

**MATTER 12 – NEW HOUSING DEVELOPMENT PROPOSALS - LAND BETWEEN DENBIGH ROAD & GWERNAFFIELD ROAD, MOLD HN1.6**

**SITE ASSESSMENTS OF CANDIDATE SITES MOL025 & MOL045, LAND NORTH OF GWERNAFFIELD ROAD, MOLD AND MOL044 LAND ADJACENT POOL HOUSE, DENBIGH ROAD, MOLD**

I consider that the assessments of the candidate sites above and other sites around Mold has not been undertaken on a robust or credible evidence base, in accordance with the Flintshire County Council LDP or the planning guidance issued by the Welsh Government.

**A. MINIMISING THE LOSS OF BEST & MOST VERSATILE (BMV) AGRICULTURAL LAND**

I consider that Flintshire County Council (FCC) in preparation of the LDP have failed to comply with the requirements of PPW11 in respect of Minimising the Loss of Best & Most Versatile (BMV) Agricultural Land.

The field is shown to be grade 2 agricultural land on the Predicted Agricultural Land Classification Map, which I understand is the highest grade for land immediately surrounding Mold, where most of the land is graded 3a or 3b. Other candidate sites around Mold have lower graded land and are far less utilised than the HN 1.6 (MOL025/MOL045) site.

Initially FCC indicated that the classification of the land on the MOL025/045 site would be downgraded from grade 2 to 3b following survey work. However, this has not been proven.

At the start of this Hearing FCC verbally reported that the Welsh Government's Agricultural Department had raised no objection to the loss of agricultural land arising from the draft LDP. I am of the opinion this statement does not satisfy the requirement of PPW11.

**Supporting Information**

**FCC Background Paper 9: Minimising the Loss of Best & Most Versatile (BMV) Agricultural Land – Sept 2019**

Para 4.2 of the Deposit LDP *'does not contain specific policy provision in terms of seeking to protect BMV as this is something that is adequately set out in national policy and need not be repeated in the LDP..... The need to protect BMV is therefore clearly signposted in the Plan'*

In para 6.2 which lists areas where predictive mapping resource identifies the following grade 2 agricultural land. The large area of Grade 2 Land to the west of Mold (Gwernaffield Rd/Denbigh Rd) MOL025 is omitted. Although land to the south and north west of Mold are listed (no specific sites given).

In para 7.10 of the above document published in September 2019 which specifically focuses on Mold and in particular the land between Denbigh Road and Gwernaffield Rd. It states *'The site has a predicted loss of grade 2 BMV although a Site Survey by Reading Agricultural has identified that due to chemical limitations arising from previous development, the loss would not involve land of higher than grade 3b. Verification by Welsh Government is awaited'* This Background paper was published

in September 2019 but no further evidence in support of this appears to have been provided to support this statement.

In the Hearing Statement by Flintshire County Council dated 9 March 2021 in response to question raised by the inspector in respect of 'What is the policy position on Best and Most Versatile Agricultural Land?', paragraph g states *'The preparation of the LDP has involved close working with Welsh Government in identifying the predicted loss of BMV as part of the assessment of candidate and alternative sites. On all allocations involving the potential loss of BMV an on-site survey has been arranged and results verified by Welsh Government. In identifying allocations, the Council has sought to minimize the loss of BMV.'* No evidence of this survey or results for the above site, or any correspondence with the WG Agricultural Division has been made available.

A report dated July 2019 produced by ADAS on behalf of the WG has recently been made available in the Hearing library ref LDP-EBD-HN1.6.2. The report is an 'Assessment of Agricultural Land at Pwll-Glas, Mold - A brief evidence review to determine whether it is appropriate to use Category 4 Screening Values for contaminated land to inform the grading of agricultural land under the Agricultural Land Classification (ALC) system. The report concludes that from the evidence provided 'Downgrading land at Gwernaffield Road, Pwll-Glas based on exceedance of the C4SL value for lead (Pb) is not justified.

I consider that the development would lead to an unjustified loss of good quality agricultural land. The land is not simply pasture land, as it is actively farmed and currently three crops of silage are harvested each year. The farmer regularly manures and fertilizes the land and also uses it for grazing livestock. I am of the opinion that the loss of this land will result in the reduction in the milking herd as the farmer will have reduced feed available as well as a reduced area for the spreading of slurry.

**PPW11** Feb 2021 states:

*Para 3.58 The Best and Most Versatile Agricultural Land. Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC)<sup>16</sup> is the best and most versatile, and should be conserved as a finite resource for the future. Para 3.59 When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade*

*As stated in paragraph 3.55 - Previously Developed Land (brownfield land) should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all previously developed land is suitable for development. This may be, for example, because*

*of its unsustainable location, the presence of protected species or valuable habitats or industrial heritage, or because it is highly contaminated.*

The land in Gwernaffield Road (Site ref MOL025, MOL045) is currently classified as grade 2 on the Agricultural Land Classification Map published by MAFF, and is some of the best quality land available on the outskirts of Mold. PPW11 seeks to conserve the Best and Most Versatile (BMV) agricultural land as a finite resource for the future. Considerable weight should therefore be given to protecting such land from development and only be developed if there is an over-riding need for the development, AND lower graded land is unavailable.

FCC does not appear to have made the case for the development of this land having regard for the above. Brownfield land is also now available in Mold but no consideration has been given to its possible redevelopment in the LDP.

## **B. GREEN BARRIERS**

I wish to challenge the methodology of using green barriers to prevent coalescence around Flintshire towns and settlements. PPW11 states that green barriers can be used to prevent the coalescence of large towns and cities from other settlements. In paragraph 4.1 of the LDP you appear to wish to amend the definition to suit the types of settlements in the County. I would contend Mold is not a large town, as its population is around 10,200. I do not regard this as a large enough population to be classified as a large town. Wrexham (pop 42,500), Colwyn Bay (pop 34,200), and Rhyl (pop 25,100) could possibly be considered as large towns. The definition of a large town in Wikipedia is one having a population of between 20,000 and 100,000. Therefore, the positioning of green barriers to prevent coalescence around Mold appears to be outside the PPW11 definition and should not be used. This appears to be the prime purpose given for the green barriers to the south and east of Mold.

The plan makes extensive use of green belts around Mold to prevent the coalescence of Mold with adjoining villages of Gwernymyndd and Mynydd Isa. I believe that these should be reviewed as they appear simply to be allocated to prevent further development on the South and East edges of Mold, forcing future development to the West. I believe that there would be a clear barrier between Mold and adjacent villages of Mynydd Isa and Gwernymyndd with some relaxation of the proposals. The Mold bypass (A494) would appear to provide a clear barrier and demarcation to the edge of Mold between its junction with Ruthin Road and Chester Road.

PPW10 states that green barriers may be used to manage urban form through controlled expansion of urban areas. This would appear to be a better approach in respect of Mold, where consideration could be given to look at its urban form and shape. In accordance with PPW11 it could also be used to safeguard countryside from encroachment. I would suggest that these principles should be equitably applied to all parts of the boundary of the Mold settlement.

Along Ruthin Road, Mold, considerable development has been permitted on the East side and therefore can see no reason why some development could not be permitted on site MOL002 to the West side of the road without affecting the demarcation of the town from the village of Gwernymydd.

In respect of the Woodlands Rd site the UDP inspector in allowing the green barrier during the review, indicated that at some time in the future the land may prove suitable for development. (Ref. page 17 of Background Paper 1: Green Barrier Review, September 2019).

Also, it is understood the UDP Inspector considered the land between Pool house Lane and Gwernaffield Road and determined that the site represented a significant incursion into open countryside.

### **C. CANDIDATE SITE ASSESSMENTS OF MOL025 & MOL045 LAND NORTH OF GWERNAFFIELD ROAD, MOLD AND MOL044 LAND ADJACENT POOL HOUSE, DENBIGH ROAD, MOLD**

Candidate sites were subject to an assessment form, with a summary of the assessment is then published in Background paper 8 Assessment of Candidate Sites and Alternative Sites. Details of all the candidate sites assessment forms were not made available to review online during the consultation period.

The summary published in Background paper 8 do not appear to contain information that I would have expected to have been included on the assessment form. For example, in MOL045 no reference is made to the high-pressure water mains crossing this site even though a specific question appears on the model assessment form referred to in the above document.

In assessing site MOL009 Denbigh Road Candidate Site reference is made to its close proximity to the Synthite factory. No mention is given to this in candidate site assessments for MOL025/045 or MOL044 even though parts of these sites are closer to the factory. The factory is registered under the COMAH Act as a site storing dangerous chemicals and would have thought this should be included on a planning assessment for the adjacent site.

- **WATER MAINS**

The MOL025/045 site is traversed by two high pressure trunk water aqueducts which supply water from the treatment plants to several storage reservoirs supplying East Flintshire and beyond. DCWW require no development to take place within minimum of 10 metres either side of each pipe, this is also dependent upon depth of main, reducing the area available for development. This again has not been mentioned in the assessment of candidate sites. In the last 12 months there has known to be two significant bursts on the Alwen aqueduct within 100 metres of this site, which resulted in substantial flooding of a field, factory and A541 road, requiring extensive remedial work involving large construction machinery over period of weeks. If these bursts had occurred within a residential area, it is likely properties would have been flooded.

- **MOLD FLOOD ALLEVIATION SCHEME**

There is no mention of the proposed Mold Flood Alleviation scheme crossing the MOL044 site. Flintshire CC appear to be the main sponsors of the scheme, and the catchment diversion plan

produced by their consultants show all three options traversing the MOL044 site and discharging into the river Alyn. One option would appear for part of a new drainage system to be placed through the centre of site MOL025/045. The discharge of surface water from the proposed housing development site together with the discharge of the flood diversion scheme should be assessed. Again, there is no mention of this in the site allocation assessments.

- **HIGHWAYS**

I consider the current highway infrastructure to be inadequate to accommodate the additional vehicles that will be going to/from this proposed large housing development. It is understood that the main vehicular access is to be made onto the A541 Denbigh Road, but access will also be available onto Gwernaffield Road. I believe that the vast majority of these vehicles will traverse eastwards into Mold to access facilities and employment. This will vastly increase traffic flows on the Denbigh road into Mold. There is currently congestion at peak times at the King Street roundabout with tailbacks to the mini roundabout serving Dreflan/Gwernaffield road. It is reported that there are frequent minor accidents at the mini roundabout and increased traffic is likely to result in additional problems. The increased congestion will lead to poorer air quality, increased noise, disturbance, dust and hazards along this stretch of road where there are a considerable number of residential properties. This would appear to be contrary to PC2 of the LDP which states that any development should not have a significant adverse impact on the safety and living conditions 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.

In order to avoid congestion on the Denbigh Road into Mold we believe motorists will make use of a country lane, Black Brook Road, to Sychdyn to gain access to the A55 and to Flint. It is thought this route will become even more popular if the proposed red route is constructed between Northop and Shotwick, giving easier access to Deeside employment area and the motorway network.

Cars coming out of the development onto Gwernaffield Road would have to negotiate a 90 degree turn in the road onto Dreflan and numerous parked cars on the road, before encountering the mini roundabout on Denbigh Road. Traffic has to slow down or come to a complete stop in order to negotiate this route at the moment. We consider that this route is incapable of taking a large increase in traffic volume.

I am not aware of any plans from Flintshire C.C. to improve the Denbigh Road to accommodate the increased traffic flow. PPW10 (para5.35) requires development plans to set out an integrated planning and transport strategy. The Infrastructure Plan Background Paper supporting the LDP, states that a full Transport Assessment is necessary for site MOL008/MOL044/MOL045 but this does not appear to have been produced. Flintshire CC does not appear to have produced a plan under the Road Traffic Reduction Act 1997.

PC5 of the LDP on page 119 states new development proposals must be supported by appropriate transport infrastructure, and depending on the nature, scale, location and siting of the proposal, will be required to mitigate any significant adverse effects upon the transport network that arise from the proposed development including improvements to transport infrastructure and traffic management where required.

Little consideration appears to have been given towards the highway implications arising from the proposed development and to the impact of a considerable number of additional vehicles on the safety and environmental conditions of local residents. Any housing development on the west side of Mold will result in residents having to travel into, and in many cases through, residential areas of Mold to reach work, shops, schools or services. The east and south side of Mold has easy access to the A494 and access to the main employment areas at Deeside Enterprise Park, Wirral and Chester. The housing development is likely to lead to increased outward migration from the County for employment. This will lead to a substantial increase in traffic congestion along Denbigh Road into Mold. This road is currently used by numerous heavy goods vehicles serving the many quarries situated along the A541 and also the many tankers that bring goods in and out of the Synthite factory.

There is also likely to be increase traffic along the Gwernaffield Road for residents from the development wishing to access schools and services in the town centre. This would be the shortest route to the nearest town centre car park at Griffiths Square.

There is no Bus Service available along Gwernaffield Road. Bus services are available along Denbigh Road near the Drovers Arms (approx. 800m from the site). Anyone using this service would need to cross Denbigh Road as there is no pavement on the south side of the road near the proposed site. The pavement is not wide, and as mentioned above there are a considerable number of heavy goods vehicles on the A541, making walking along the pavement uncomfortable.

- **SUBJECTIVE STATEMENTS**

I am concerned that subjective comments made in the candidate assessment summaries for individual sites have been made to fit the Council's desired outcome in choosing preferred sites. For example, in MOL019 the comment is made *'the size of the site results in it having the appearance of open countryside, despite the outer boundary formed by the A494 trunk road'*. Whilst in MOL025 the comment is made *'The site is well defined by existing roads and development and is distinct from the wider open countryside to the west'* and *'The strong physical features ensure that it can be considered separately from the wider agricultural landscape'*. The first site is defined by a trunk road, whilst the latter site is bounded by a minor road, that is in part sunk below ground level!

MOL025 site has high quality landscape value with views towards Moel Famau and the Clwydian Range. (please see Appendix 1 for photographs of site MOL025/045). Rhual, Rhual Grange and the Gwysanney Estate overlook the site.

In the summary of the candidate sites MOL0002 and MOL019 I do not consider it appropriate to make reference to *'other more preferable sites are available'* making reference to MOL025/045 sites. I believe that each site should be assessed on its individual merits without reference to any other site nearby being a preferred site.

In view of the above I am of the opinion that the comments made in the candidate sites assessment summaries have been written after the sites for development have been selected. The inclusion of document in the Examination library - Mold Opportunity Sites Assessment Report September 2013

LDP-EBD-OCD4 (first time I have heard of it) tends to suggest a decision on the proposed development site in Mold could have been made some time ago.

#### **D. SUMMARY**

In reading the summary of the candidate sites there are numerous subjective statements which I believe have been written to fit the plan after the decision of preferred sites has been made.

I consider the LDP to be unsound in the following areas: -

- a) Does not have regard to PPW11 in the minimising the loss of the best and most versatile agricultural land
- b) Not having regard to PPW11 in the setting of green belt areas around Mold
- c) Inconsistent in the assessment of candidate sites around Mold, in the comments made in background paper 8
- d) Failure to include substantial issues in the assessment of candidate sites around Mold
- e) Failure to consider the highway implications of proposed developments in accordance with the policies contained within the LDP

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