development plan and national policies, as set out in paragraph 6.2 of TAN 1. As you mention, Flintshire's Unitary Development Plan remains extant as the basis for determining planning applications until replaced by its Local Development Plan, unless material considerations indicate otherwise. Therefore, although Local Planning Authorities without a five-year housing land supply should give considerable weight to increasing their housing land supply in determining planning applications, the principles of sustainable development and the creation of cohesive communities should not be undermined by the need to increase housing land supply. This includes ensuring development proposals do not lead to unacceptable impacts on local economic, social and environmental infrastructure.

My letter to Local Planning Authorities therefore sets out the Welsh Government's policy position. Specifically regarding the situation in Flintshire, I had a meeting with Councillor Bernie Attridge, Deputy Leader of Flintshire County Council, and senior planning officers from the Council on 12 January to discuss their concerns regarding TAN 1.

Regards
Lesley Griffiths

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig
Cabinet Secretary for Environment and Rural Affairs

21.13 This letter and the more extensive version sent to the Planning Officers clearly sets the responsibility for applying the planning policies onto the Planning Officers and the Planning Committee. Where the planning committee deem a policy to apply, that over-rides the presumption in favour of development and this appears to have empowered planning officers and committees in placing greater weight on the extant UDP policies, notably in:

Flintshire

- Northop Cricket Club
- Penymynydd Chester Road

Wrexham

- Rhosrobin
- Summerhill

22. Brownfield Land

PPW 11.6 National Planning Guidance ...as much new housing as possible within urban areas. This includes the use of derelict, unused or waste land (brownfield land) as well as the reuse of buildings. The aim is to promote regeneration and reduce the pressure for development on greenfield sites and the open countryside.

UDP 11.7 National Planning Guidance also requires local authorities to apply a search sequence in identifying sites to be allocated for housing in the UDP. This means that previously developed land or under-used buildings, including surplus employment land, should be allocated for housing before new greenfield sites.



22.1 There is a plot of land in Pen-y-ffordd where planning permission has been granted for the erection of homes (Planning Application Ref. 053417) on the site of a derelict medical centre. We understand that the applicants are unable to build the houses because of the S106 conditions applied to the permission make it unaffordable. As a point of fact: this is brownfield land, it is land available for house building, it is real, residents have to look at it every day.

22.2 Land is a finite resource and must be used with great care and consideration.

22.3 In the Flintshire UDP L1 Landscape Character uses these words:

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.

23. Housing Need

23.1 *Policy HSG3* requires that any development proposals resulting in a growth of more than 15% will need to be justified on the grounds of housing need.

23.2 The most current information about actual need for housing, as opposed to the arbitrary and unsustainable 5-year calculation, is *Housing Topic Paper No 10* of the LDP produced by Flintshire County Council Jun 2015:

Population growth is slowing down in Flintshire in comparison to historical trends (the last 30 years). 2011 Census based WG projections indicate that Flintshire's population is only likely to grow by 2% over the plan period for the LDP; • This is due to a combination of changes in the trends for both components of population change i.e. natural change (births and deaths) and migration. Positive natural change is slowing down (more births than deaths) and migration change is neutral; • Flintshire's population age structure is aging which will have implications on the demand for new housing as well as more specialised types of housing need.

23.3 This suggests that under the LDP, the need for housing would be limited, as little as 2% is realistic, and those houses should suit the needs of the aging population. It is speculative to suggest that this development is disproportionately large when compared to the current size of the village and to the potential needs over the period of the forthcoming LDP.

Table 6.1 Projected population change 2008-2033

Projected change in population 2008-2033	All ages		Aged 15-64	
	000s	%	000s	%
Chester	0.6	0.5	-7.9	-10.2
Ellesmere Port	-0.8	-1.0	-7.7	-14.8
Vale Royal	14.9	11.7	-3.0	-3.6
Warrington	25.5	13.0	0.8	0.6
Congleton	7.7	8.3	-5.5	-9.2
Crewe and Nantwich	23.3	19.8	5.1	6.6
Macclesfield	15.9	10.5	-2.9	-3.0
Halton	5.9	5.0	-6.2	-7.8
Liverpool	24.5	5.6	-1.7	-0.6
Wirral	-4.8	-1.6	-27.4	-14.0
Wrexham	18.7	14.1	1.3	1.5
Flintshire	2.4	1.6	-13.0	-13.2

Sources: ONS 2008-based sub-national population projections, Welsh Assembly Government 2008-based local authority population projections

23.4 Topic Paper 10 goes on to say:

In terms of housing provision, the UDP plan...set out to provide a housing requirement of 7,400 homes or 493 homes per annum. That requirement has not been met and is unlikely to be during the remaining life of the UDP...the main factors involved in not delivering the planned development do not relate to the lack of available land or a failure of policy...

The present significant quantum of available housing land, a further longer term land bank of sites, and the relatively low completions rate all Population, Household Growth and Housing LDP Topic Paper No 10 - Summary 3 serve to indicate that there is plenty of land currently available for housing development, but that owners and developers are taking a cautious approach to bringing sites forward.

23.5 The significant growth in Pen-y-ffordd needs to be managed according to need, which has not been demonstrated.

23.6 What this suggests is that while there is plenty of land available for development from the UDP, developers are bringing forward sites which offer more financial potential in villages which are commutable and therefore open up the lucrative Cheshire market. This has been evidenced in applications in Pen-y-ffordd, Higher Kinnerton, Caegwrlle, Mynydd Isa and Ewloe already. These applications seek to exploit TAN1 for commercial gain without care or reference to the intention of the policy or the needs of the communities affected. This is an extract from the Flintshire County Council Spatial Plan consultation document referring to land supply:

23.7 This is evidence that land remains available within the UDP, ready to build upon. Developers will continue to ignore these evidently less lucrative sites in favour of those which offer greater return – but that will only continue if developers are allowed to get away with it by the planning system.

23.8 In the Wellbeing of Flintshire consultation document February 2017, it outlines the housing position in Flintshire:

2.26.4 Flintshire contains around 67,550 dwellings to support a population of 154,100.

2.26.5.

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.

2.26.6 As part of their planning duties, Local Authorities also have a specific requirement to provide affordable housing, and the total provision of new dwellings and there is a risk that this duty is not being met. Flintshire's 2014 Local Housing Market Assessment identified an annual figure of 246 additional February 2017 Flintshire Public Services Board Page 93 of 132 Assessment of local well-being households falling into affordable housing need. This estimate – whilst not solely about new build requirement – is equal to about two fifths of the total provision of all new dwellings in the last year. Ideally, given thresholds outlined in Local Development Plans from other Welsh unitary authorities, the affordable requirement would be about 20-30% of the new build total. A level as high as it is in Flintshire (40% for 2015/16) is not deliverable.

The demonstrated need for affordable housing suggests that the minimum required provision is not lower than 30% and the Welsh Government has made a pledge to build 20,000 affordable homes within this parliament.

2.26.7 At April 2016 the average house price for a property in Flintshire was £152,250. The average house price is currently 5.6 times the average household income of £27,300 and 10.1 times the lower quartile household income of £15,000. This suggests that entering the housing market as a home owner is well out of the reach of the average household.

House prices are a serious threat to the in-migration of future generations in the village.

23.9 There are **353** properties for sale right now (12 March 2017 source RightMove) within 3 miles of Penyffordd. Many of the 3 and 4 bedroom properties in Penymynydd and Penyffordd are showing recent price reductions.

23.10 The Sunday Times, 16 April 2017, reported:

Homes for sale hit record low

Estate agents had an average of just 43 homes for sale in March, the lowest on record, the Royal Institution of Chartered Surveyors said.

24 Settlement Boundary

UDP Policy HSG4 New Dwellings Outside Settlement Boundaries

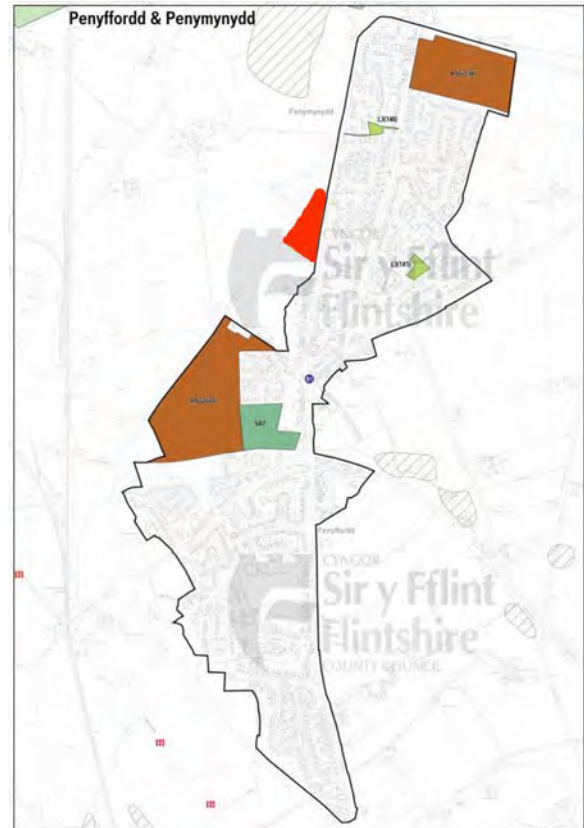
New dwellings outside settlement boundaries will only be permitted where it is essential to house a farm or forestry worker who must live at or very close to their place of work and not in a nearby dwelling or settlement.

UDP Policy 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.*

The current settlement boundary with the White Lion and Groves sits in brown and the application site in red, outside the settlement boundary.



24.1 The land is outside the settlement boundary, it was not considered under the UDP. The UDP remains the current policy, therefore the settlement boundary remains valid – as was demonstrated in the Barry case in the Vale of Glamorgan.

25 Settlement Size – Overdevelopment

25.1 Andrew Farrow, Chief Officer (Planning and Environment), states that Pen-y-ffordd has been overdeveloped under the UDP with an actual growth of 21% against the UDP guidance for a Category B settlement of 8-15%. Calculated today, just 12 months on, and that growth sits at 28%* and with recent planning permission granted for a further 40 homes. This is not sustainable without broader investment in and consideration of the wider infrastructure - planned growth, as intended by Planning Policy Wales.

Quote from the Redrow planning officers' report:

"Given this ... as well as the contribution Pen-y-ffordd and Penymynydd has made to housing provision over and above that expected by the UDP growth bands, this is not a suitable location for development at the scale proposed. As such significant weight can be given to the adopted UDP settlement boundary in this location and the fact that the site represents inappropriate development in the open countryside. In these circumstances, the test set out in TAN1 is not met, and as such the weight to attach to a lack of land supply is very limited, as it is not the purpose of the TAN to make otherwise unsuitable sites, suitable"

25.2 It is notable that the context of this overdevelopment is within the UDP period where Flintshire did not deliver all the housing intended within the UDP, therefore proportionately the situation in Pen-y-ffordd is even worse.

25.3 The UDP describes settlement growth limits as guidance but that should only be exceeded with demonstrated need. This need has never been demonstrated.

25.4 Andy Roberts, Service Manager Strategy

Environment Directorate at Flintshire County Council (in a recent meeting) reasonably questioned why there had been a change in attitude to development in Pen-y-ffordd. The recent, large, developments had generated a normal, but not significant, level of resistance from the Community Council and residents but the Redrow application had generated over 300 objections, local press, public meetings and a pressure group. The reason is simply that the harm has now been demonstrated – it is real – it is tangible in the lives of many villages and they are speaking out against any more damage to their community and quality of life.

25.5 Taylor Wimpey continue to build on the Groves estate and, as already stated, planning permission has already been given for 40 more houses on Rhos Road.

26 Transport

A Wales of Cohesive Communities

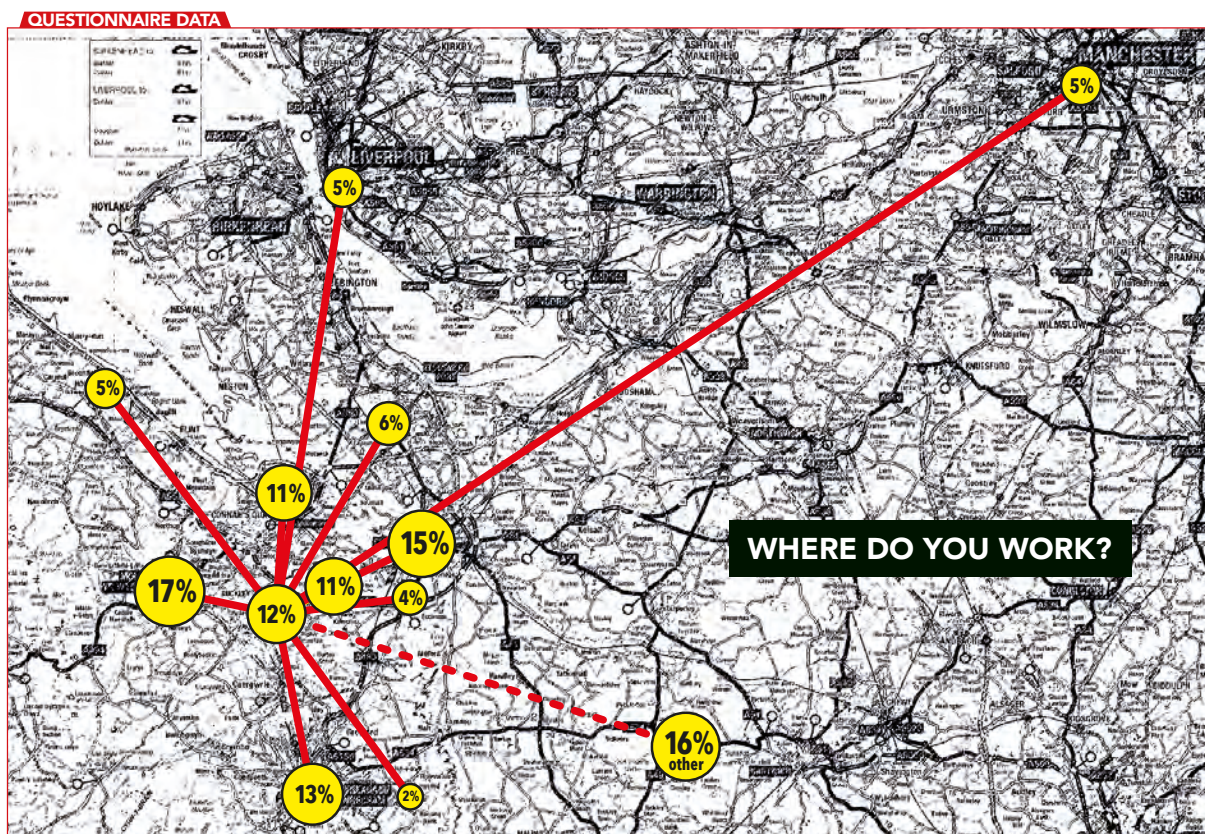
Locate developments so as to minimise the demand for travel, especially by private car (Section 4.7 and Chapter 8).

Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods (4.11.12 and Chapter 9).

26.1 Locate development so as to minimise the demand for travel - that would mean putting people where they need to be for work, for leisure, for medical care - to reduce their journeys. There is little employment in Pen-y-ffordd - most people travel out of the village to work or study. Most do it by car. In Flintshire County Council's own description of the make up of the region, they describe the settlements in the east of the County, which would include Pen-y-ffordd, as commuter villages.

26.2 The bus services have been reduced to an hourly service and the trainline from Wrexham to Bidston (change for Liverpool) is infrequent and a mile walk from this development.

26.3 Another solution to reducing car travel is to provide housing for the elderly in the village who need fewer trips out of the community. Please recall that there is no medical facility in the village and no secondary school. The closest large employers at Hanson Cement, Airbus and Broughton Retail Park are accessible by bus but there are no continuous footpaths or cycle paths.



26.4 The 'Other' in this map/chart includes places all over the UK and the World. Less than a third of workers have the potential to use public transport to travel to work. [Liverpool & Manchester have 5% combined, we do not have the split].

27 Nature and the Environment

PPW A Resilient Wales

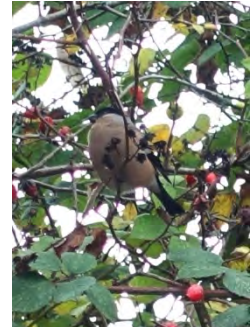
Contribute to the protection and improvement of the environment, so as to improve the quality of life, and protect local and global ecosystems. In particular, planning should seek to ensure that development does not produce irreversible harmful effects on the natural environment and support measures that allow the natural heritage to adapt to the effects of climate change.



27.1 The hedgerows on two sides of the affected field are over 150 years old, they are deep and established with a wide variety of shrubs, flowers and tree species.

27.2 The land is often used for grazing sheep, bringing active farming to the edge of the village and enjoyed by villagers and children particularly.

27.3 There are numerous species of nesting birds as well as migratory visitors during the year. There are countless other bird and animal species in the area and a wildlife impact assessment would be valuable.



27.4 This is the countryside.

GEN1 States

- 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;

D3 - Landscaping

TWH1 - Development Affecting Trees and Woodlands

TWH2 – Protection of Hedgerows

WB1 - Species Protection

WB4 – Local Wildlife Sites of Wildlife and Geological Importance

WB6 – Enhancement of Nature Conservation Interests

Business

Economy Companies Opinion Markets A-Z Alex Telegraph Connect Ever

★ Business

Redrow chief complains wildlife regulations are beastly



0 Comments



By Isabelle Fraser

3 DECEMBER 2016 • 8:00PM

The boss of house builder Redrow has lashed out at wildlife regulations, which is causing delays to crucial projects.

John Tuttle's anger was directed at the great crested newt population, protected species that can only be moved from a building site with a special licence from Natural England. "Once the temperature drops, newts can't be moved and work stops," he said. "We haven't got a shortage, there's no threat to great crested newts in the UK, but it's European legislation."

His frustration also extended to regulation that forces house builders to work around the hibernation schedules of dormice. He said: "On particular site [near Cheltenham] had dormice, so we can't start site until spring the next year, but then you have the bird nesting season. So there's a very small window to start work on a site."

"...the ingenuity with which we continue to reshape the surface of our planet is very striking, but it's also sobering. It reminds me of just how easy it is for us to lose our connection with the natural world.

Yet it's on this connection that the future of both humanity and the natural world will depend. It's surely our responsibility to do everything within our power to create a planet that provides a home not just for us, but for all life on Earth."

David Attenborough, Planet Earth II ep5

27.4 There is a genuine concern about relying on an environmental report commissioned on behalf of a developer who are happy to publicly complain about wildlife hampering their scheduling.

27.5 Clearly the time of year site surveys are carried out has a great influence on the species of tree and shrubs that can be identified and the shifting patterns of nesting and migrating birds and animals.

28. Noise and Disturbance

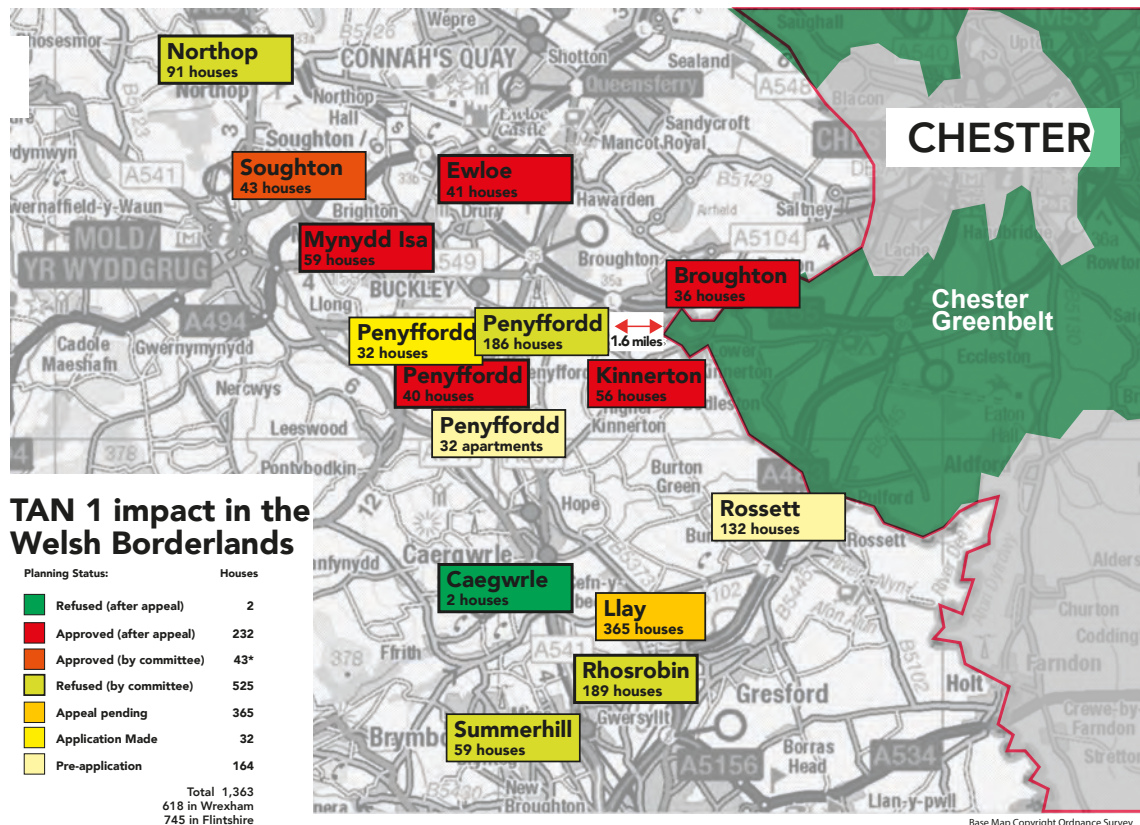
- the development should not have a significant adverse impact on the safety and amenity of nearby residents, other users of nearby land/property, or the community in general, through increased activity, disturbance, noise, dust, vibration, hazard, or the adverse effects of pollution;

28.1 The residents adjacent to the houses on Hawarden Road and Famau View will be affected by additional noise, privacy and increased activity. Though due to the design on the layout, the greatest impact would be on future residents of the development through noise from the A550.

28.3 The village already suffers with factory noise from Hanson Cement, excessive road noise from the A550, Hawarden and Chester Road, made worse due to the poor quality of the road surface. To add to the traffic volume and noise impact would be harmful.

29. Displaced Housing from Cheshire

UDP Chapter 11.17 “...avoid the over development in villages, and to protect against provision for displaced housing from Cheshire, especially in border areas around Chester. In the past such demand has led to excessive growth in some village which cannot be sustained.



29.1 In refusing the application for 189 houses in Rhosrobin, Gwersyllt councillor David Griffiths told the [planning] meeting an inadequate amount of housing “did not mean that we forego our policies”.

29.2 In the application’s ‘Design and Access Statement - March 2017. The submission talks about the “Hawarden Road links directly to the A550 which in turn connects directly to the A55 (North Wales Expressway). Easy access to the A55 provides routes to various areas such as, Manchester, Liverpool and Llandudno to name a few. Secondary vehicular routes establish local links to the neighbouring areas of Chester, Ellesmere Port and Wrexham.”

29.3 Flintshire County Council, calculate that Pen-y-ffordd has been overdeveloped under the UDP with an actual growth, at April 2015, of 21% against the UDP guidance of 8-15%. Calculated today, just 24 months on, and that growth sits at 27% (which includes the Meadowslea development of 34 houses which were a windfall site outside of the settlement boundary) and with recently planning permission granted for a further 40 homes not included in that calculation. This level of growth is not sustainable without broader investment and consideration of the wider infrastructure - planned growth, as required by Planning Policy Wales.

29.4 This is an extract from Cheshire West's own housing assessment undertaken in 2010:

49 9.12 This suggests that, in practice, the potential housing land offer for Chester is, in practice, likely to be both insufficient overall and unable to provide a range of sites suitable different sectors of the housing market, unless other sites outside the City or even outside the former Chester City Council area are deemed suitable to meet Chester's requirements. A

29.5 The limited land available in Chester for housing development is most suited to the building of apartment buildings and because of green barrier, the closest housing developments now have to be on greenbelt or as far out as Broxton. The appeal of the Welsh border villagers is clear, they are within easy reach of Chester and can command the same house prices as Chester houses – this is why Pen-y-ffordd, Higher Kinnerton, Drury, Llay and Mynydd Isa are all threatened.

29.6 In January 2017 planning permission was granted for the building of 56 homes in neighbouring Higher Kinnerton. The planning committee refused this application but this UDP policy was not given as a reason. The planning officer recommended approval. The UDP remains extant and this particular policy is a relevant today as it was the day it was written, as evidenced by the numerous applications around the English border. The recent government White Paper did not alter the stance on Green Belt and therefore the pressure remains on housing for Chester and Cheshire.

29.7 These are extracts from the Employment Land Review prepared on behalf of Wrexham County Borough Council and Flintshire County Council in October 2015 which evidence the connection between employment centres in Cheshire and the migratory movement of people to Flintshire.

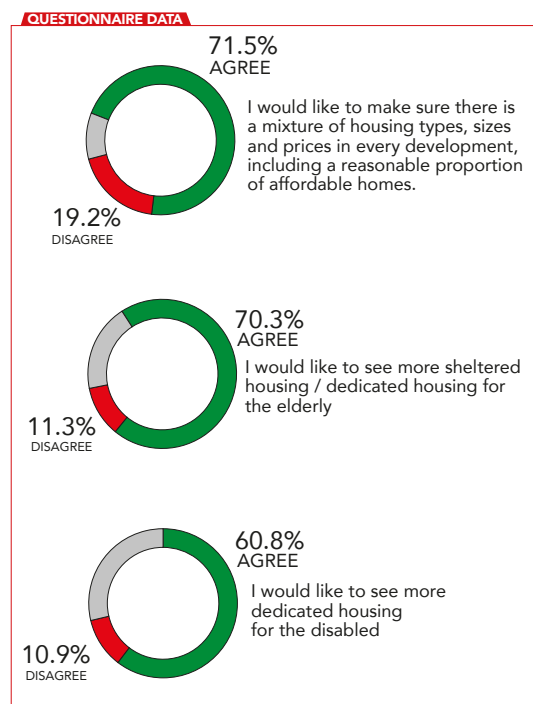
2.86 Flintshire is absorbing the major movements of population, with the area having more than four times the migratory flows entering its boundaries compared to Wrexham. Economic projections of the Sub Regional Study indicate that the dominant economies in terms of job growth within the Core Study Area are Flintshire (in particular) and Wrexham and Chester. However, these areas are dominated by the economy of Warrington in the Wider Reference Area.

2.40 Wrexham, alongside Flintshire and Denbighshire, has crucial cross-border linkages to the wider area of Chester and West Cheshire, with opportunities of economic growth to benefit all in the area. This will be achieved by linking areas of opportunity with areas in need of regeneration. Working towards this vision, the Mersey Dee Alliance will have an important role to play in supporting the implementation of the strategy through facilitating close collaboration and partnership working across North

30. Housing Mix

UDP Policy HSG9 Housing and Mix Type 'ALL NEW HOUSING SHOULD PROVIDE AN APPROPRIATE MIX OF DWELLING SIZE AND TYPE IN ORDER TO CREATE A MIXED AND SOCIALLY INCLUSIVE COMMUNITIES.'

30.4 Policy **HSG9** takes forward the requirement for housing developments to provide a range of housing types to meet local need. We have established that to ensure the community spirit of the community, there is an ongoing need to maintain the correct mix of houstypes, including affordable homes.



31. UDP Inspectors Report on the Land

31.1 Prior to the adoption of the Unitary Development Plan for Flintshire in 2011, the inspector issued conclusions on specific objections, including one for land which includes the application site:

31.2 OBJECTION 1029 Include land north of Wood Lane. Bypass forms a logical boundary more clearly visible; allow the balance of Wood Lane Farm to be brought forward for development.

31.3 Inspectors' Response:

31.4 4.59.2. 1029 – This farmland forms part of the countryside around the edge of the settlement. The current boundary follows the existing lane and is a firm and defensible feature. It is not clear to me why the suggested boundary would be more logical or clearly visible. No useful planning purpose would be achieved by including this substantial area of land, indeed the indication that such an amendment would bring forward further land for development, in a settlement that is already well provided for, reinforces the justification for not amending the settlement boundary.

31.5 This is significant for two reasons. One is that it is consistent with our view that the settlement boundary does not naturally extend to the A550, but is better as an edge along Hawarden Road.

31.6 Secondly and crucially, it is clear that there is an intention to bring forward to the remaining land connecting the original Wood Lane farmland, now the Groves development, to this application site. This would yield approximately 90 additional houses, which would be unsustainable.

31.7 The proposed site is separated from the settlement more than it is connected to it and therefore is not a natural extension of the village and the inspectors' contention that using the bypass as the boundary would bring forward substantial areas of land for development.

32. Wider Context

32.1 Nationally in the UK, there is a housing shortage. The causes associated with this are complex but for the purposes of our specific case, the balance between land available for development nationally, the rate of housebuilding and need to build on greenbelt land are all factors – as are the shortage of available homes for the growing population and the consequent rise in house prices.

32.2 Large scale developments are in the news in England particularly right now, with developments of thousands of homes proposed in numerous locations including a number of existing golf courses, active airfields and on green belt land. Most recently there is news of proposed 'garden cities' in the commuter belt north of London.

32.3 This chart shows the variation in house price change for the period 2007 – 2015 and clearly shows the difference between the South East of England and Flintshire, where prices are relatively static. Whatever the housing problems facing the country and the south east in particular, they do not apply to Flintshire at this time.

THE TIMES
Monday March 6 2017

News

Call for ministry to tackle haphazard planning

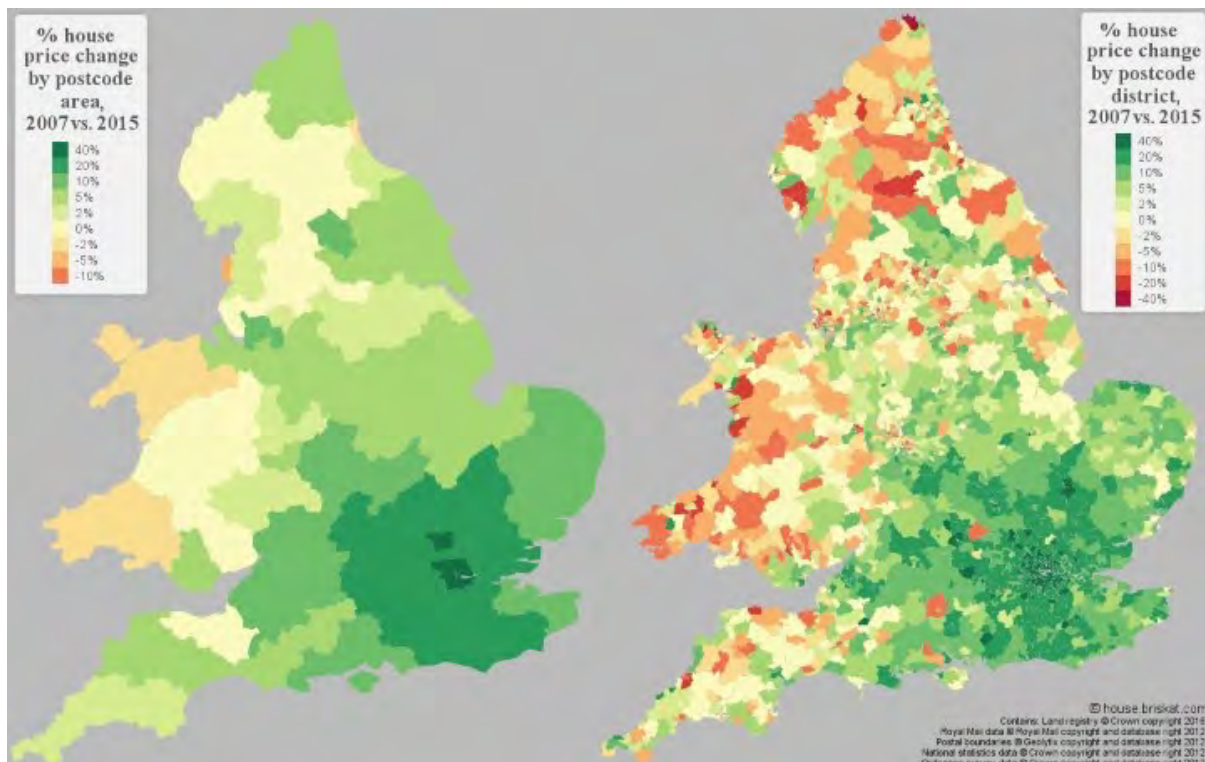
Jerome Starkey

England needs a "department of land" to stop the countryside from being eroded by haphazard government policies decreed by four secretaries of state, town mayors and hundreds of local councils, which all have a say in how land is used, according to campaigners.

A new department should strip council planners of their right to hold up home improvements such as loft conversions and kitchen extensions but strengthen their powers to protect prized assets such as national parks, public green spaces and listed buildings, they said.



Planning is poorly integrated and needs a coherent plan, a report said
RICHARD POHLE/THE TIMES



32.4 The Welsh national need varies across the regions and there are certainly some regions where there is a genuine housing shortfall.

32.5 If this is the UK and Welsh national picture, it is not reflective of the local Flintshire situation where there is a relatively stagnant population (2% growth) which is increasingly aging, where house prices are relatively stagnant and economic growth limited. Developers failed to build the houses in Flintshire on sites that were proposed under the UDP and there remains a shortfall against forecasts,

despite the technical lack of a 5-year housing supply.

Table 1 2011 based Welsh Government Household Projections: FLINTSHIRE

FLINTSHIRE	Projected households 2015	Projected Households 2030	Projected Household Change 2015-2030
Principal Projection	65,271	68,710	3,439
Variant Projection	65,324	68,947	3,623

NB: figures should be rounded to the nearest 100

32.6 In this context we have to consider the effects of TAN1.

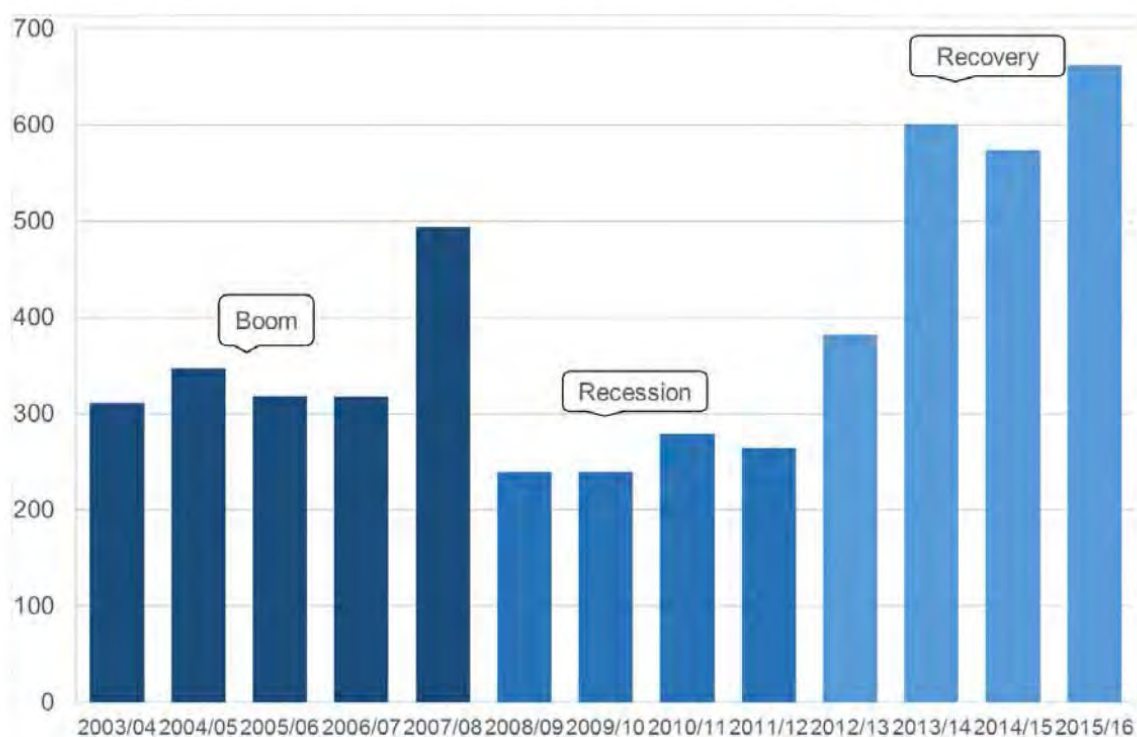
The borderlands of North East Wales, of Flintshire and Wrexham particularly, are in close proximity to the economic centres of Chester, Liverpool, Warrington and Manchester.

32.7 This is an extract from the Wellbeing in Flintshire February 2017 'how this compares with the past' context on housing:

2.26.8 Between April 2006 and March 2016 the average completion rate for new dwellings and conversions has been around 405 units per year. The economic downturn in 2007/08 saw a depression in the construction industry, which reduced housebuilding rates.

Chart 2.26.1: new home building in Flintshire

Source: housing land availability studies, Flintshire Council/WG/Planning Inspectorate



2.26.9 This reduction in housing completions continues across most of the country, but in Flintshire the past few years have seen exceptional completion rates fuelled by large Unitary Development Plan sites originally identified back in the 1990s being developed. They present a finite land resource for new house building, and once the allocations are built on they are gone. These sites could potentially lose their housing development status as the imminent production of a new Flintshire County Council Local Development Plan (LDP) reviews land allocations, and so there is an incentive to develop sooner rather than later.

2.26.10 Arguably, the recent high build rates could also be due to developers 'managing' the market and local supply, particularly given Flintshire's current position 'between plans' and an inability to demonstrate a 5 year land supply, which opens up the possibility of speculative housing sites being promoted. Flintshire's proximity to areas on the English border which see high housing demand but have restricted land supply also makes the area attractive to the large housing developers, particularly in the absence of an LDP. The neighbouring Welsh local authority of Wrexham also has limited housing land availability, which adds to the pressure on Flintshire. Once Flintshire's new LDP is produced this speculative development will be curtailed.

2.26.11 The rate of new housebuilding seen in the last three of four years is not thought to be sustainable as there is doubt about long term capacity of developers, particularly when neighbouring local authorities produce their own Local Development Plans (including Chester and Wrexham) and release land for up to 40,000 homes within similar time periods over the next year or two.

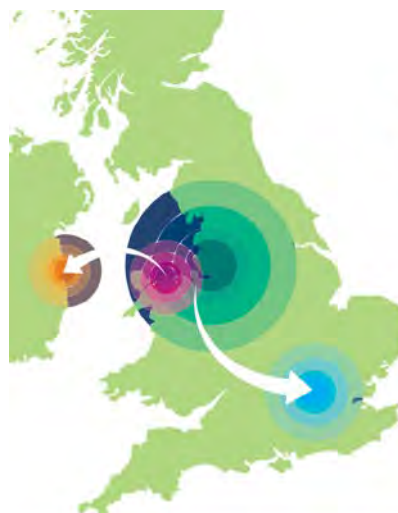
2.26.12 Based on the past building rates method over a 5 year and 10 year period the land supply amounts to 6.6 and 8.1 years respectively. The Council is of the view that past building rates method clearly show the actual level of supply, compared with what the development industry is currently achieving on the ground, and is more reflective of recent economic conditions and reduced levels of house building.

Source: <http://www.flintshire.gov.uk/en/PDFFiles/Policy-and-Performance/PSB/Well-being-Assessment-for-Flintshire-16th-Feb-English.pdf>

32.7 There is a desire for developers to build houses in this catchment area because they sell well and can command prices above the local market rate.

32.8 So far the TAN1 has been applied to enable planning permission on land in Mynydd Isa for 59 houses, in Ewloe for 41 houses, in Pen-y-ffordd for 40 houses and most recently in Broughton for 36 houses. There are planning applications in various stages for 365 houses in Llay, 190 houses in Pen-y-ffordd and 56 houses in Higher Kinnerton – all made possible by TAN1.

32.9 There is a longer term economic view that suggests that Flintshire and North Wales can benefit from the Northern Powerhouse with infrastructure investments in roads and rail – notably the A550 Aston Hill and the A548 Flint Bridge – this will improve access for the A55 corridor and the Flintshire coastal area and should therefore be expected to play a part in the LDP Spatial Plan.



“A confident, cohesive region with sustainable economic growth, capitalising on the success of high value economic sectors and its connection to the economies of the Northern Powerhouse and Ireland.”

32.10 Most significantly for Pen-y-ffordd is the Warren Hall development. We understand that the expectation is that it will be a mixed development of houses and commercial properties as part of an aerospace zone around the Broughton Airbus factory. Recent successes in the Sealand Eurofighter maintenance contract and Airbus R&D facility support this excellent plan.

From the Flintshire Wellbeing Assessment Summary:

The Northern Gateway within Deeside is a strategic, 90 hectare (222 acre), ready-to-go development site understood to be the largest, private sector-led development in north Wales and the north west of England. It has the potential to create up to 7,000 new jobs and up to 1,200 new homes. The Warren Hall development site in Broughton offers the potential for 3,000 new jobs and 300 new homes. With Northern Gateway and Warren Hall moving closer to development Deeside will be able to deliver considerable growth opportunities in the future.

32.11 These are all medium term development plans and in this wider context, there is no question that housing need and distribution is best considered properly within the LDP process.

32.12 There is also the situation with community planning to consider. Both England and Wales derive their planning laws from English Law.

In the words of the Law Commission (<http://www.lawcom.gov.uk/project/planning-law-in-wales/>):

Planning law in Wales is unnecessarily complicated and, in places, difficult to understand. Planning legislation has not been consolidated since the Town and Country Planning Act 1990 and has, ever since, been supplemented by a succession of piecemeal changes. The increasing divergence between the law in England and Wales has made it difficult to identify what the planning law of Wales is.

The planning framework in Wales includes 'Place Plans' which enable communities to prepare plans which will be given material consideration once a Local Development Plan is in place. The details of Place Plans are yet to be published, but the English law is ahead in this regard and they recently published a clarification in response to an online petition which asked "Give communities back the right to decide where houses are built.":

Local communities are not forced to accept large housing developments. Communities are consulted throughout the Local Plan process and on individual planning applications.

The National Planning Policy Framework strongly encourages all local planning authorities to get up-to-date Local Plans in place as soon as possible, in consultation with the local community. Up-to-date Local Plans ensure that communities get the right development, in the right place, at the right time, reflecting the principles of sustainable development.

A wide section of the community should be proactively engaged so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.

The Framework recognises the intrinsic character and beauty of the countryside. That is why our proposals are focussed on development in built up areas.

We are also absolutely clear that Green Belt must be protected and that there are other areas that local authorities must pursue first, such as brownfield land and taking steps to increase density on urban sites. The Government is committed to maximising the use of brownfield land and has already embarked on an ambitious programme to bring brownfield land back into use.

There is nothing automatic about grants of planning permission where there is not yet an up-to-date Local Plan. It is still up to local decision-makers to interpret and apply national policy to local circumstances, alongside the views of the local community. Applications should not be approved if the adverse impacts would significantly and demonstrably outweigh the benefits; or if specific policies in the Framework indicate that development should be restricted.

Communities are also able to make representations on individual planning applications and in response to most appeals by the applicant against a local authority decision. Interested parties can raise all the issues that concern them during the planning process, in the knowledge that the decision maker will take their views into account, along with other material considerations, in reaching a decision.

We therefore do not believe a right of appeal against the grant of planning permission for communities is necessary. It is considered that communities already have plenty of opportunity to have their say on local planning issues, and it would be wrong for them to be able to delay a development at the last minute, through a community right of appeal, when any issues they would raise at that point could have been raised and should have been considered during the earlier planning application process.

Department for Communities and Local Government
https://petition.parliament.uk/petitions/177333?reveal_response=yes

UPDATE 32.13 With the exception of Neighbourhood Plans* and replacing National Planning Policy Framework with Planning Policy Wales, everything written in this response is true in Wales as it is in England – with the exception of the presumption in favour of development and the dismissal of extant policies.

Inspired by the Neighbourhood plans in England, the Pen-y-ffordd Community Group is currently well progressed in the preparation of a Community Development Plan or Place Plan, as encouraged by the Welsh Minister, Lesley Griffith AM in recent correspondence. This plan will be based on the wishes of residents. The plan, originally based around the Gwernymynydd and Mold plans, is intended to guide planners, developers, stakeholders and the council in what the future of the village should be.



32.12 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 - New Development

STR4 - Housing

STR8 - Built Environment

STR10 - Resources

GEN1 - General Requirements for New Development

GEN2 - Development Inside Settlement Boundaries

GEN3 - Development Outside Settlement Boundaries

D1 - Design Quality, Location and Layout

D2 - Design

D3 - Landscaping

TWH1 - Development Affecting Trees and Woodlands

TWH2 – Protection of Hedgerows

WB1 - Species Protection

WB4 – Local Wildlife Sites of Wildlife and Geological Importance

WB6 – Enhancement of Nature Conservation Interests

AC2 – Pedestrian Provision and Public Rights of Way

AC3 – Cycling Provision

AC13 - Access and Traffic Impact

AC18 - Parking Provision and New Development

L1 – Landscape Character

HSG4 – New Dwellings Outside Settlement Boundaries

HSG8 - Density of Development

HSG9 - Housing Mix and Type

HSG10 - Affordable Housing within Settlement Boundaries

SR5 - Outdoor Play Space and New Residential Development

EWP3 - Renewable Energy in New Development

EWP16 – Water Resources

EWP17 – Flood Risk

RE1 - Protection of Agricultural Land

HE7 – Other Sites of Lesser Archaeological Significance

SR5 – Outdoor Play Space and New Residential Development

IMP1 – Planning Conditions and Planning Obligations

Planning Policy Wales Edition 8 January 2016

Technical Advice Note 1 Joint Housing Availability Studies 2015

Technical Advice Note 5: Nature Conservation and Planning

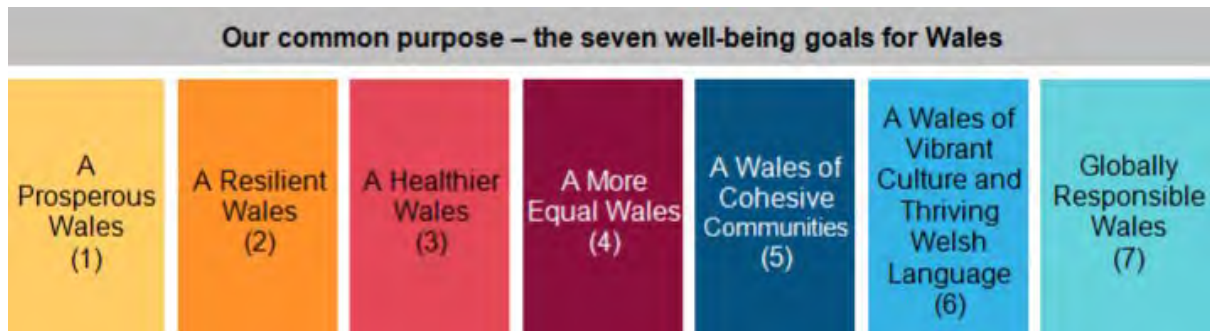
Technical Advice Note 6: Planning for sustainable Rural Communities

Technical Advice Note 15: Development and Flood Risk



Sunrise over the proposed development fields from the Wellhouse Estate.

Part 3 - Well-being of Future Generations (Wales) Act 2015



Planning policy sites under this larger law governing Wales. This act places a duty on public bodies to carry out sustainable development. In order to achieve this, the Act has 7 well-being goals, which have been incorporated into Planning Policy in Wales. A number of these goals are contradicted and breached by this proposed development. Details of these breaches are provided below.



33. A Prosperous Wales

33.1 Under this goal new developments are required to minimise land-take, with the re-use of previously developed land being encouraged. Planning Policy Wales (PPW) section 4.9 states that previously developed land should, where possible, be used in preference to greenfield sites. This proposed development is located on a greenfield site and will result in the loss of a substantial area of existing green belt for the village.

33.2 A number of brownfield sites are currently present within the village, which do not appear to have been considered by applicant. We feel that the development of these brownfield areas, which are located within the existing village development boundary, should be encouraged by the Council to avoid these being discounted without justification by developers.

33.3 As part of this goal new developments should play an important role in securing the provision of infrastructure to form the physical basis for sustainable communities. Instead of embracing this goal, the proposed development will place added pressure on the currently inadequate water and drainage system.

33.4 Many existing residents already receive poor water pressure and supply and flooding of the surface water drainage system is a regular sight in the centre of the village following heavy rain. The traffic increases in the village will also place further burden on the Council for maintaining the existing roads in the village. A number of roads in the village are currently in a poor state of repair, with potholes reoccurring every winter. Additional traffic on the local road network is likely to further exacerbate this problem.

34. A Resilient Wales

Ecological resilience

34.1 This goal ensures that the biodiversity and natural environment in Wales is maintained and enhanced. Section 4.6.3 of the PPW identifies a number of priorities for rural areas, which includes securing an attractive, ecologically rich and accessible countryside in which the environment and biodiversity are conserved and enhanced.

34.2 This development goes against these principles with the loss of important habitats in the form of hedgerows, grassland and trees, to facilitate the development. This will remove valuable wildlife corridors from the village and adversely impact the local wildlife.

Social resilience

34.3 The proposed development fails on maintaining or improving social resilience. The addition of more residents in the village will put added pressure on an already stretched healthcare provision and system provided in adjacent villages. Furthermore, additional pressure will be placed on the school system, which at present is struggling to cope, with limited spaces available in the existing village schools.

34.4 We understand that the construction of a new school has been secured by Flintshire Council on the existing Abbots Lane site. However, this is not due to be complete until 2019. It is likely that, if approved, a large majority of this development will be inhabited prior to the completion of the new school, with limited school places being available for new children entering the village.

Climate change

34.5 Key to the goal of a resilient Wales is the consideration of climate change, with new developments required to manage and mitigate the consequences of climate change. This is emphasised in PPW section 4.7 which states that new developments should be located in settlements that are resilient to effects of climate change.

34.6 This proposed development includes the removal of important carbon sinks (loss of green spaces and trees), and is likely to result in increased greenhouse gas emissions as a result of the construction activities, energy requirements of new properties and additional traffic on the local road network.

34.7 PPW section 4.7 states that new developments should be located in areas which are well serviced by existing infrastructure, including water and wastewater provision. The addition of significant hardstanding which in place of the existing open space which benefits from high infiltration potential, will place an added pressure on the currently poor sewerage and surface water drainage system.

34.8 Section 4.5.4 of PPW (Chapter 4, November 2016) states that Wales can expect an increased winter rainfall and frequency of intense rainfall events as a result of climate change. This is noted to increase the risk of flash flooding and pressure on sewer systems.

34.9 Given the poor state of Pen-y-ffordd's existing drainage system and objections made by Welsh Water with respect to the lack of capacity of the existing infrastructure to cope with any further large developments, this development demonstrates not only a fundamental breach of this goal, but also the Planning Policy Wales policy for planning for climate change.

Development in the countryside

34.10 Section 4.7.8 of the PPW states that any new development in the countryside should respect the character of the surrounding area and should be appropriate scale and design. The proposed development again fails to demonstrate compliance of this principle.

35. A Healthier Wales

35.1 This goal ensures that the physical and mental well-being of people in Wales is maximised and new developments should encourage and understand the choices and behaviours that benefit future health.

35.2 The proposed development will also place added pressure on the existing health care provision for the village. The village has no health care centre and hence the community are reliant on that provided from adjacent villages (Broughton, Buckley and Hope). These existing facilities are under existing pressure, with many practices full and appointments difficult to obtain. The addition of a further 32 residential houses in the village is likely to be unsustainable and therefore breach the Healthier Wales goal.

35.3 Additional housing and associated traffic associated with this development is likely to result in worsening noise and air quality conditions for the village. This does not appear to have been considered by the applicant for existing residents of the village, with the noise assessment focusing on the suitability of the site for new residents, ignoring the potential noise impacts on existing residents.

35.4 There is also no air quality report, which should assess the impacts on air quality as a result of additional traffic in the village post development. In addition to the two previous large scale developments in this village, this development is likely to have a cumulative effect on noise and air quality in the village, which has not been considered as part of the developer's submission.

45.5 PPW Section 4.7 states that new developments should promote sustainable patterns of development. Section 4.7.4 also states that new developments should be consistent with **minimising the need to travel and increasing accessibility by modes other than private car**. The current provisions are poor, with local residents rarely using public transport as a result. This pattern is likely to continue with new residents joining the village, with a substantial increase in private car journeys likely to occur. As noted above this will have a cumulative impact, when the other two large scale developments that have currently taken place recently in the village are considered.

45.6 Additional traffic on the local road network has the potential to not only increase issues of nuisance in the form of noise and air pollution, but also has the potential to result in an adverse impact to quality of life and harm for the community. Air quality issues have long been linked to breathing difficulties, such as asthma. Asthma UK Cymru¹ recognizes air quality and pollution from traffic as a trigger for asthma sufferers.

45.7 Public Health Wales² also indicate that long-term exposure to air pollutants has been found to increase cardiovascular and respiratory disease morbidity and mortality risks. Shorter-term exposure can also trigger symptoms such as eye, nose and throat irritation, headaches and nausea. This can lead to asthma exacerbation, lung function effects, an increased dependency on medications and an increased risk of hospital admissions for cardiovascular and pulmonary conditions.

45.8 Noise pollution can also affect our health and wellbeing. The Welsh Government³ indicate that increases in noise can become an irritation or a distraction, interfering with conversation and other work or leisure activities and disrupt sleep. Long term exposure to heightened noise levels, particularly road traffic noise, has been linked to an increased risk of more serious health effects, such as high blood pressure.

45.9 The potential implications of increase noise and worsening air quality will ultimately put further pressure on the existing local health care system.

¹ <https://www.asthma.org.uk>

² <http://www.wales.nhs.uk/sitesplus/888/page/81974>

³ <http://gov.wales/about/cabinet/cabinetstatements/previous-administration/2011/pollutionindustry/?lang=en>

36. A More Equal Wales

36.1 This goal looks to respect and encourage diversity in the community and maximise opportunities for this to be developed. The principle of sustainable development is supposed to be inclusive of all in the community. However, the mix of housing proposed as part of this development is being much focused on wealthier residents, with limited provision of affordable homes and no consideration of the needs of the disabled and elderly and future generations in the village. As such, this development cannot be regarded as inclusive for all – this can also be considered as a breach of the goals for 'A resilient Wales' and 'Healthier Wales'.

36.2 Section 4.6.3 of the PPW identifies a number of priorities for rural areas, which includes securing sustainable rural communities with access to affordable homes and high quality public services. The proposed development goes against both the principle and requirement for the quantity of affordable homes that should be provided by new developments, as well as disregarding the fact that the village currently does not have existing high quality public services, such as health care. No measures to improve these existing issues are presented by the applicant.

37 A Wales of Cohesive Communities

37.1 Fundamental to this goal is the aim to locate developments as to minimise the demand for travel, especially by private car. As discussed above, the proposed development does not meet this requirement when the poor public transport network and lack of businesses within walking distance are considered.

37.2 In addition to the above, this goal incorporates the need to ensure that all local communities have sufficient good quality housing for their needs, including affordable housing for local and special needs. The development proposed does not take into account the communities needs and hence is again in breach of this goal.

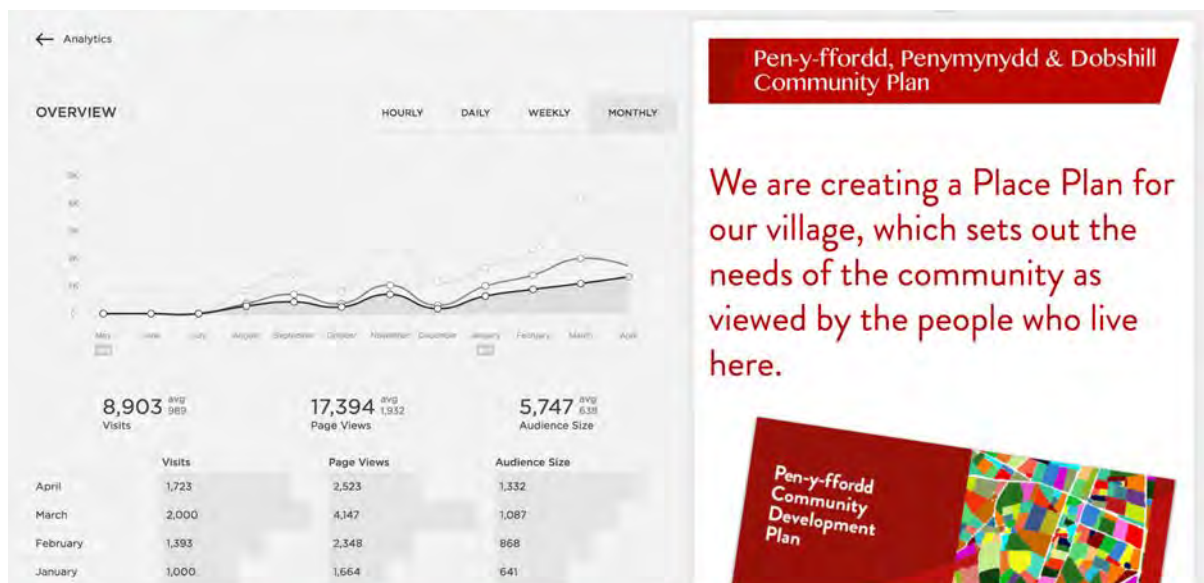
Appendix

Website Data

In August 2016, following public meetings at which there was agreement that the preparation of a Community Development Plan was the best strategy to help to guide future growth of the village, a new website was created (www.penyfforddcommunity.org).

The website traffic data is a good indication of the level of interest in the community and the need to protect against overdevelopment.

The traffic data (from 14 April 2017) below shows 5,747 unique visitors to the site, who have viewed 17,394 pages during 8,903 different visits.



Prepared by Pen-y-ffordd Community Group:

Email Address for the Group: **team@Penyfforddcommunity.org**

Email Address for the Community Council: **shughes.pyfclerk@hotmail.com**

Phone Numbers for the Group: **07799 684985 / 07976 667807**

Editorial Group

Clare Huber

Alan Wight

Roy Wakelam

Kathy Wight

Pat Huber

Cllr Cindy Hinds

Cllr David Williams

Steering Group / Contributors

Cindy Hinds (County & Community Cllr)

David Williams (County & Community Cllr)

Jeff Pridden (Community Cllr)

Clare Huber

Becky Whiteley

Pat Huber

Roy Wakelam

Alison Wakelam

Alan Wight

Kathy Wight

Colin Hughes

Lisa Harding

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Gillian Boyd

Community Council:

Cllr Cindy Hinds (Chair)

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Cllr Margaret Jones

Cllr Helen Jones

Cllr Jeff Pridden

Cllr Stan Davies

Cllr David Williams

Cllr David Walker

Cllr Clive Weed

Sarah Hughes, Clerk to Pen-y-ffordd, Penymynydd, Dobshell and The Warren Community Council.