



# Unitary Development Plan 2000-2015 Written Statement

Adopted 28th September 2011

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FLINTSHIRE UNITARY DEVELOPMENT PLAN  
ENSURING A SUSTAINABLE FUTURE FOR  
FLINTSHIRE

**UNITARY DEVELOPMENT PLAN  
2000-2015  
WRITTEN STATEMENT  
ADOPTED 28<sup>TH</sup> SEPTEMBER 2011**

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## Foreword

It is my pleasure to present the adopted Flintshire Unitary Development Plan. This statutory document has been the subject of several rounds of public consultation and scrutiny at Public Inquiry. Throughout the process the Council has sought to listen to the views expressed in more than 17,000 representations and the Plan has been modified wherever appropriate, to bring about a Plan which is to the credit of both the Council and the County.

The Plan provides a sound and up to date land use framework to guide sustainable development and to ensure the protection of the landscape and environment of the County for the period up to 2015. Its preparation has been accompanied by a comprehensive process of Strategic Environmental Assessment, Sustainability Appraisal and Habitats Regulations Assessment to ensure it will deliver sustainable development in a manner that will not harm European designated sites of nature conservation importance.

The Plan will provide the basis for rational, transparent and consistent planning decisions. The ability of the UDP to act as a single point of reference for the consideration of development proposals in the County represents a considerable step forward in comparison to the complex arrangement of previous Structure and Local Plans inherited from previous administrations.

The Plan will provide the County with a sound basis from which to move forward rapidly with the Local Development Plan. I look forward to the challenge of preparing the Local Development Plan and to working with the public and a wide range of other stakeholders to bring about a Plan which will serve the County well in the future.

Cllr Tony Sharps  
Deputy Leader and Executive Member for Environment



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# 1 Introduction

## The Unitary Development Plan - Ensuring a Sustainable Future for Flintshire

1.1 Flintshire occupies a unique border location in the North East corner of Wales, serving as the gateway to North Wales, and performing a central role in the operation of the sub-region. Characterised by diversity, Flintshire boasts a significant and prosperous industrial heartland, a thriving pattern of settlements supporting a growing population, an effective transport network, and a broad range of landscapes, environments, habitats and species, some of internationally recognised importance.

1.2 With such diversity comes significant and potentially conflicting pressures - for growth, expansion and development on the one hand, and for conservation, protection and enhancement on the other. The Planning System and in particular the Flintshire Unitary Development Plan (UDP), has a key role to play in facilitating the correct balance to ensure that where development takes place, it is carried out in a sustainable manner which maximises the nature and quality of the development, and minimises the negative impact it has.

1.3 The UDP provides both the strategic and detailed framework for land use planning in the County up to the year 2015. It is an important document that will help shape Flintshire's future in a physical and environmental sense, as well as influencing it in economic and social terms.

## The Planning Framework in Flintshire

1.4 This document is the 'adopted' version of the Unitary Development Plan for Flintshire for the 15 year period 2000 to 2015. The aim of the Plan is to provide a framework for making rational and consistent decisions on planning applications, and to guide development to appropriate locations. The preparation of the Plan has allowed local people, businesses and others with an interest in the County, an opportunity to shape the communities and environment of the future. It identifies land for new housing, employment, retailing and other forms of development and sets out general policies to control new development, changes in the use of land or buildings, and to protect the environment from insensitive change. The Plan also sets out the basis to bring about sustainable development.

1.5 The Plan has been drawn up in the light of national and regional planning policy and the policies of other key public bodies such as the Environment Agency and the Countryside Council for Wales. It also takes into consideration other plans and strategies produced by the Council including the Countryside Strategy, Local Transport Plan, Biodiversity Action Plan, Regeneration Strategy, Local Housing Strategy, and is consistent with the Council's Community Strategy.

1.6 The purpose of town and country planning is summarised in para 1.2.1 of Planning Policy Wales (February 2011): "The planning system regulates the development and use of land in the public interest. It should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land, and protecting natural resources and the historic environment. A well functioning planning system is fundamental for sustainable development."

1.7 Under the Local Government (Wales) Act 1994, each local planning authority in Wales was required to prepare a Unitary Development Plan (UDP) for its administrative area. This requirement is crucial to the present 'plan led' planning system as explained in para 3.1.2 of Planning Policy Wales (February 2011) UDP's "should provide a firm basis for rational and consistent decisions on planning applications and appeals. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless

material considerations indicate otherwise. Conversely, applications that are not in accordance with relevant policies in the plan should not be allowed unless material considerations justify the grant of planning permission.” The Planning and Compulsory Purchase Act 2004 requires each authority in Wales to prepare a Local Development Plan (LDP) for its area. However, under transitional arrangements, the Council has progressed the UDP to adoption, prior to commencing work on an LDP.

1.8 For most people, involvement with the planning system happens when they submit a planning application, or seek to object to a planning application. However, given that such planning applications will be determined on the basis of the UDP, it is important to be aware of the policies and proposals in the UDP.

### Existing Development Plans in Flintshire

1.9 Prior to local government reorganisation in April 1996, a two tier system of development plans was in operation. County Councils prepared Structure Plans which were strategic in nature, whereas District or Borough Councils produced more detailed Local Plans. The adopted UDP replaces the following development plans in Flintshire:

Plan Title	Plan Period	Status
Clwyd County Council		
Structure Plan First Alteration	1986 - 1996	Adopted 1991
Structure Plan Second Alteration (Flintshire Edition)	1996 - 2011	Deposit draft ((April 1995) and Proposed Changes (Jan 1996) stages undertaken by CCC and following local government reorganisation were approved by Flintshire County Council as an informal document for use in development control in January 1997.
Delyn Borough Council		
Delyn Local Plan	1986-1996	Adopted 1993
North Flintshire Local Plan	1996 - 2006	Informal draft review of Delyn Local Plan which was the subject of two rounds of public consultation before being approved by Flintshire County Council for use in development control in November 1998.
Alyn & Deeside District Council		
Alyn & Deeside Local Plan	1993 - 2003	Adopted April 2003

1.10 Now that the UDP is formally adopted, it is the development plan for the purposes of Section 54A (i.e. the primary consideration in the determination of planning applications being the development plan). The UDP replaces the previous adopted development plans i.e. Clwyd Structure Plan First Alteration, Delyn Local Plan, and the Alyn & Deeside Local Plan, as well as the ‘informally approved’ plans.

### Flintshire’s Spatial Context

1.11 Flintshire, located in the north eastern corner of Wales is one of the six unitary authorities covering North Wales, and the largest in population (148,600). Due to its border location with England, it is affected by the socio - economic activities of the North West region, which has the second largest population in England outside the South East. Urban development is concentrated in the coastal areas on the Dee Estuary, which has traditionally been a location for industrial development. With the expansion of Deeside Industrial Park, the County has become a significant focus for sub-regional employment generation. Away from the urbanised coastal strip, the County is predominantly rural in nature with a dispersed settlement pattern of market towns and village communities situated in attractive rolling countryside. Having regard to the unique location of Flintshire

the Plan's preparation has had regard to both Regional Planning Guidance for North Wales and for the North West of England.

### The UDP Production Process

1.12 The preparation of a UDP is governed by planning law and regulations which determine the various stages and procedures to be followed. The preparation process can be split into the following distinct stages:

1.13 Consultation Draft - Before the Plan is placed on deposit the local planning authority must undertake a period of pre-deposit consultation. Regulations require the local planning authority to consult certain bodies. However the way in which the consultation is carried out, the matter of who else is consulted and the amount of publicity given to its proposals is for the authority to decide. The Council prepared a pre-deposit consultation draft UDP which took the form of a strategic issues document rather than a detailed plan with proposals maps. The objective was to seek broad consensus on the issues, strategy and way forward as a basis for drawing up detailed policies and proposals, rather than objections focusing on site specific proposals. The Plan was widely publicised for a 6 week period commencing in May 2000, and full details of the arrangements for publicity and consultation are set out in a separate background paper 'Statement of pre-deposit publicity and consultation'.

1.14 Following the pre-deposit draft consultation exercise, the representations made on the Plan were reported to the Council's Development Plans Panel on 11 April 2001. The report contained a summary of each representation, response and recommendations as to whether the Plan should change. A detailed version of the Plan was drawn up including policies and proposals and agreed by the Council on 27<sup>th</sup> May 2003 to be placed on public deposit.

1.15 Deposit Draft - The Plan was placed on 'deposit' for a 6 week period between 29<sup>th</sup> September and 10<sup>th</sup> November 2003 to enable members of the public, statutory consultees and all others who had an interest in the Plan, to make written representations of objection or support. In excess of 17,000 representations of objection and support from some 7,000 representees were submitted and considered by the Council at a series of Development Plans Panels. A report was prepared for the Council's Executive on 3<sup>rd</sup> October 2006 to determine the Council's response on each of the objections submitted and an accompanying list of Proposed Changes. These were approved by County Council on 17<sup>th</sup> October 2006.

1.16 Proposed Changes - Those objections which the Council agreed with, resulted in changes being made to the Plan which are known as Proposed Changes or Pre-Inquiry changes. Although not a statutory plan making stage, the Council published its Proposed Changes for public consultation for a 6 week period between 3<sup>rd</sup> November and 15<sup>th</sup> December 2006 to enable representations to be lodged. The Council only accepted representations that related to the Proposed Changes themselves and not to the contents of the original Deposit Plan. Proposed Changes allowed for the 'conditional' withdrawal of objections by the original objector but also resulted in counter objections. The Council's responses to the representations submitted and list of Further Proposed Changes were reported to Executive on 15<sup>th</sup> May and approved by County Council 22<sup>nd</sup> May 2007. The Council made available the Further Proposed Changes during May, June and July.

1.17 Public Local Inquiry - The public local inquiry was conducted by two independent Inspectors appointed by the National Assembly for Wales. The Inquiry was opened on 18<sup>th</sup> September 2007 and oral sessions were held until 19<sup>th</sup> December 2007. The Inquiry was formally closed on 4<sup>th</sup> August 2008 following completion of all written representation Proofs. Objections presented orally at the Inquiry or through written representations, carried the same weight. The Inspector then prepared a report which was issued to the Council on 15<sup>th</sup> May 2009 containing a recommendation on each objection. The Council made the Inspector's Report publicly available on 26<sup>th</sup> May 2009 following checking for errors, omissions and points of clarification. Although the Council is under no legal

obligation to accept the Inspector's recommendation, it must provide clear reasoning why the Inspector's recommendation is not accepted. The Council's Statement of its Decisions and Reasons on the Inspector's Report and accompanying list of Proposed Modifications was reported to a Special Executive on 14<sup>th</sup> July 2009 and approved by County Council on 14<sup>th</sup> July 2009.

1.18 Proposed Modifications - Those Proposed Changes carried through to the final version of the Plan, or the Inspector's recommendations which resulted in additional changes to the Plan, were grouped together as 'Proposed Modifications' which were placed on public deposit for a further 6 week consultation period between 21<sup>st</sup> September 2009 and 2<sup>nd</sup> November 2009. At this stage, representations could only relate to the Proposed Modifications themselves and not to the contents of the original Deposit Plan. The Council's responses to the Proposed Modifications representations were reported to Executive and approved by Council on 9<sup>th</sup> March 2010. The Council resolved to approve the Plan in principle but had remaining concerns about a number of housing allocations and policies whereby it was agreed that Members could make submissions to the Head of Planning setting out their (and the community's) concerns. A Development Plans Panel was set up and considered written submissions from 16 Members. The recommendations of the Panel were reported to and accepted by Full Council on 11<sup>th</sup> November 2010 with the effect that the housing allocations at Ash Lane, Mancot and West of Wrexham Road, Abermorddu were to be revoked and the housing allocation at South of Retail park, Broughton be limited to 25 dwellings per hectare.

1.19 Further Statement of Decisions and Further Proposed Modifications – The Council published further 'focused' changes relating to the three sites in the form of a Further Statement of Decisions on the Inspector's Report and Further Proposed Modifications for a six week consultation period commencing 28<sup>th</sup> January 2011 and ending 11<sup>th</sup> March 2011. A report setting out the representations received and Officers response was reported to and accepted by a Development Plans Panel and was subsequently approved by Council at its meeting on 28<sup>th</sup> September 2011.

1.20 Adoption – The Council adopted the Plan at its meeting on 28<sup>th</sup> September 2011 and the Plan became operative on that date. A Notice of Adoption was published on 13<sup>th</sup> October 2011 advising that any aggrieved person had 6 weeks from that date with which to apply to the High Court to have the Plan or parts of the Plan quashed. No such legal challenges were made.

#### A collective vision for Flintshire - making it a better place

1.21 Flintshire County Council's key priorities for its area are set out in the Annual Improvement Plan. A central theme of these priorities is that of sustainable development, which is development that satisfies present needs without compromising the ability of future generations to meet their needs. Four key objectives set out how such a balance will be achieved:

- social progress which recognises the needs of everyone;
- effective protection of the environment;
- prudent use of natural resources;
- maintenance of high and stable levels of economic growth and employment.

1.22 The land use planning system has a key role to play in ensuring a sustainable future, and the production of the UDP is an important expression of how this will be achieved.

1.23 The UDP will also work hand in hand with other corporate plans and strategies to achieve sustainable outcomes. Many of these strategies share a common sustainability agenda, and equally all have a role and relationship to the Council's emerging Community Strategy. Some of these key strategies include (see figure 1.):

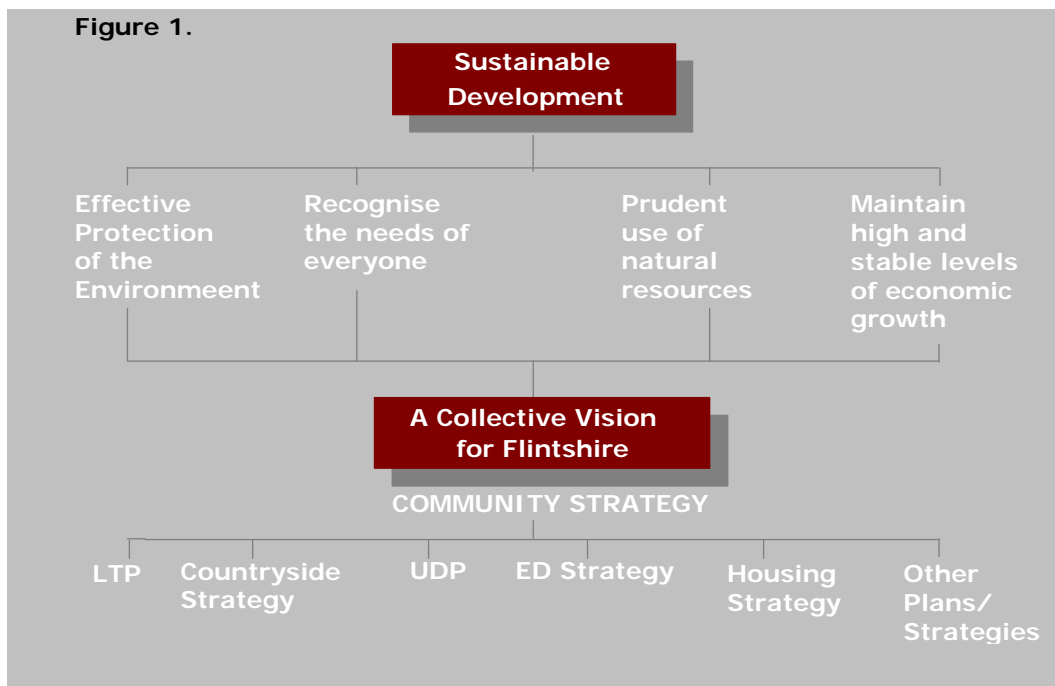
- Local Transport Plan



- Economic Development Strategy
- Biodiversity Action Plan
- Countryside Strategy
- Local Housing Strategy

1.24 Together with these complementary strategies, the UDP will strive to deliver a series of common principles:

- Integrating Landuse and Transport - The Local Transport Plan (LTP) through its aims and objectives, sets out the context for managing and tackling strategic and local transport issues. The LTP and the UDP share the common aim of reducing the need to travel (particularly by car), whilst at the same time promoting accessibility (through public transport) to jobs, services and facilities.
- Promoting Economic Diversity and Prosperity - The promotion of economic diversity and competitiveness and the creation of good quality job opportunities within a framework of sustainability, are common goals for both the UDP and the Economic Development Strategy. The Flintshire Economic Development Strategy is a five year action plan (2003 - 2008) which will focus on the continuing development and regeneration of Flintshire's economy through increased competitiveness, raising skill levels, and the promotion of innovation and enterprise.
- Protecting and Enhancing Biodiversity - Flintshire published its Local Biodiversity Action Plan in September 2002, and with it defined the complex interaction between species and habitats native to Flintshire, that the UDP through its policies and proposals will seek to respect, protect and enhance.
- Managing a Thriving and Accessible Countryside - Flintshire's Countryside Strategy provides an holistic overview of the issues affecting the countryside across Flintshire. It recognises the importance of the countryside as an asset and resource, promoting the quality of its scenic and ecological heritage, whilst at the same time acknowledging the fact that people also live and work there. The constant demand for change and



development places particular pressures on Flintshire's countryside, and it is essential that in order to balance the social, economic and environmental issues involved, a

strategic perspective is maintained to develop policies and solutions that serve to protect the character and qualities that define Flintshire's particular identity.

- A Decent Home for Everyone - The UDP has an important role in contributing to the development of Flintshire's Local Housing Strategy. It must recognise the County's requirement for housing, and contribute to the provision of a choice of types, sizes, and tenures, that are affordable to all groups in society, and are located where people want to live.

1.25 Flintshire's Community Strategy which was approved in June 2004 aims to develop an agreed vision between a partnership of public service providers and the community of Flintshire for the period 2004 to 2020. The approved strategy is a 'live' document involving rolling 4 year action plans to deliver the service priorities agreed as well as an annual review and reporting back to the community and partners. The strategy seeks to bring about a number of key themes: learning and creative communities; healthy and caring communities; active communities; safe communities and thriving and modern communities, through the application of a number of core principles which are sustainability, social inclusion, equal opportunity and Welsh language.

1.26 The UDP like all other corporate plans and strategies, will have a role to play in supporting and delivering the Community Strategy. The UDP however, will have a specific spatial role in relation to the Community Strategy, as the majority of physical change and development that takes place within Flintshire's communities, is either as a direct result of proposals in the UDP, or is guided and controlled by its policies.

1.27 The strategic aims of the UDP encompass a broad range of social, economic, and environmental issues relating to Flintshire's communities, and these are compatible with the Community Strategy themes. Sustainability and social inclusion are two of the four main themes that underpin the UDP, and which go to the heart of the Plan and its policies.

1.28 The UDP process has involved the community at a number of key stages particularly through its consultation strategy, and the public inquiry into the Plan. The successful development and implementation of the Community Strategy will only be achieved by effective engagement with the community, and the UDP's involvement with the community in its development, will be fed into the Community Strategy engagement process.

## About this Plan

1.29 The Plan comprises two documents, the written statement and the proposals map:

1.30 Written Statement - The written statement comprises a strategic 'Part I' which contains the Plan's aims, strategy and strategic land use policies. This broad framework provides the basis for the detailed policies and site specific proposals set out in 'Part II' of the Plan. Part II of the Plan is split into a series of topic based chapters. For each chapter there is a general summary of the Plan's strategy, the policy issues, and relevant national and regional planning guidance. Each chapter is preceded by a table outlining the monitoring framework as it applies to the particular topic. This framework outlines which strategic aims most closely relate to the topic, a set of policy objectives which are translated into the list of policies for the particular topic, and a series of policy indicators to monitor the Plan's implementation. Nine strategic targets have been defined, covering key areas of the Plan. Targets are not specified for all topics, but indicators cover all areas of the Plan to allow for monitoring and management of the Plan's implementation, and will inform subsequent Plan reviews.

1.31 Each chapter contains a number of policies which are laid out as follows:

- Policy Title: each policy is given a name and unique abbreviation / number;
- Policy Wording: the actual wording of the policy appears in bold text to distinguish it from more general text;

- Reasoned Justification: the background to, need for and explanation of the policy in lower case text;
- Other Key Policies: a list of cross references to other policies which are closely related to the policy (this list is not exhaustive and will not include more general policies or be provided alongside every policy - see note in para 1.32).

1.32 The cross referencing of key policies elsewhere in the Plan will be restricted to those which are absolutely necessary in order to gain a full understanding of the issues related to the proposed development. Many other more general policies or detailed development control type policies will also be relevant but are omitted in order to avoid unnecessary repetition. *It must be stressed that the Plan is to be read as a whole and policies not considered in isolation.*

1.33 Many of the policies in the Plan contain several criteria which development proposals will need to satisfy if they are to be acceptable in planning policy terms. In cases where all of the criteria must be met, the final criteria will be prefixed with the word 'and'. In policies where a range of alternatives are offered, and only one criteria needs to be met then each criteria is prefixed by the word 'or'.

1.34 Proposals Map - Many of the Plan's policies relate to geographical areas such as green barriers and landscape designations. Other policies relate to specific properties such as those contained in principal shopping frontages. The Plan's proposals will relate to the allocation of specific sites or land for development such as housing, employment or infrastructure developments such as road improvements. These designations or allocations are shown on a map base to reflect how they appear 'on the ground'. The Proposals Map is contained in a separate book and comprises the following:

- Main Proposals Map: showing the whole County on a single sheet at a scale of 1:35,000;
- Inset Maps: 'settlements' will be shown at a larger scale (between 1:5,000 and 1:10,000) in the form of 'inset plans' in order to show more accurately the policies and proposals. The area covered by the inset map will be marked on the main proposals map by a border (but no policy detail will be shown within that border);
- Town and District Centre Insets: Where it is necessary to show a greater level of detail for policies affecting town and district centres, they will be shown on a separate inset at a larger scale.

### Strategic Environmental Assessment & Sustainability Appraisal

1.35 The appraisal of strategies, policies and proposals is now part and parcel of the Plan making process. 'Sustainability appraisal' acknowledges that sustainability is about more than simply the environment, but also about resources, the economy, and social and cultural considerations which all contribute to quality and way of life.

1.36 The main purpose of the appraisal is to ensure that the Plan works towards bringing about sustainable development by adopting a more holistic approach. However, the Plan cannot by itself bring about a sustainable way of life, it can only seek to lay the foundations through its land use planning powers. The framework provided by the Plan must be backed up by the actions of other public agencies, businesses and the public at large.

1.37 The Plan's appraisal has closely followed the guidance contained in the Welsh Assembly Government's Good Practice Guide. It has involved the following key stages:

- Identification of appraisal criteria against which the Plan will be appraised;
- Compatibility of strategy aims to ensure that the elements of the strategy are not in conflict;
- Scoping of key guidance documents to ensure that the Plan embraces the key issues;

- Appraisal of the strategy / part I policies against the appraisal criteria to identify areas of possible impacts;
- Appraisal of the Plan's spatial strategy / development framework to ensure the distribution of development is sustainable;
- Appraisal of key Part II policies and site specific allocations.

1.38 During the consideration of deposit representations, it became clear to the Council that the Plan was unable to be adopted before the requirements of the EU Strategic Environmental Assessment Directive came into force in July 2006. In order to meet the requirement of the Directive for a Strategic Environmental Assessment (SEA) of the Plan, the Council employed specialist consultants to undertake a 'retrospective' SEA, which was combined with a review and update of the earlier Sustainability Appraisal (SA). The aim of SEA is to 'provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development' (Article 1 SEA Directive).

1.39 The combined SEA / SA was published in an environmental report 'Sustainability Report' and resulted in numerous improvements to the Plan which were fed into the publication of the Pre-Inquiry Proposed Changes. The SEA / SA was updated and again resulted in further amendments to the Plan in the form of Further Proposed Changes. The consultants also undertook a Screening of the Plan in respect of Reg 48 of the Conservation (Natural Habitats...) Regs 1994 to determine whether the Plan would have significant adverse effects on any Ramsar and Natura 2000 sites. The publication of the adopted Plan is accompanied by a Post Adoption Statement, summarising the SEA/SA process. All documents relating to the SEA / SA and Screening are available separately.

#### Contacts

1.40 Any queries related to the Plan should be directed to the UDP helpline either by e-mail to [developmentplans@flintshire.gov.uk](mailto:developmentplans@flintshire.gov.uk) or by telephone on 01352 703212.

Planning Strategy Section,  
Environment Directorate,  
Flintshire County Council,  
County Hall,  
Mold,  
CH7 6NF

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## 2 The Strategy

### Introduction

2.1 Flintshire continues to need more houses, jobs, facilities and infrastructure. At the same time, the Council is acutely aware of the need to protect and enhance Flintshire's built and natural environment and heritage. Assessing the needs of the community involves reconciling these often conflicting demands, and this is no easy task.

2.2 The policies contained within this Plan aim to find this balance through a strategy which is framed within national and regional planning guidance, and which embraces a number of strategic themes which have at their core the concept of sustainable development. This forms a consistent thread throughout the Plan in defining the strategy and direction for the Plan, and the spatial implications of this.

2.3 A clear Plan strategy provides the framework for making policy decisions and clarifies how issues interrelate with each other. It ensures consistency in dealing with development proposals as they arise during the lifetime of the Plan. Furthermore, by setting out explicitly a well defined set of aims and objectives, it can give the Plan's users confidence in it, and provides a clear basis against which the Plan's performance can be measured and improved over time.

### Strategy Themes

2.4 The UDP will help to make Flintshire a better place to live and work, enhancing the quality of life of its residents by improving their social and economic well-being, whilst at the same time ensuring that the distinctive environmental and cultural heritage is preserved for the future.

2.5 Four main themes underpin the Plan strategy, which together set a consistent agenda for the Plan to follow:

- Sustainable Development - usually defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Reflecting this, the strategy will seek to meet people's needs for jobs, homes, health, leisure and recreation whilst protecting and enhancing the richness of our cultural heritage and the variety of our natural environment, in a manner which has regard to the use of resources.
- Biodiversity - can be defined as the variety of life and the systems which support that variety. Adopting a biodiversity centred approach to the natural environment acknowledges that it is the complex interaction between species and habitats that provide us with the support system upon which we ultimately depend for life.
- Integrating Land Use and Transport - the UDP examines the relationship between transport and land use planning and promotes their integration. Ultimately the aim is to reduce the need to travel, especially by car. The strategy of the UDP will take into account the strategy and actions of the Council's Local Transport Plan.
- Community Needs - the UDP reflects the desire to meet the social, economic and cultural aspirations of all members of the community as far as is possible in a land use document, and taking into account national planning policies and wider legislation. It is important for the Plan to meet the needs of whole communities and influence quality of life in a positive manner giving rise to a range of new opportunities.

2.6 Taken together, these have been distilled into an overriding vision for the Plan:

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To nurture sustainable development capable of improving the quality of life in Flintshire without causing social, economic, resource or environmental harm to existing or future generations

2.7 A series of strategic aims have been defined, which support this vision and are the framework on which the policies in this Plan are derived from. There are also three functional aims, which define the role and function of the Plan in helping to meet the needs of the community and achieve sustainable outcomes.

### Strategic Aims

- a. economy - to create a thriving and sustainable economy providing a wide range of quality employment opportunities for local people.
- b. social and welfare - to enable all local residents the opportunity to have access to quality housing, services, shops and leisure, recreational and sports facilities.
- c. health - to promote and facilitate the development of a safe and healthy environment.
- d. community identity - to preserve community life by limiting development to a level which can be reasonably sustained and assimilated within existing communities.
- e. natural environment - to conserve and enhance the natural environment and its diversity - landscape, nature conservation and biodiversity.
- f. built environment - to conserve, regenerate and enhance the built and historic environment.
- g. energy - to stabilise and ultimately reduce non renewable energy consumption and encourage appropriate renewable energy.
- h. resources - to make the most prudent and efficient use of resources, including land and buildings, and encourage the use of recycled and secondary rather than primary resources.
- i. pollution - to stabilise and ultimately reduce the potential of pollution.
- j. waste - to stabilise and ultimately reduce waste generation and disposal utilising waste management measures.
- k. culture and language - to promote and support a diverse local culture including the protection and development of the Welsh language.
- l. transport and access - to integrate new land uses with the existing transport network, and to improve accessibility to varying alternative transport modes other than the car, and to promote the integration of transport modes.
- m. tourism - to facilitate appropriate tourism development which meets the needs of visitors without harming the natural and cultural assets on which tourism is based.
- n. proximity principle – to apply the proximity principle whereby problems are solved locally rather than passing them on to other places or to future generations.
- o. respect for environmental limits – to ensure that resources are not irrecoverably depleted or the environment irreversibly damaged.

### Functional Aims

- i. guidance - to give clear guidance as to the future use of land and buildings and the control of development.

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- ii. regulation - to provide a regulatory framework for the promotion of high standards in development.
  - iii. public participation - to ensure the needs and appropriate aspirations of local people are taken into account in shaping their own environment through the plan making process.

## Spatial Strategy

2.8 The Strategy so far has been expressed in terms of a vision, strategic aims and underlying themes. However, it is also necessary for these general principles to be expressed 'spatially' i.e. how they translate 'on the ground'. Although most of the Plan's objectives and policies will have some spatial implications, only the key spatial elements of the Plan's strategy in terms of areas of growth and restraint etc., are set out as follows:

1. creating a sustainable settlement pattern whereby:
  - a. most new development will be directed to the main towns (category A settlements which have an indicative potential growth band of 10% - 20%) which have existing infrastructure, jobs and services, subject to environmental and other constraints.
  - b. new development will be directed to those semi-urban villages (category B settlements which have a potential growth band of 8% - 15%) which have existing facilities, jobs and services subject to environmental and other constraints.
  - c. new housing is restricted in rural villages (category C settlements which have a potential growth band of a maximum of 10%) due to the general lack of existing facilities, jobs and services and presence of environmental and other constraints.
2. resisting pressure for sporadic unnecessary development in the open countryside, particularly along the A55 (T) corridor and the undeveloped coast;
3. adopting a sequential approach to the identification of land for development whereby derelict and redundant land and buildings are utilised in preference to greenfield land;
4. encouraging the efficient use of land through higher densities, particularly in locations close to existing services and public transport routes;
5. protecting and enhancing the landscape character and quality of the Clwydian Range Area of Outstanding Natural Beauty;
6. protecting and enhancing the environmental quality of the County generally in terms of landscape, nature conservation and biodiversity, as well as important green spaces within towns and villages;
7. protecting and enhancing those aspects of the built environment which are of architectural or historic importance including listed buildings, conservation areas, archaeology and historic parks and gardens;
8. designating green barriers only where additional policy protection is necessary to protect the open character and appearance of sensitive and strategic areas of land and prevent settlements from merging;
9. promoting the revitalisation of town centres and other local / district centres which offer a range of everyday shopping, community and employment opportunities;
10. promoting the regeneration of older and run down settlements and built up areas;

- 
11. directing employment development to existing employment sites and buildings, allocating new sites which are well related to the existing population, services and public transport and promoting the diversification of the rural economy;
  12. improving major transport corridors through the County including the Wrexham - Bidston and North Wales Coast railway lines and the A55(T), A494(T) and the A548;
  13. locating major generators of travel demand in existing centres which are highly accessible by means other than the private car.

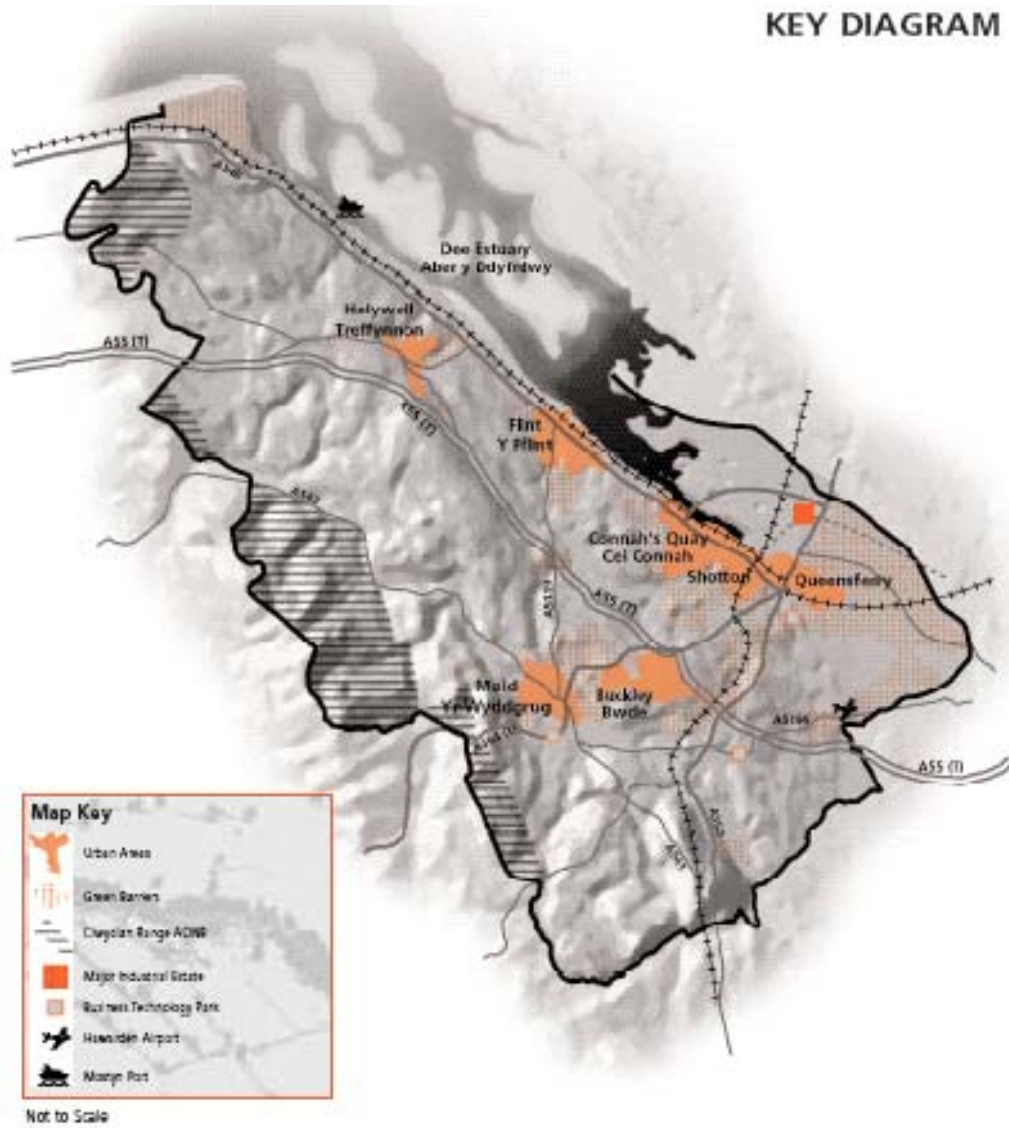
2.9 The spatial expression of the Plan's strategy is considered to represent a balanced and sensible approach, having regard to the characteristics of the County, national and regional planning guidance and those policies and commitments inherited from previous development plans and planning permissions. In drawing up the strategy, brief consideration was given to alternative spatial strategies but these were easily dismissed as being out of accord with national planning guidance and not reflecting or even harming the character of the County. For information these alternative strategies include:

- i. locating all development along public transport corridors i.e. the Wrexham - Bidston and North Wales Coast railway lines;
- ii. spreading development evenly across settlements based on a rigid interpretation of the settlement growth bands;
- iii. identification of a new settlement on a public transport corridor;
- iv. locating development based on an assessment of capacity to accommodate new development;
- v. locating development only where it would bring about regeneration;
- vi. locating development only in areas of market demand.

2.10 There are clear advantages and disadvantages of each spatial option and these are explained in more detail in the sustainability appraisal background paper, available on request. The most sustainable option is clearly that which is based on a capacity assessment of each settlement or area. However, if the Plan's spatial strategy is to be deliverable it must also incorporate elements of regeneration, have regard to public transport corridors and satisfy both the market demand for and social need for housing. The Plan therefore adopts a hybrid spatial approach which is considered to represent a sustainable framework for the delivery of and control of development in the County over the Plan period.



## KEY DIAGRAM



# Chapter 3

## Part I Policies

Relevant Strategic Aims	
All strategic aims are relevant	
Policy Objectives	Policy List
<p>a. Strategic framework - to translate the aims and objectives of the Plan strategy into a strategic framework that guides the implementation of the Plan through detailed policies and proposals</p> <p>b. Provision for development - to indicate the overall provision in the County for housing, employment and other major development</p>	<p>STR1 New Development            STR2 Transport and Communications            STR3 Employment            STR4 Housing            STR5 Shopping Centres and Commercial Development            STR6 Tourism            STR7 Natural Environment            STR8 Built Environment            STR9 Welsh Language and Culture            STR10 Resources            STR11 Sport, Leisure and Recreation</p>
Indicators of Policy Performance	Targets
<p>1. Amount and proportion of new development on brownfield land</p> <p>2. Amount and proportion of major developments located on sites which have good access by public transport, cycling and on foot</p> <p>3. Amount and proportion of new employment development in main industrial areas</p>	

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## 2 Part I Policies

### Introduction

2.1 The Plan's strategy, comprising of an overall vision, strategy aims and themes together with their spatial expression 'on the ground', form the basis for the Plan's Part I or strategic policies. These are the key guiding policies on major issues or topic areas and provide a strategic policy framework for the more detailed policies in Part II of the Plan.

### STR1 New Development

New development will be:

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

### STR2 Transport and Communications

In order to facilitate a safe, efficient and integrated transport and communications system and improve accessibility throughout the County, new development will be expected to incorporate, wherever practicable, the following requirements:

- a. minimising the number and length of journeys especially by private car;
- b. making the best use of existing roads and addressing congestion and safety issues through traffic management and calming measures;
- c. enabling the efficient use of and improvements to public transport;
- d. enabling alternative means of travel including cycling and walking;
- e. facilitating the transfer of freight from road to rail or water; and
- f. facilitating the provision and use of telecommunications.

### STR3 Employment

The Plan will facilitate a diverse and sustainable economy through:

- 
- a. the provision of 300 ha of employment land over the Plan period;
  - b. the provision of a range of type and size of employment sites;
  - c. enabling new employment generating development mainly within or adjoining existing settlements, in principal employment areas, development zones, on allocated sites and suitable brownfield sites and through the sensitive conversion of rural buildings and other appropriate rural diversification initiatives;
  - d. existing employment sites and buildings being retained, where necessary and practicable, for that use; and
  - e. appropriate expansion of existing firms and businesses.

#### STR4 Housing

The Plan will seek to provide for the housing needs of the County through:

- a. the provision of 7,400 new dwellings over the Plan period;
- b. distributing new housing across the County based on a settlement hierarchy comprising category A (urban centres), B (semi urban / main villages) and C (rural / small villages);
- c. the provision of a range of type and size of housing sites including key sites at Flint, Mold, Buckley, Connah's Quay, Penyffordd, Broughton, Mancot;
- d. the provision of a range of housing including affordable and special needs housing where there is a demonstrable need; and
- e. making the most efficient and effective use of housing sites and existing housing stock and facilitating, where appropriate, the residential conversion of existing buildings.

#### STR5 Shopping Centres and Commercial Development

The Plan will seek to maintain and enhance the vitality, attractiveness and viability of existing town, district, and local centres by:

- a. adopting a sequential approach to the location of new retail development whereby town centre, then edge of centre sites, then district / local centres are considered and discounted, before consideration is given to out of centre locations;
- b. resisting development which would be harmful to the vitality, attractiveness and viability of nearby centres;
- c. facilitating a wide range of appropriate shopping, commercial, entertainment, transport, leisure, community and cultural facilities within identified centres commensurate with their size and character;
- d. identifying sites for commercial development at Broughton Retail Park, Buckley, Connah's Quay, Flint, and Mold;
- e. utilising upper floors for residential or other appropriate uses; and
- f. seeking environmental improvements / enhancements.

#### STR6 Tourism

Development which enhances tourism in the County will be permitted provided that:

- a. the needs of both visitors and residents are met;
- b. it is of a scale and type appropriate to the locality; and
- c. wherever possible, it either assists in the regeneration of brownfield land or buildings, or contribute to rural diversification.

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## STR7 Natural Environment

The natural environment of Flintshire will be safeguarded by:

- a. protecting the open character and appearance of strategic green barriers around and between settlements;
- b. protecting and enhancing the character, appearance and features of the open countryside and the undeveloped coast;
- c. protecting and enhancing areas, features and corridors of nature conservation, biodiversity and landscape quality both in urban and rural areas, including urban greenspace;
- d. protecting and enhancing the Clwydian Range Area of Outstanding Natural Beauty;
- e. protecting and enhancing the Dee Estuary;
- f. the protection and enhancement of the water environment; and
- g. the protection of the quality of land, soil and air.

## STR8 Built Environment

The built environment of the County will be protected and enhanced in terms of:

- a. the setting and integrity of the historic environment of the County, including listed buildings, conservation areas, archaeology and historic landscapes, parks and gardens; and
- b. the regeneration of areas through the sensitive improvement, renovation, and redevelopment of appropriate suitable brownfield land and buildings.

## STR9 Welsh Language and Culture

Development proposals should have regard to and where appropriate reinforce the Welsh language and cultural identity of the community and area.

## STR10 Resources

Development will be required to make the best use of resources through:

- a. the utilisation of suitable brownfield land and buildings wherever practicable in preference to green field land or land with ecological, environmental or recreation value;
- b. making the most efficient and practicable use of buildings and land in terms of density, siting and layout;
- c. the winning and working of mineral resources including secondary aggregates provided that they do not have an unacceptable impact on the environment and amenity, and also through the protection of mineral resources from development in order to safeguard Flintshire's contribution to meeting regional and national demand;
- d. minimising the production, transport and disposal of resources and waste in accordance with the waste management hierarchy which is based around reduction, re-use and material recovery (including recycling and composting), energy recovery with effective use of waste heat, and safe disposal using the proximity principle;
- e. utilising clean, renewable and sustainable energy generation where environmentally acceptable in preference to non renewable energy generation and incorporating energy efficiency and conservation measures in new development;

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- f. the protection of water resources; and
  - g. the utilisation wherever possible of secondary and recycled materials as part of new development.

#### STR11 Sport, Leisure and Recreation

The sporting, leisure and recreational needs of the County will be met through:

- a. ensuring that new facilities are of a scale and type appropriate to the locality, and in the case of major development proposals, adopt a sequential approach to site location whereby town and district centres, then edge of centre sites are considered and discounted before consideration is given to other sites;
- b. preventing development which would undermine the function or value of designated green spaces or undesignated green corridors or networks, unless satisfactory mitigation measures can be drawn up;
- c. existing allotments, playing fields, play areas and informal recreation areas and other recreational open space being retained where necessary and practicable for that use;
- d. requiring the provision of play areas, and other facilities as part of new residential development;
- e. the allocation of new sites for outdoor play areas;
- f. protecting and enhancing the recreational value of the Dee Estuary Corridor;
- g. protecting and improving existing public rights of way;
- h. safeguarding disused former railway lines where there is a realistic prospect of securing alternative transport related or recreational uses.

# Chapter 4

## General Development Considerations

Relevant Strategic Aims	
All strategic aims are relevant	
Policy Objectives	Policy List
<p>a. SUSTAINABLE DEVELOPMENT- to ensure that development is located and carried out in the most sustainable manner</p> <p>b. PROTECT THE OPEN COUNTRYSIDE- to ensure that the open countryside is protected from encroachment by development, particularly at the interface between town and country</p> <p>c. ASSESS THE IMPACT OF DEVELOPMENT- to ensure that full account is taken of the impacts of development on the social and cultural structure of communities, and the environment</p>	<p>GEN1 General Requirements for Development</p> <p>GEN2 Development Inside Settlement Boundaries</p> <p>GEN3 Development in the Open Countryside</p> <p>GEN4 Green Barriers</p> <p>GEN5 Environmental Assessment</p> <p>GEN6 Welsh Language and Culture</p>
Indicators of Policy Performance	Targets
<p>4. Amount and type of development in open countryside/on brownfield land in open countryside</p> <p>5. Net area of Green Barrier lost to development</p> <p>6. Percentage of Welsh Speakers in the Plan Area</p>	<p>TARGET 1: No loss of green barrier land to development</p> <p>TARGET 2: No development in open countryside contrary to policy</p>

## 4 General Development Considerations

### Introduction

2.2 Under the “plan-led” system, UDPs are intended to provide a sound basis for rational and consistent decision making. Section 54A of the Town and Country Planning Act 1990 states that *“where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan, unless material considerations indicate otherwise”*. In this context, the UDP must provide through its policies, a high degree of certainty to developers and the public about the nature of development that will be allowed in given locations.

2.3 In order to carry out the rational and equitable operation of the land use planning system, and ensure that future development patterns reflect the needs and priorities of Flintshire’s communities, the County Council will strive to uphold the policies of the Flintshire UDP wherever they apply.

2.4 The policies of the UDP should therefore not be viewed in isolation, as the overall aim of sustainable development is to ensure an integrated approach to planning, in which all possible implications of a proposal are considered. Applicants and other users of the Plan will therefore have to take account of all relevant policies and proposals, as a failure to meet these requirements may justify grounds for refusal, where there are no other overriding material considerations.

2.5 Whilst the UDP contains specific locational and land use policies, there are also certain general planning requirements which are relevant and must be taken into account when considering development proposals, as together their regulation represents the core function of the planning system. The following policies define these general requirements and highlight the criteria which all development proposals should address.

### Policies

#### General Development Considerations

##### GEN1 General Requirements for Development

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

- a. the development should harmonise with the site and surroundings in terms of the siting, scale, design, layout, use of space, materials, external appearance and landscaping;
- b. the development should take account of personal and community safety and security in the design and layout of development and public/private spaces;
- c. the development should not have a significant adverse impact on recognised wildlife species and habitats, woodlands, other landscape features, townscapes, built heritage, features of archaeological interest, nor the general natural and historic environment;
- d. the development should not have a significant adverse impact on the safety and amenity of nearby residents, other users of nearby land/property, or the community in general, through increased activity, disturbance, noise, dust, vibration, hazard, or the adverse effects of pollution;



- e. the development should provide, where appropriate, safe and convenient access for pedestrians, cyclists, persons with disabilities, and vehicles, together with adequate and suitably located parking spaces and servicing/manoeuvring space;
- f. the development should not have an unacceptable effect on the highway network as a result of problems arising from traffic generation, and should incorporate traffic calming measures where appropriate;
- g. the development should have, where appropriate, convenient access to public transport, and wherever possible is well related to pedestrian and cycle routes;
- h. the development must have regard to the adequacy of existing public services (e.g. gas, water, electricity), with new infrastructure capable of being provided in reasonable time and at minimum public cost;
- i. the development should not result in/be susceptible to problems related to drainage, land stability, contamination, or flooding, either on or off site;
- j. the development should not prejudice land or buildings safeguarded for other uses, or impair the development or use of adjoining land; and
- k. the development should not result in the permanent loss of the best and most versatile agricultural land where either suitable previously developed land or land in lower agricultural grades is available.

2.6 This policy's ultimate aim is to ensure the development of sustainable communities, by ensuring that proposals for development are submitted with the highest standards of quality and design possible, are carried out in a responsible and appropriate manner, and have the minimum adverse impacts on the physical, social and economic environment around them.

2.7 The criteria serve as useful development control guidance for those submitting planning applications or putting forward development proposals. Whilst comprehensive, the list of criteria does not encompass all eventualities, and should be applied, where appropriate, in conjunction with other relevant policies and proposals in the Plan.

## The Relationship of Development to Settlement Boundaries

### GEN2 Development inside Settlement Boundaries

Development will normally be permitted within settlements defined by settlement boundaries, as shown on the proposals map.

4.6 Settlement boundaries are designed to set clear limits to towns, villages and urban areas. In planning terms they define the extent of the urban areas where in principle new development will be permitted subject to policies in the plan and material planning considerations. In the case of housing there are limitations imposed by HSG3.

4.7 The boundaries are shown on the proposals maps. Not all groups of houses have a settlement boundary defined for them as they are considered to be of insufficient size and/or have insufficient capacity to accommodate future growth in a satisfactory manner.

Other key policies:

- HSG3 Housing on Unallocated Sites Within Settlement Boundaries

### GEN3 Development in the Open Countryside

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

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

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

4.9 Development in this respect will include extensions of residential gardens into the countryside which will not normally be permitted due to the detrimental impacts that they may have on the character of the countryside. Where permission is granted for small extensions Permitted Development Rights may be removed in order to avoid the introduction of urban forms of development such as garages and house extensions in the rural landscape.

#### GEN4 Green Barriers

The following areas have been designated as green barriers on the proposals map:

1	Gronant - Talacre - Gwespyr - Ffynnongroyw	10	Mold - Gwernymynydd
2	Carmel - Gorsedd	11	Mold - Mynydd Isa/Sychdyn/New Brighton

3	Flint - Bagillt	12	Connah's Quay - Northop Hall - Ewloe - Shotton
4	Flint - Connah's Quay	13	Shotton - Mancot - Hawarden - Ewloe
5	Flint - Flint Mountain	14	Hawarden - Mancot - Hawarden Airport - Saltney (S River Dee)
6	Flint Mountain - Northop	15	Broughton - Hawarden Airport - Saltney - Cheshire Border
7	Gwernaffield - Pantymwyn	16	Sealand - Cheshire Border (N River Dee)
8	Holywell - Carmel	17	Buckley - Little Mountain - Dobshell - Drury - Hawarden - Ewloe
9	Holywell - Greenfield - Bagillt	18	Hope - Caergwrle

Development within green barriers will only be permitted where it comprises the following:

- a. justified development in association with agriculture or forestry;
- b. essential facilities for outdoor sport and recreation, or cemeteries;
- c. limited extension, alteration or replacement of existing dwellings;
- d. limited housing infill development to meet proven local housing need or affordable housing exceptions schemes;
- e. small scale farm diversification;
- f. the re-use of existing buildings; and
- g. other appropriate rural uses/development for which a rural location is essential.

provided that it would not:

- i. contribute to the coalescence of settlements; and
- ii. unacceptably harm the open character and appearance of the green barrier.

4.10 In drawing up the Plan, detailed consideration has been given to the appropriateness of designating green belts in Wales, rather than the continued use of green barriers, in the light of guidance contained in para 4.7.1 of Planning Policy Wales (February 2011). Green barriers have been operating throughout the former County of Clwyd for many years and play a similar role to green belts in protecting key areas of open land and preventing the coalescence of settlements. The key difference is that green barriers are local, non-statutory designations and are usually less permanent than green belts which are a national, statutory planning tool.

4.11 Flintshire is predominantly rural in character and the more urbanised coastal strip and eastern part of the County features a large number of small and medium sized settlements in close proximity, being separated by narrow 'necks' of land. Compared with the large swathes of land comprising green belts around larger towns, cities and conurbations in England, green barriers are considered to be more appropriate for the physical make-up of Flintshire.

4.12 The existing green barriers in Flintshire were considered to be excessive, both in number and extent, which only serves to weaken the policy in protecting those areas of open countryside for which green barrier designation is fully justified and critical. Preparation of the Plan was therefore accompanied by a strategic and consistent review of existing green barriers to ensure that those in the UDP are both necessary and justified. The green barriers in the Plan have therefore been reduced both in number and

extent to ensure that they are more strategic in terms of protecting only key areas of land where it is essential to retain its open character and appearance.

4.13 Furthermore, in seeking a more strategic approach, they have been designated with the intention of generally surviving beyond the Plan period along the lines of green belts. The decision to retain (and review) green barriers must be viewed in a sub-regional context wherein the decision by both Denbighshire and Wrexham not to designate green belts has been supported by the respective Inquiry Inspectors. A consistent approach is therefore being taken across North East Wales.

4.14 Green barriers have been identified between and around settlements and in the coastal area to the north of the County. They are intended to:

- a. safeguard the surrounding countryside or undeveloped coastline from further encroachment;
- b. prevent neighbouring towns or villages from merging into one another;
- c. preserve the special character of historic towns;
- d. assist in urban regeneration;
- e. protect major road junctions from development which would be visually intrusive and compromise the appearance of a junction within its rural setting.

4.15 It is important to prevent the coalescence of adjoining but distinct settlements, by restricting any form of development that would infringe on the open character of the intervening countryside. Curbing the outward spread of towns and villages will also encourage the more intensive use of vacant or under used land within settlements.

4.16 There are several uses of land and types of development normally allowed in the open countryside which may be permitted within green barriers as set out below:

- a. development in association with agricultural or forestry operations where it is essential for the development to be in that particular location (policy HSG4) but which would not unacceptably harm the openness of the green barrier;
- b. essential facilities for sport and recreation or in association with cemeteries (policy SR1, CF2) provided that any built development is kept to a minimum and is sited, designed and landscaped so as to not unacceptably harm the openness of the green barrier;
- c. the extension, alteration or replacement of existing dwellings (policy HSG6, HSG12) provided that the siting, scale and form of any development respects both the character and appearance of the existing, and any adjoining dwellings, and the site and its surroundings in terms of not unacceptably harming the openness of the green barrier;
- d. limited infill housing development, comprising one or two dwellings within a clearly defined group of dwellings (policy HSG5), or affordable housing exception schemes on the edge of existing settlements (policy HSG11), provided that the development would not unacceptably harm the openness of the green barrier;
- e. small scale farm diversification schemes (policy RE5) where these are not speculative and do not involve new build, extensions or additional activity which would unacceptably harm the openness of the green barrier;
- f. the re-use of existing buildings (policy HSG7, RE4) provided that the buildings are substantial, permanent and suitable for the intended use and that the nature of the use and any extension to or adaptation to the building would not unacceptably harm the openness of the green barrier;
- g. other appropriate uses or development for which a rural location is essential which would not unacceptably harm the openness of the green barrier.

4.17 A fuller explanation of the Plan's approach to green barriers is set out in a separate background paper available on request.

## Assessing the Environmental Impacts of Development

### GEN5 Environmental Assessment

Development proposals that are likely to have a significant impact on the environment and do not require formal assessment under other legislation must be accompanied by suitable supporting environmental impact information.

4.18 Environment Impact Assessment (EIA) is the formal process by which information about the likely significant environmental effects of certain types of development is collected, assessed and taken into account, in deciding whether planning permission should be granted.

4.19 The Town and Country Planning (Environmental Impact Assessment) Regulations 1999 (as amended) and Welsh Office Circular 11/99 'Environmental Impact Assessment' define when an environmental assessment is required under Schedules 1 and 2. Schedule 1 developments must always be subject to an EIA and would include major developments such as power stations etc. Development listed in schedule 2 requires EIA if it is likely to have significant environmental effects by virtue of factors such as size, nature and/or location. Examples include certain types of agricultural activities such as poultry farming, development involving extraction from the land, and certain types of manufacturing industries. In accordance with the Town and Country Planning (Environmental Impact Assessment) (Amendment) (Wales) Regulations 2008, EIA can be required for reserved matters applications. The Council intends to update its existing Local Planning Guidance Note on EIA in the form of Supplementary Planning Guidance.

4.20 Where development does not fall within either schedule 1 or 2 but still has a potentially significant effect on the environment, suitable supporting information must be submitted with the proposals which will allow the Council to properly assess the environmental impacts of the development.

## Protecting the Welsh Language and Cultural Identity

### GEN6 Welsh Language and Culture

Development proposals in areas which have a strong Welsh linguistic and cultural identity:

- a. must not cause demonstrable harm to the character of that community;
- b. and, where appropriate, should seek to reinforce the linguistic and cultural identity of that community.

4.21 The Welsh language is part of the social and cultural fabric of Wales. At the time of the 2001 Census some 21.4% of the population of Flintshire possessed at least one Welsh language skill compared with a Welsh average of 28.4% and a North Wales average of 40%. However, the language is more prevalent in certain parts of the County and the impact that development can potentially have on communities must therefore be taken into account in the UDP.

4.22 The Welsh language is more prevalent in Flintshire's rural communities with around a third of the population speaking Welsh in communities like Treuddyn, Trelawnyd and Gwaenysgor, and Ysceifiog. The variation is significant however, with only 6 or 7% of the population speaking Welsh in communities like Queensferry, Broughton and Sealand which are close to the border with England.

4.23 The Plan's strategy recognises the need to support and protect local linguistic and cultural identity, and the aim of Policy GEN6 is to ensure that where significant harm may occur as the result of development proposals, the developer will be required to submit supporting information which assesses and explains the likely effects on the Welsh linguistic and cultural identity the proposal may have.

4.24 The Council is awaiting the outcome of a Welsh Language Planning Study commissioned by a significant number of Unitary Authorities and supported by the National Assembly. The Council will use this information to prepare Supplementary Planning Guidance which will provide guidance on amongst other things, the means of assessing and measuring impacts and 'demonstrable harm'.

4.25 Whether or not an applicant speaks Welsh is not a material planning consideration, and will not affect the normal application of relevant planning policies.

# Chapter 5

## Design

Relevant Strategic Aims	
c. Health, d. Community identity, f. Built Environment	
Policy Objectives	Policy List
a. QUALITY - to secure the best possible standards of construction and design for the benefit of present and future generations b. LOCAL DISTINCTIVENESS - to safeguard and enhance the unique architectural identity of the plan areas c. DESIGNING OUT CRIME - to create safe and secure places and buildings	D1 Design Quality, Location and Layout D2 Design D3 Landscaping D4 Outdoor Lighting D5 Crime Prevention D6 Public Art D7 Outdoor Advertisements
Indicators of Policy Performance	Targets
7. % of applications that have design statements approved 8. Number of design awards achieved for new developments	

## 5 Design

### Introduction

5.1 Good design is in the interests of everyone. It makes the built environment responsive to the needs and aspirations of those who use it, whether they live, work or are visitors to the area. It goes far beyond simple stylistic considerations to include improvements in constructional efficiency and sensible maintenance costs. By promoting the highest standards of design in all new development the Plan can help to improve the quality and distinctiveness of Flintshire's towns and villages, attracting inward investment and tourism, reinforcing civic and public pride, and promoting sustainable development.

### National Planning Policy

TAN 12 "Design" examines what is meant by design:

"the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings."

### Policies

#### D1 Design Quality, Location and Layout

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

- a. it respects the scale of surrounding development, its location, siting, and layout make the best use of land, minimise the need to travel, and provide a safe and attractive environment;
- b. it is of the highest net density appropriate to its setting and function;
- c. it relates well to local topography, aspect, microclimate, street pattern, orientation and views;
- d. it creates positive and attractive building alignments and frontages;
- e. adequate provision is made for space around buildings, setting of buildings, imaginative parking and landscaping solutions;
- f. maximises the efficient use of resources, minimises the use of non renewable resources and minimises the generation of waste and pollution; and
- g. it is accompanied by design information commensurate with the scale and type of development proposed.

5.2 All new development affects the way we feel about the world around us. Everything we build should be responsive to the functional needs of those who use it, whilst making a positive contribution to the distinctiveness and ambience of our towns, villages and countryside. In short, to build should be to improve, for what we build today will be the legacy we bequeath to future generations.

5.3 To this end applicants for planning permission will be expected to demonstrate how they have taken account of design principles in their development proposals. As a minimum they should provide plans, elevations and, where appropriate, perspectives, which illustrate the setting of the development in its wider context, as well as the design of the specific proposal and its relationship to immediately adjacent spaces and buildings. In addition applicants will be required to provide a short written statement



setting out their approach to design, and demonstrating the way in which this contributes towards the County Council's objectives and policies.

5.4 Applicants are advised to consult with the County Council at the earliest stage in the development process, to facilitate full consideration of design issues. This may help to avoid costly delays, and assist in speeding up the planning process and securing continued public acceptance of necessary new development.

5.5 Supplementary Planning Guidance provides further interpretation of development plan policies as an aid to the determination of planning applications. The Council considers that there is local justification for design guidance and that they may be a material consideration in the determination of planning applications.

5.6 The County Council has a variety of design guides on a range of issues and has produced a series of Local Planning Guidance Notes. Following adoption of the UDP, the Council intends to formally adopt a comprehensive series of Supplementary Planning Guidance, as set out in policy IMP4 and Appendix 2.

5.7 Developers will be required to produce development briefs for all major or sensitive sites or where the development is likely to have a significant impact on the environment. Some development briefs will be produced jointly with the Local Planning Authority. In such instances, proposals will be expected to meet the requirements of the relevant brief and, where appropriate, conditions will be used to ensure compliance. Development briefs will be used to outline sustainable design requirements.

5.8 The choice of location, the configuration of sites, the density and orientation of buildings, and the layout of associated infrastructure can all have a major influence on the natural as well as the visual and aesthetic quality of the wider environment. Development should be sited so as to avoid detrimentally affecting any features of significant nature conservation, historic or architectural value.

5.9 This policy recognises that the location of new development contributes to the quality both of the local and global environment. The careful siting and design of new buildings can help to make the most efficient use of land, minimise travel and energy consumption, protect the character and appearance of the landscape, and establish a pleasing sense of place for inhabitants and visitors.

5.10 Good design should ensure that new development mitigates the causes of climate change. The design quality, location and layout of a development affects its energy, heat and cooling needs and therefore new development should be designed to minimise carbon and other greenhouse gas emissions. Some degree of climate change is already inevitable, so new development should provide effective adaptation to, and resilience against, extreme weather events over the course of its life (e.g. flooding and increased temperatures). In order to be effective, mitigation and adaptation measures need to be considered at an early stage in the design process.

5.11 In siting new development, both the layout of existing buildings and the space around them must be carefully considered. Street design should reflect the importance of maintaining built frontages, reinforcing good quality urban form, and estate layouts should seek to maximise pedestrian safety, reduce traffic speeds and enhance the overall quality of the development.

5.12 The density of any development should reflect the need to make best use of land whilst avoiding over-development. Rather than requiring a standard uniform density across the plan area, the aim will be to achieve a variation in relation to the proximity of public transport, and services. For example higher intensity use should be concentrated near to high streets and bus stops.

Other key policies:

- AC1 Facilities for the Disabled
- AC18 Parking Provision and New Development

- EWP2 Energy Efficiency in New Development

## D2 Design

Development will be permitted only where:

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

5.13 Successful new development is often that which integrates seamlessly into its surroundings. By incorporating indigenous construction techniques and materials it can complement the distinct local character of a village or town, reinforcing an all important sense of place whilst still retaining individual identity. Supplementary Planning Guidance concerning the use of modern and innovative design and more general issues such as colour, texture, form and materials will be produced by the Council.

5.14 The use of appropriate materials can also make a valuable contribution to the natural environment. Building construction is a great consumer of the earth's resources both through the depletion of finite raw materials, and through the consumption of energy in the manufacturing of materials and the running and maintenance of buildings.

Other key policies:

- AC1 Facilities for the Disabled
- HE8 Recording of Historic Features
- EWP2 Energy Efficiency in New Development
- EWP10 Re-using Development Waste

## D3 Landscaping

New development will be required, where appropriate, to include a hard and soft landscaping scheme which considers:-

- a. landscape or townscape character of the locality;
- b. the topography of the site;
- c. aspect, microclimate and soil type;
- d. existing man-made and natural features;
- e. existing trees and vegetation;
- f. use of indigenous species and materials;
- g. appropriate boundary treatment; and
- h. nature conservation interests.

In the case of development proposals of a temporary nature, these will be permitted only where adequate provision is made for the full restoration and aftercare of the site on cessation of the use.

5.15 Good landscaping is an essential component of successful development. Landscape will be treated as an integral part of the overall context of the development, rather than proposing piecemeal planting around a site. Hard landscaping should also be designed so as to reflect the local character of its surroundings. For larger scale developments a strategic landscape assessment would be needed, for other developments a detailed site appraisal which may include the visual effects on views and vistas, historic features, topography, microclimate, aspect and biodiversity maximisation would be appropriate.

5.16 Occasionally, planting may be required some distance away from a building to provide suitable screening or to fill a gap in a hedge or tree-line. Landscaping can also act as an effective buffer zone, protecting the interests of adjacent land users and softening otherwise hard edges to urban areas.

5.17 Supplementary guidance on landscape characteristics, species choice, planting configuration and the use of hard landscaping will be adopted within the Plan period.

5.18 In urban areas and larger new schemes on greenfield sites hard landscaping has a particularly important role to play in enhancing the visual quality of developments. The style, quantity and positioning of street furniture, and the choice of materials for paving and other surfaces should enhance the quality of surrounding buildings and streets. Care should be taken to avoid unnecessary clutter, crude detailing, harsh changes in colour or texture, and excessive uncoordinated variation. The overall aim should be to create a consistent design that complements and helps to define the unique sense of place of any given location.

5.19 The principle of sustainability means that the natural and historic environment should be a major consideration when planning and implementing landscaping schemes. Where possible the historic environment should be promoted in a sympathetic manner within schemes. Landscaping can also enhance the overall conservation value of a site and native species from local stock should be used rather than non-native species of a non-local provenance. Landscaping and restoration schemes should also be used to deliver actions identified in national and local Biodiversity Action Plans.

5.20 Proposals of a temporary nature could, for instance, include renewable energy schemes, and telecommunications infrastructure. In addition, where the potential impact of proposals is uncertain a temporary planning permission will frequently be most appropriate. Conditions will be applied to such a permission requiring a mutually agreed scheme of restoration, either at the time of granting the permission or at the point of any cessation of the approved use. The Council would normally expect sites taken out of agricultural use to be restored for farming purposes, particularly where land of high agricultural quality will be affected. However, in the interest of promoting biodiversity, the Council will require developers to produce restoration schemes that pay due regard to safeguarding and enhancing site biodiversity subject to the location, intended after use and physical constraints of the site. Restoration schemes will also be required to safeguard the inherent quality of areas of land of potentially high agricultural quality.

Other key policies:

- WB6 Enhancement of Nature Conservation Interests
- L5 Environmental Improvement Schemes

#### D4 Outdoor Lighting

Development will be permitted only where any associated lighting is restricted to the minimum which is necessary to:

- a. ensure public safety and security;
- b. facilitate enjoyment of the physical and visual fabric of the development and its surroundings; and
- c. prevent light pollution by the creation of excessive glare.

5.21 Development proposals may include outdoor lighting for reasons of safety or security and lighting offers great potential for improved design. Artificial illumination can dramatise buildings, enhance open spaces, and improve public safety, but over-provision of light is likely to 'bleach out' architectural detail and destroy the potential interest of the spaces between buildings, as well as causing glare and colour distortion. However, an under-provision can create opportunities for crime and induce fear for safety after dark. Whatever its overall level, the poor installation of lighting can cast

excessive light upwards, thereby reducing security, wasting energy and intruding on the night sky.

5.22 In urban areas, new lamps should, where possible, be attached to buildings or to street furniture to avoid the creation of too many obstacles. When considering the need for new street lighting account should be taken of existing sources, such as reflected light from flood lit buildings, before additional provision is proposed.

5.23 In rural areas lighting should be restricted to that which is absolutely necessary for highway safety. Outside settlements, in particular, any necessary road lights should be carefully designed to minimise their impact both on their immediate surroundings and the wider rural night time landscape.

Other key policies:

- HE1 Development Affecting Conservation Areas
- L2 Area Of Outstanding Natural Beauty

### D5 Crime Prevention

New development will be permitted only if appropriate measures to reduce the risk of crime have been incorporated sensitively into the proposal where appropriate.

5.24 The County Council are statutorily obliged to consider the Crime & Disorder Act 1998 as a material consideration when determining planning applications and are bound by the joint North Wales Police/Flintshire County Council Crime & Disorder Reduction Strategy. The design and layout of new development offers an opportunity to help reduce the risk and fear of crime either against individuals or property. Such measures can be both physical or psychological and their quality can reduce long term maintenance costs. The Council will require evidence of how measures have been incorporated into the design to achieve this as part of any application for new development.

5.25 The layout of development sites should maximise the potential for natural surveillance by avoiding hidden areas and ensuring that parking and other public spaces are well lit and overlooked by nearby property. Footpaths should be designed to ensure the safety of pedestrians, and the creation of discrete access to the rear of properties should be avoided. Introducing bollards, planters and benches into shopping and employment areas can act as a deterrent to "ram-raiding", and if carefully designed, can improve the general environment of town centres.

5.26 However, there will always be a need to reconcile the desire for crime prevention with the objective of protecting and enhancing visual quality. Consequently, security measures should be as unobtrusive as possible. For example, any closed circuit television and lighting equipment should be sensitively incorporated into existing buildings and structures. Solid steel external shutters will not generally be permitted on shop frontages. Furthermore, crime prevention should not be used as an excuse to eliminate the need for landscaping. Indeed the incorporation of shrub and tree planting can in itself act as a barrier to potential intruders. Supplementary guidance upon this issue will be provided as a part of the guidance to be produced in respect of the wider issue of landscaping.

### D6 Public Art

In all major, publicly accessible development, the Council will require the incorporation of public art.

5.27 Public art can make a dramatic contribution to the local scene, enlivening civic spaces as well as adding interest and variety to large new employment, retail or community developments. The commissioning of schemes such as statues, fountains, sculptures, patterned walls, brickwork and floor spaces, creative landscaping and street

furniture can improve the image of an area, enhancing local distinctiveness, reinforcing civic pride, and reducing the prevalence of vandalism. The County Council has an adopted and updated Arts Strategy and will seek the provision of suitable works of art where there would be social, aesthetic, cultural and educational benefits. Discussion between developers and the Council's Conservation and Design Officer, Libraries, Culture and Heritage sections will be welcomed in order to devise suitable schemes.

## D7 Outdoor Advertisements

Outdoor advertisements requiring consent will be permitted where:

- a. they are sensitively designed and located in respect of amenity and public safety; and
- b. the applicant has provided sufficient information to demonstrate that they will not have a detrimental impact on:
  - i. the character or use of any building or the surrounding landscape / townscape;
  - ii. the safe operation of any form of transport; and
  - iii. the free passage of pedestrians.

5.28 This policy seeks to provide a consistent basis for considering proposals, balancing the requirements of local businesses with the protection of local amenity and safety.

5.29 Advertisements must always be designed and sited so as to harmonise with their setting. Within specially designated areas, such as the AONB, Conservation Areas, Areas of Special Advertisement Control, or on Listed Buildings, considerations of amenity will be given additional weight. Disabled access signs where they are appropriately designed and located will be supported in recognition of the Council's wish to promote high quality provision for people with limited mobility. In order to assess the likely effect of proposals, the Council will require details of the size, materials, colour, illumination, position and number of proposed advertisements. Advertisements should usually be restricted to the name and type of business being carried out. In promoting the linguistic character of the County, the provision of bilingual signage will be welcomed.

5.30 It is particularly important to avoid the proliferation of advance directional signs. To this end, where signs to a number of businesses in one location are requested, the Council will seek shared signage, and where appropriate, a rationalisation of existing signs will be sought. Applicants proposing signs for tourist facilities should contact the County Council's Highways Department to explore their possible qualification for a white on brown sign.

5.31 Proposals for advertisements will be assessed against any supplementary planning guidance subsequently adopted by the County Council. Applications for new shop fronts will be expected to conform to the Local Planning Guidance Note - "Shopfronts and their Advertisements".

Other key policies:

- D5 Outdoor Lighting
- HE1 Development Affecting Conservation Areas
- S2 Shop-front Design
- EWP13 Nuisance

# Chapter 6

## Trees, Woodlands and Hedgerows

Relevant Strategic Aims	
e. Natural environment	
Policy Objectives	Policy List
a. TREE AND HEDGEROW PROTECTION- to protect trees and hedgerows that make a significant contribution to biodiversity, the attractiveness of the landscape and its enjoyment by the public b. WOODLAND MANAGEMENT- to retain and sympathetically manage existing trees and woodland c. TREE PLANTING- to increase the amount of tree and woodland cover through the establishment of community woodlands and other planting initiatives	TWH1 Development Affecting Trees and Woodlands TWH2 Protection of Hedgerows TWH3 Woodland Planting and Management
Indicators of Policy Performance	Targets
9. Number of TPOs 10. Applications considered under hedgerow regulations 11. Number of developments permitted resulting in the loss of TWH 12. Extent and quality of woodland cover 13. Extent and quality of hedgerow coverage 14. Number of schemes which exploit woodland resources 15. Loss of Ancient/semi natural woodlands to development	

## 6 Trees, Woodlands and Hedgerows

### Introduction

6.1 Trees, woodlands and hedgerows are an integral part of the environment, they are important in enriching the landscape character of the County and provide an essential habitat for a variety of wildlife. Carefully managed woodlands also provide timber and other products which can meet local demand, provide employment and contribute to the rural economy. Woodlands also provide opportunities for recreation where public access is permitted.

6.2 Trees in the urban landscape are less frequent which makes them a particularly important asset. It is therefore essential that notable trees in urban areas are retained and carefully incorporated into urban development. For the same reason it is important that hedgerows, whether they bisect or are situated around development sites, are retained and where necessary managed. The careful retention of these natural features at settlement edges can minimise the impact of development to the surrounding landscape.

6.3 In addition to conserving these features an important aim of this chapter is to enhance the quality and increase the level of tree, woodland and hedgerow cover. This will be achieved through sustainable management schemes and new planting, with the County Council working in partnership with the Forestry Commission and other organisations to assist landowners in securing a better quality environment.

### National Planning Policy

6.4 The Welsh Government recognises in para 5.2.9 of Planning Policy Wales the importance of trees, woodlands and hedgerows, both as wildlife habitats and in terms of their contribution to landscape character and beauty. Local Planning Authorities are advised to seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character and amenity of a particular locality.

### Policies

#### TWH1 Development Affecting Trees and Woodlands

The Council will protect from development those woodlands and trees which are considered to be important local landscape, townscape and wildlife features. Where the principle of development affecting trees or woodland is acceptable, the County Council will require that:

- a. any tree, groups of trees or woodlands of value on or adjacent to the site are retained and that development is sympathetically incorporated around them;
- b. the pre-planning assessment of the trees and the development complies with the British standard, Guide for Trees in Relation to Construction (BS 5837) 2005; and,
- c. where the removal of trees is considered acceptable, suitable replacements that are appropriate to the character of the area shall be established elsewhere within the site.

6.5 This policy is intended, where appropriate, to protect trees and woodlands which are attractive features making a significant contribution to the diversity of the landscape and wildlife and to the quality of the people who live and work in the area.

6.6 The policy protects important trees, groups of trees and woodlands situated on development sites which are often at greater risk of being damaged or destroyed than trees elsewhere. In addition, the policy aims to ensure that retained trees are not

compromised in the long term as a result of poor development layout and design around them. Before determining applications for development the Council will require sufficient information to be submitted about the trees and the development so that an accurate assessment of the development's impact on trees can be made. Supplementary Planning Guidance regarding the protection of trees on development sites will be produced for developers.

6.7 The Council will place particular importance on the protection of ancient semi natural woodlands and planted ancient woodland sites as they are irreplaceable habitats of high biodiversity value.

Other key policies:

- HE1 Development Affecting Conservation Areas
- D1 Design Quality, Location and Layout
- D3 Landscaping

### TWH2 Protection of Hedgerows

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

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

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

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

### TWH3 Woodland Planting and Management

Proposals for woodland management and planting, including community woodlands, will be supported provided that:

- a. the planting respects the topography and character of the existing landscape and incorporates landscape features into a suitable and agreeable landscape design;
- b. new woodland reflects the pattern of existing native woods and their species composition;
- c. environmentally sensitive areas, important plant and wildlife habitats and sites of archaeological or geological interest are protected and incorporated into a suitable plan;



- d. they are managed in a sustainable manner and are accessible to the public wherever appropriate.

6.11 Well designed woodlands can make a positive contribution to the pattern of the landscape and support a variety of wildlife. Conversely, large scale afforestation of non native species which does not respect the character of the landscape can be detrimental to the countryside and may also displace sensitive wildlife.

6.12 The policy reflects the main aims of the Clwyd Indicative Forestry Strategy which seeks to identify preferred locations for significant woodland planting; to advise on the type of areas where planting should be avoided; and to encourage landowners and tenants to maintain, manage sustainably and enhance their existing woodlands. The Council supports the work of Coed Cymru which is involved in the promotion of management of neglected woodland, to benefit biodiversity, landscape and the rural economy.

6.13 New planting should reflect the species present in the locality so that it is in harmony with the character of the area. The planting of native tree species using locally obtained seeds and stock is recommended where available.

6.14 The policy could potentially have a role in reducing the effect of global warming. Scientists recognise that the main cause of global warming is the increased level of carbon dioxide in the atmosphere, which can be reduced when carbon is locked up as trees grow.

# Chapter 7

## Landscapes

Relevant Strategic Aims	
e. Natural environment	
Policy Objectives	Policy List
a. RURAL LANDSCAPES - to protect and enhance the countryside b. GREEN SPACES - to protect valuable open space in settlements c. LANDSCAPE DISTINCTIVENESS - to protect and enhance the local distinctiveness of landscape d. DEGRADED LANDSCAPE - to promote and support environmental enhancement	L1 Landscape Character L2 Area of Outstanding Natural Beauty L3 Green Spaces L4 Common Land L5 Environmental Improvement Schemes L6 The Undeveloped Coast
Indicators of Policy Performance	Targets
16. Area of publicly accessible open space gained/lost 17. Application permitted contrary to policy in countryside/green barrier/AONB/undeveloped coast 18. Area of green space per 1000 population in urban areas 19. Amount and type of new development in the open countryside/green barriers/AONB;/undeveloped coast 20. Number of environmental enhancement schemes 21. Applications where a landscape assessment is included 22. Landmap assessment	

## 7 Landscapes

### Introduction

5.32 The quality of much of the landscape of Flintshire is an asset which should be protected. It reflects the ecology, culture and heritage of the area and contributes to people's quality of life and a sense of place. Flintshire has a great variety of landscapes ranging from the shores of the Dee Estuary, through tracts of agricultural land, open common land, small wooded valleys to the slopes of the Clwydian Range. This range of landscapes provides considerable variation over a short distance, and in places affords extensive views across the County and Dee Estuary over to the Wirral and beyond. The policies in this chapter seek to protect the character and local distinctiveness of the landscape by retaining its inherent features and where possible encourage its enhancement through the planning process.

### National Planning Policy

5.33 The Welsh Government sets out in para 5.1.2 of Planning Policy Wales the following objectives for the conservation and improvement of the natural heritage:

- promote the conservation of landscape and biodiversity, in particular the conservation of native wildlife and habitats;
- ensure that action in Wales contributes to meeting international responsibilities and obligations for the natural environment;
- ensure that statutorily designated sites are properly protected and managed; and to
- safeguard protected species, and to
- promote the functions and benefits of soils, and in particular their function as a carbon store.

5.34 Section 5.4 of Planning Policy Wales requires that development plans must set out the locational policy framework for the conservation and enhancement of the natural heritage and seek to conserve and enhance the natural heritage in ways which bring benefits to local communities and encourage social and economic progress. Development plans should encourage the appropriate management of features of the landscape which are of major importance for flora and fauna. Policies should attach appropriate weight to statutory and non-statutory landscape designations and devise criteria against which development will be assessed. The conservation and, where appropriate, enhancement of landscape outside designated areas should also be sought.

### Flintshire Context

5.35 In assessing the landscape impact of proposals, the Plan will take into account the Landscape Strategy for the County prepared in 1996. The Strategy identifies 12 different landscape types and describes individual landscape features that make up their distinctive characters. This has been updated by LANDMAP which is now available to provide a database of landscape character areas and give more detailed evaluation of landscape quality.

5.36 The Clwydian Range was designated an Area of Outstanding Natural Beauty (AONB) in 1985, which is national recognition of the special quality of this upland area. In terms of landscape protection the AONB has the same level of status and protection as the National Parks. Traditional landscape features and buildings will be retained and new development should contain vernacular detailing and use local construction materials and appropriate planting to the area. Smaller important landscape areas in and

around settlements have been designated "green spaces" and will be protected from development. Although 159 have been identified the list is not exhaustive and similar areas not currently identified and meeting the selection criteria will also be protected. Landscape improvements in association with proposals and planned programmes will also be encouraged. Due to the special character of the coastal landscape and the natural processes of the sea upon it, the last policy in the chapter addresses coastal issues and the means of dealing with development pressures in this particular location.

5.37 Landscape policies in this plan should not be considered in isolation but as part of a package of measures including the Countryside Strategy, Biodiversity Action Plan and the AONB Management Plan.

## Policies

### L1 Landscape Character

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

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

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

5.40 The Flintshire Landscape Strategy (1996) covers the whole of Flintshire and identifies landscape types in the County and their individual landscape characteristics. The strategy will be used to assess the impact of development on individual landscape features as well as the wider implications for landscape character. The Council has updated this strategy with the LANDMAP system. This is a landscape assessment methodology which evaluates landscape in various ways such as visual and sensory, biodiversity and history and archaeology to develop an information database which forms a basis for management, conservation and policy decisions. The LANDMAP system is being adopted for landscape management throughout Wales.

### Other key policies:

- TWH1 Development Affecting Trees and Woodlands
- TWH2 Protection of Hedgerows

## L2 Area of Outstanding Natural Beauty

Development within or affecting the Area of Outstanding Natural Beauty (AONB) will be permitted only where:

- a. it maintains and where appropriate enhances the natural beauty, wildlife and cultural heritage and preserves the natural tranquillity of the AONB; and
- b. it will be designed to a high standard using traditional materials and planting.

Major developments within the AONB will be the subject of rigorous examination and will not be permitted unless there is an overriding need in terms of proven national interest and there are no alternative sites.

5.41 The Clwydian Range has been designated an AONB because of the quality of its landscape which contains distinctive and contrasting types of upland scenery including moorland, limestone crags, woodland and rolling farmland. Only a small part of the total area of 61 square miles is within the Plan area. The principal planning objective of this policy is to conserve and enhance the natural beauty of the Clwydian Range AONB for the national good. AONB's are of equal status to National Parks in terms of landscape and scenic beauty. Emphasis will be placed on retaining and extending traditional landscapes, materials and local vernacular buildings. Flintshire County Council is part of the Joint Advisory Committee of the Clwydian Range AONB which has produced an AONB Management Plan for the designated area. The Management Plan, prepared as a statutory requirement of the Countryside and Rights of Way Act 2000, sets out the policy framework within which objectives for the AONB will be achieved. It also includes useful advice on a range of issues in relation to the AONB.

5.42 Particular regard will be paid to permitting sustainable forms of well designed development respecting local vernacular and using traditional local building materials such as stone and slate. Proposals normally allowed in the open countryside should be designed in such a way as to minimise visual, noise or other forms of intrusion such as light pollution. Developments outside, but likely to adversely impact on the AONB will also be considered under this policy.

### Other Key Policies

- MIN2 Minerals Development
- D2 Design

## L3 Green Spaces

The sites listed below have been designated as green spaces on the proposals map:

Settlement	Ref. no.	Green Space
Alltami	1	Common land within settlement boundary
Afonwen	2	Old Railway
Bagillt	3	Adj. St. Mary's Church
	4	Adj. Bryn Merllyn School
	5	Land between Wern Ucha and Bryn Dyrys
	6	Llys Maesteg
	7	Victoria Road
Bretton (and Broughton retail park)	8	Broughton Park landscape buffer
	9	Village Green at Bretton Road/ Bretton Lane Junction
Broughton	10	Areas around Broughton Hall Road underpass
	11	Landsdown Road
	12	Brookes Avenue

	13	Ffordd Cledwen
Brynford	14	Adj. St Michael's Church
Buckley	15	Mount Pool
	16	West of Elfed Park
	17	East of The Beeches
	18	Common land within the settlement boundary
	19	Etna Park
	20	West of Elfed Drive
	21	Mill Lane
	22	Princess Avenue
	23	West View
	24	Laurel Drive / Hawthorne Avenue
	25	Lane End Cricket Club
	26	Chester Road
	27	Forest Walk
	28	Forest Walk (2)
	29	Meadow View, Little Mountain
	30	The Flash
Burntwood/Drury	31	Land adjacent to Daulwyn Road
	32	Land between Burntwood Road and Meadow Avenue
Caerwys	33	Adj. To St Michael's Church
Carmel	34	Adj. Celyn Farm
	35	Carmel Road
	36	Tan y Coed
Coed Talon/Pontbodkin	37	Areas around Byr Brook
Connah's Quay	38	Former Prince's Tip
	39	Land to rear of Ffordd Llanarth / Maengwyn Avenue
	40	North of Church Street
	41	Land at Barmouth Close
	42	West of Wepre Drive and Richmond Road
	43	Granby Court
	44	Central Park
	45	Adj. Broadoak Wood
	46	Land to rear of Bryn Road Cemetery
	47	Llwyni Drive
	48	Ffordd Cae Llwyn
Ewloe	49	Village Green, St. David's Park
	50	Parkland between business park and housing
	51	Disused railway cutting north of Chester Road
	52	East of Level Road
	53	West of Level Road
	54	Chester Road pond
	55	South of Bronte Grove
	56	West of Longfellow Avenue
	57	Site East of Level Road (opposite Village Green)
	58	Former Railway Trackbed
	59	Carlines Avenue
	60	Maple Crescent
Flint	61	Swinchard Brook
	62	Off Henry Street
	63	Chapel Street
	64	Knights Green
	65	Tudor Avenue
	66	Pen Goch Hill

	67	Opposite Chester Road School
	68	Pentre Recreation Ground
	69	Croes Atti Lane
	70	London Road Greenspace
	71	Windsor Drive
Flint Mountain	72	Village Green
	73	School Lane / Y Waun
Garden City	74	Off Kingsley Road
Gorsedd	75	Adj. Vicarage
Greenfield	76	Adj. Post Office
	77	Adj. Glan y Don
	78	Park Hall Road
	79	Tan y Felin (2)
	80	Cairnton Crescent
	81	Bagillt Road
Gronant	82	Land at east end of village
	83	East of Gronant Hill
	84	Bethesda Street
Gwaenysgor	85	Land adj. To St. Mary's Church
Gwernaffield	86	Opposite the Miners Arms
	87	Cae Rhug Lane
Hawarden	88	Overlea Drive
	89	Truemans Hill / Motte
Halkyn	90	Village Centre
Higher Kinnerton	91	The Chase
	92	Main Road Football Pitch
Holywell	93	Fron Park
	94	Pen y Maes Road
	95	North of the Beeches
	96	Top of Greenfield Valley
	97	Pistyll
Leeswood	98	Adj. To Ffordd Siarl
	99	Maes y Meillion
	100	Llys Ann
	101	Sycamore Drive
Lixwm	102	Adj. Capel y Berthan
Mancot	103	Leeches Close
	104	Hawarden Way
	105	Mancot Way
	106	Leaches Lane
Mold	107	East of Park Avenue
	108	Bailey Hill
	109	Alyn Meadow
	110	Parc Alun off King Street
	111	North of Gas Lane
	112	Adj. Maes Bodlonfa
	113	West of Ffordd Dolgoed
	114	Upper Bryn Coch Lane
	115	Land between Llys y Foel & Bromfield Ind. Estate
	116	East of Synthite
	117	Maes Gwern
	118	County Hall
	119	Ffordd Dolgoed
	120	Victoria Park
	121	Gas Lane
	122	Maes y Dre
	123	Railway Line and River Alyn Meadows

Mostyn (Maes Pennant)	124	Y Gerddi, Maes Pennant
	125	Ffordd Ysgubor
Mynydd Isa	126	North of Bryn Road
	127	Adj. To Bryn Road
	128	Moelwyn Close
	129	Wat's Dyke Infants School
	130	Vale Drive
	131	Chamber's Lane & Alyndale Avenue
	132	South of Moel Gron
	133	Heol Fammau Park
New Brighton	134	Land adjacent to A494
Northop	135	South of Vicarage
	136	Ffordd Gwynedd
Northop Hall	137	Llys y Wennol
Pentre Halkyn	138	Community Centre
	139	Lon y Fron
Penyffordd & Penymynydd	140	Green Park
	141	Melwood Close
Rhes y cae	142	Adj. Ebenezer Chapel
	143	South of School House
Rhosesmor	144	East of Mold Road
Rhydymwyn	145	North of St. John's Church
Saltney	146	Chester Road and the drainage channel
	147	Park Avenue
	148	Balderton Brook
	149	Tegid Way
Sandycroft	150	Factory Road
	151	Crofters Park
Shotton/Aston	152	Alexander Street
	153	North Street
	154	Central Drive
	155	Shotton Lane
Sychdyn	156	North of Vownog
	157	Bryn Hyfryd
Treuddyn	158	Queen Street
Ysceifiog	159	Opposite Fox Inn

Within these areas, development will only be permitted which does not unacceptably harm their function or value as a green space nor threaten their value to the community.

5.43 Green spaces are areas of publicly accessible open space and other private land of value to the local community in and immediately adjacent to settlements. They add to the character of towns and villages and to the enjoyment of local residents. Such areas can be important for wildlife or general recreational value, or simply as the only green area in an otherwise urbanised environment. The main reasons for designating such areas are:

- for their landscape quality;
- for their value as a character feature in a locality;
- as a visual break in a developed area;
- as a buffer between incompatible uses;
- or for their importance as part of an existing or proposed network of open areas, or as a link to open countryside.

5.44 159 areas of green space have been identified in the Plan and they will be protected from any form of development likely to affect their function as a green space. However, there are likely to be other spaces, the value of which may come to light during the Plan period. Where these spaces would satisfy one or more of the above criteria,



steps will be taken to protect them from any development which would undermine their special qualities.

Other key policies:

- SR4 Protecting Recreational Open Space

#### L4 Common Land

Development on common land will be permitted only where:

- a. it retains and enhances its appearance, open character, nature conservation and historic value; and
- b. it maintains public access where appropriate.

5.45 Generally speaking, common land is land owned by one person over which another person is entitled to exercise rights of common e.g. grazing their animals. It is registered under the Commons Registration Act 1965 and is also subject to special statutory protection. Common Land has value to different sectors of the community, comprising an important part of Wales' agricultural economy, a valuable recreational resource and a vital component of its natural and historical resource. A Register of Common Land and village greens is kept by the County Council, whose chief function is to maintain the register for public inspection, to conduct searches of the registers in response to applications from the public and conveyancers and to handle applications for amendments to the register. There is a particular concentration of common land in the Halkyn Mountain Area, where in the past, extensive lead mining has created a unique landscape. The public currently have a right of access nationally to around 20% of common land and there is informal access to many other commons. The public has a right of access on foot to all registered common land in accordance with the CRoW Act 2000 although in some areas there will be restrictions in order to protect the interests of land management or wildlife. This policy seeks to preserve this status quo and encourage the proper management of common land when the opportunity arises. Some works affecting common land lie outside the planning system but are regulated by the Law of Property Act 1925 and require the consent of the NAW.

#### L5 Environmental Improvement Schemes

Proposals for landscape enhancement schemes will be permitted provided they are:

- a. sensitively designed; and
- b. sympathetic to their setting, and any biodiversity or historic interests.

5.46 This policy seeks to improve the appearance of degraded or under-used land. The Council will pursue a programme of urban and rural environmental improvement, and support forms of development that enhances the environment in the worst affected areas.

5.47 There is a particular need for environmental enhancement of the Dee Estuary corridor where improvements could be incorporated into developing coastal walks or cycleways along the banks of the Dee. Clearance of intrusive derelict sites, restoration schemes and landscape improvements will be encouraged. In urban areas particular attention will be paid to improving the quality of open spaces including temporary improvements to areas that cannot immediately be redeveloped.

Other key policies:

- EWP14 Derelict and Contaminated Land

#### L6 The Undeveloped Coast

Within the undeveloped coast development will only be permitted where:

- a. it can be demonstrated a coastal location is essential;
- b. it conserves and enhances the open character of the coast;
- c. it would not unacceptably harm areas of nature conservation, landscape or biodiversity;
- d. extensive coastal protection measures are not required; and
- e. it would not be potentially at risk of flooding nor unacceptably increase erosion or flooding or interfere with natural coastal processes.

5.48 For the purpose of this policy the undeveloped coast is regarded as being the undeveloped land and estuary to the north of the A548. This road runs parallel with the coastline. New development will only be permitted where it can be proven without doubt that a coastal location is essential and the activity cannot be carried out elsewhere. The Plan area has a coastline of some 13 miles along the banks of the Dee Estuary where traditionally industry and housing has been located to take advantage of flat land. By its nature, the undeveloped coast is often at risk of flooding and proposals for development along the coast will therefore also be considered under the guidance contained in TAN 15 - Development and Flood Risk (July 2004).

5.49 Most of the land adjacent to the estuary is protected by an embankment. However in the north of the Plan area the dune system at Talacre forms a natural sea defence barrier. This is part of the last remaining semi-natural dune system on the North Wales coast. It is therefore particularly important to ensure its function is not impaired by any new proposals within or in the vicinity of the dunes. The meeting of the Irish Sea and the River Dee result in particularly complex natural processes of erosion and sedimentation in the Dee Estuary.

7.19 Relevant plans and environmental assessments, such as the Dee Estuary Strategy, the Cell 11 Shoreline Management Plan and seascape assessments, should be taken into account in considering proposals for the undeveloped coast as the impacts of some activities can be great and may relate to pressures for inappropriate development.

Other Key Policies:

- EWP17 Flood Risk
- SR8 The Dee Estuary Corridor

# Chapter 8

## Wildlife and Biodiversity

Relevant Strategic Aims	
e. Natural environment	
Policy Objectives	Policy List
a. PROTECTING BIODIVERSITY - to conserve sites of nature conservation value and prevent loss of important species and habitats b. ENHANCING BIODIVERSITY - to enhance and create new wildlife habitats and nature conservation resources	WB1 Species Protection WB2 Sites of International Importance WB3 Statutory Sites of National Importance WB4 Local Sites of Wildlife and Geological Importance WB5 Undesignated Wildlife Habitats WB6 Enhancement of Nature Conservation Interests
Indicators of Policy Performance	Targets
23. <i>Area of land in active conservation management</i> 24. <i>Area of each Habitat Action Area plan in the BAP</i> 25. <i>Number of sites of importance for nature conservation adversely affected by development</i> 26. <i>Applications that lead to the loss/damage of: SAC, SPA, SSSI, NNR, LNR, species identified in Species Action Plans in the BAP</i>	TARGET 3: Minimise the loss or damage through development, to sites of international, national or county geology, wildlife/nature conservation importance

## 8 Wildlife and Biodiversity

### Introduction

8.1 In addition to protecting natural landscapes, another key role of this Plan is its contribution towards protecting and enhancing geological (geodiversity) and biological diversity (biodiversity). Adopting a biodiversity-centred approach to the natural environment acknowledges the complex interaction between species and their habitats. It should be emphasised that both commonplace and rare species, play an important part in natural systems. A hierarchy of designations at international, national and local levels exists in Flintshire and the Local Planning Authority must have regard to the relative significance of these designations when making planning decisions, taking into account the integrity of natural systems as well as the presence or absence of notable species and habitat.

### National Planning Policy

8.2 The Welsh Government sets out in para 5.1.2 of Planning Policy Wales the following objectives for the conservation and improvement of the natural heritage:

- promote the conservation of landscape and biodiversity, in particular the conservation of native wildlife and habitats;
- ensure that action in Wales contributes to meeting international responsibilities and obligations for the natural environment;
- ensure that statutorily designated sites are properly protected and managed; and to
- safeguard protected species, and to
- promote the functions and benefits of soils, and in particular their function as a carbon store.

8.3 Section 5.4 of Planning Policy Wales requires that UDPs set out the locational policy framework for the conservation and enhancement of the natural heritage and seek to conserve and enhance the natural heritage in ways which bring benefits to local communities and encourage social and economic progress. UDPs should encourage the appropriate management of features of the landscape which are of major importance for flora and fauna in order to complement and improve the ecological coherence of the Natura 2000 network. This encompasses features which, because of their linear or continuous structure or their function as “stepping stones” or “wildlife corridors”, are essential for migration, dispersal and genetic exchange. Policies should attach appropriate weight to statutory and non-statutory designations and devise criteria against which development will be assessed. The conservation and, where appropriate, enhancement of biodiversity outside designated areas, should also be sought.

### Flintshire Context

8.4 There are two key ways in which the UDP can contribute to the promotion of biodiversity in Flintshire. Firstly through protection of designated statutory and non-statutory wildlife sites, and secondly by applying general environmental considerations to all forms of development proposals. Flintshire contains many habitat types and nature conservation designations, with the Dee Estuary and Floodplain being a key strategic habitat type.

8.5 The UDP seeks to ensure that biodiversity is maintained and enhanced in the interests both of existing residents and of future generations. To this end, policies contained in this chapter support the protection of designated sites, and also conservation of undesignated features of ecological importance such as wildlife corridors. Detailed site surveys will often be required in association with development

proposals where the Council considers that there may be a significant effect on wildlife, habitat or areas of other scientific interest.

8.6 In addition to these protective policies, the Plan also seeks to enhance the nature conservation value of sites where a development proposal would provide an opportunity to incorporate such measures. It should also be noted that the following policies support the Flintshire Biodiversity Action Plan (FBAP).

## Policies

### WB1 Species Protection

Development which would have a significant adverse effect on important species or their habitats will not be permitted unless appropriate measures are taken to secure their long term protection and viability.

8.7 The presence of an important species is a material consideration in deciding a planning application. Important species or habitats are those protected by law, identified as a priority species or habitat in the UK Biodiversity Action Plan or the FBAP. Examples of protected species occurring in Flintshire include bats, badgers, barn owls, great crested newts, otters and some orchids. These have statutory protection under a range of international and national legislation including: the Wildlife and Countryside Act 1981; and the Conservation (Natural Habitats &c.) Regulations 1994, both of which play a key role in maintaining biodiversity.

8.8 Where development is permitted the Local Planning Authority must be satisfied that the ecological interest of a site can be adequately safeguarded by means of appropriate planning conditions and/or obligations. Before development affecting a European protected species can occur, conditions contained in the Habitats Regulations must be met, that is the development is required for preserving public health, safety, or for other reasons of overriding public interest. Additionally it must be demonstrated that there is no satisfactory alternative nor should there be a detrimental affect on the maintenance of the species population at a favourable conservation status. If these tests are met the Welsh Assembly Government can issue a licence to enable development to proceed.

8.9 This policy seeks to protect species with regard to the development and use of land and does not override the statutory requirements for species protection as contained in Acts of Parliament or through European Law. Where the Council require mitigation or compensatory provision to be made either on site or on adjacent land, conditions will be attached or obligations required to facilitate species survival, minimise disturbance or as a last resort provide suitable alternative habitat to ensure that species are safeguarded.

### WB2 Sites of International Importance

Development will not be permitted unless:-

- a) it is demonstrated that it will not have a significant adverse effect on any Ramsar Site or Natura 2000 site (including SPAs, potential SPAs, SACs, candidate SACs); or
- b) it is demonstrated, following appropriate assessment, that it will not adversely affect the integrity of any Ramsar or Natura 2000 site.

8.10 This policy is directed at sites which have, or may be identified as having, ecological value of international significance. In Flintshire the Dee Estuary has several such designations and these are shown on the proposals map. It has been designated as a Ramsar site under the Convention on Wetlands of International Importance and a Special Protection Area (SPA) under the European Community Birds Directive (79/409/EEC) due to its importance as a wintering site for significant populations of migratory waders and wildfowl. The Dee Estuary has also been designated a Candidate

Special Area of Conservation (SAC) under the Habitats Directive (92/43/EEC). These designations are intended to promote conservation and the wise use of wetlands and stem the progressive loss of internationally important habitats.

8.11 The purpose of an appropriate assessment as required by the Habitats Directive and Regulations, is to ascertain, in view of the sites conservation importance, whether development would have an adverse effect on the integrity of the designated site. The integrity of a site is considered to be the coherence of its ecological structure and function that allows it to sustain the species, habitat or complex of habitats for which it was classified. Proposals may have a significant effect on the ecological value of a site either individually, or as a result of cumulative developments. Detailed guidance in respect of internationally important sites is given in a table contained in Planning Guidance Wales – Technical Advice Note 5.

8.12 Where the County Council, in consultation with the Countryside Council for Wales (CCW), suspect that the impact of a development on a designated area is likely to be damaging, planning applications should be accompanied by suitable supporting environmental impact information. An Environmental Impact Assessment will be required in certain instances, which is the process by which information about the likely significant environmental effects of certain types of development is collected, assessed and taken into account in deciding whether planning permission should be granted.

8.13 Where in the view of the Local Planning Authority proposed development will adversely affect the integrity of the site in a manner which cannot be overcome by planning conditions or obligations, planning permission should only be granted in exceptional circumstances for reasons of over-riding public interest, including those of a social or economic nature which must be sufficient to over-ride the ecological importance of the designation. In such circumstances it will be necessary to secure compensatory measures to protect the community wide network of SPAs and SACs.

Other Key Policies:

- HSG1 New Housing Development Proposals
- HSG2A North West of Garden City
- EM1 General Employment Land Allocations
- EM3 Development Zones and Principal Employment Areas

### WB3 Statutory Sites of National Importance

Sites of Special Scientific Interest (SSSI) will be protected. There will be a presumption against development either within or in the vicinity of a site which would have a significant adverse effect on the nature conservation interest of the site.

8.14 SSSI's are nationally important and statutorily designated for their biological and geological interest. Some SSSI's in Flintshire are also of international importance and for this reason have additional designations conferred on them. SSSI's are shown on the proposals map.

8.15 The key importance of sites designated for nature conservation interest means that development proposals in or likely to affect them must be subject to special scrutiny. Where a specific proposal would impact directly or indirectly upon a SSSI it must be demonstrated that the site features meriting designation would not be detrimentally affected. Government guidance notes that SSSI's may be seriously damaged by developments outside their boundaries.

8.16 Consequently within SSSI's planning permission should only be granted where the Local Planning Authority is satisfied that the nature conservation value of the SSSI will not be compromised as a result of the proposed development, or where in accordance with national planning guidance, other material factors are sufficient to override nature conservation considerations. Where development is permitted, the

Council will consider the use of conditions or planning obligations to ensure the protection and enhancement of the site's nature conservation interest.

#### WB4 Local Sites of Wildlife and Geological Importance

Wildlife Sites and Regionally Important Geological Sites will be protected. Planning permission will not be granted for development that is likely to have a significant adverse effect on their nature conservation or geological value.

8.17 In addition to statutory designated sites there are many habitats and important geological features of local interest which make a vital contribution to the County's biodiversity and geodiversity. The County Council keep an up-to-date register of these non-statutory local sites.

8.18 Many of these are subject to pressures for change, and can be destroyed by development either on, or in the vicinity of the site. Nature conservation interest will therefore be a consideration where a development proposal may impact upon a site of local wildlife or geological importance. However, planning permission will not be refused if where in accordance with national policy guidance other material factors are sufficient to override nature conservation interests. Conditions or planning obligations can be applied to prevent significant adverse impacts on wildlife, habitats or important physical features. In the case of larger developments this may involve the integration of features and habitats of value into proposals.

#### WB5 Undesignated Wildlife Habitats

Development will be permitted only if it will not have a significant adverse effect on wildlife and habitats of local importance.

8.19 There are many undesignated sites which have considerable nature conservation value and represent vital elements in the County's biodiversity. Examples include natural watercourses, streams or rivers and their banks, unimproved grasslands, wetlands, heather moorland and woodlands (particularly those of ancient semi-natural origin). Some of these habitats may be comparatively rare in the Plan area, and considered to be of value on a very local basis, for example the last remaining pond close to a particular town or village. Developers will often be required to undertake detailed surveys of flora and fauna to enable the Council to ascertain whether a proposal would be acceptable.

8.20 Such sites may be valuable in their own right or may serve an important function in relation to adjacent areas. A feature may, for instance, form a wildlife corridor, linking areas that are vital for certain species. In addition to areas in the countryside, urban sites may be of value for wildlife. In particular, green corridors in built up areas, which may be under significant pressure, should be safeguarded. Their development may have serious implications beyond the site in question. Even brownfield sites, despite their often degraded appearance, may have significant ecological interest.

8.21 However planning permission will not be refused, where in accordance with national policy guidance, other material factors are sufficient to override nature conservation interests. Conditions and agreements will be used to mitigate any harmful effects to nature conservation interests.

#### WB6 Enhancement of Nature Conservation Interests

The incorporation within development proposals of measures which improve the nature conservation value of an area will be permitted by the Local Planning Authority.

8.22 This policy recognises that, in addition to protecting habitats, opportunities will arise to increase biodiversity and geodiversity within Flintshire. Although land-take for development has gradually eroded wildlife habitats, opportunities exist to enhance ecological value through careful design of development proposals.

8.23 Proposals which improve the nature conservation value of sites will be encouraged. Where new development is carried out, sensitive landscaping and planting, the creation, maintenance and management of landscape features important to wildlife, and the skilled adaptation of derelict areas can provide extended habitats. The County Council will support proposals to establish local nature reserves in suitable locations. Larger scale developments will be required to consider how existing features can be enhanced, taking a strategic view of the site.



# Chapter 9

## Historic Environment

Relevant Strategic Aims	
f. Built environment	
Policy Objectives	Policy List
<p>a. PRESERVATION - to protect the locally valuable and nationally recognised historic environment and historic landscapes and encourage their repair and management</p> <p>b. UNDERSTANDING - to obtain accurate information on the extent and nature of historic assets to allow sound conservation</p> <p>c. ENHANCEMENT - to encourage new development of an appropriate character throughout the County, in particular in conservation areas and/or the restoration of historic buildings</p> <p>d. SUSTAINABLE USE - to promote use and re-use of historic buildings and areas which does not adversely affect their special architectural or historic interest</p> <p>e. REGENERATION - to further the Council's economic objectives by using the repair of historic buildings and features, and the enhancement of historic areas as a basis for the economic regeneration of towns and communities</p>	<p>HE1 Development Affecting Conservation Areas</p> <p>HE2 Development affecting Listed Buildings and their Settings</p> <p>HE3 Demolition in Conservation Areas</p> <p>HE4 Buildings of Local Interest</p> <p>HE5 Protection of Registered Landscapes, Parks and Gardens of Special Historic Interest</p> <p>HE6 Scheduled Ancient Monuments and other Nationally Important Archaeological Sites</p> <p>HE7 Other Sites of Lesser Archaeological Significance</p> <p>HE8 Recording of Historic Features</p>
Indicators of Policy Performance	Targets
<p>27. Increase in number of conservation areas and appraisals</p> <p>28. Appeals dismissed on grounds of adversely affecting conservation areas and historic landscapes</p> <p>29. Listed buildings new &amp; lost &amp; at risk</p> <p>30. Applications for listed building consent permitted</p> <p>31. Applications for development in conservation areas permitted</p> <p>32. Number of buildings on the buildings at risk register within conservation areas</p> <p>33. Records made where development affecting designated sites, conservation areas or historic landscapes takes place</p>	<p>TARGET 4: Minimise loss or damage through development, to designated sites, historic landscapes and buildings of international, national or county heritage importance and ensure adequate recording before any change occurs</p>

## 9 Historic Environment

### Introduction

9.1 Flintshire has a rich and varied history which is reflected in its abundance of archaeological remains, historic buildings and landscapes. As well as contributing greatly to our understanding both of the past and the present, these unique assets are of immense importance for leisure and recreation.

9.2 The policies in this chapter seek to confer protection on conservation areas, listed buildings and other buildings or structures of historic or local interest, as well as historic landscapes, parks and gardens, scheduled ancient monuments, and areas of possible archaeological remains. It is also important to recognise the features of local interest, which add richness and local distinctiveness to the historic character of the County. These may not always be formally designated but will be protected by the policies in the Plan.

### National Planning Policy

9.3 The Welsh Government sets out in para 6.1.1 of Planning Policy Wales the following objectives for the conservation and improvement of the historic environment:

- preserve and enhance the historic environment, recognising its contribution to economic vitality and culture, civic pride and the quality of life, and its importance as a resource for future generations; and specifically to:
- protect archaeological remains, which are a finite and non-renewable resource, part of the historical and cultural identity of Wales, and valuable both for their own sake and for their role in education, leisure and the economy, particularly tourism;
- ensure that the character of historic buildings is safeguarded from alterations, extensions or demolition that would compromise a building's special architectural and historic interest; and to
- ensure that conservation areas are protected and enhanced, while at the same time remaining alive and prosperous, avoiding unnecessarily detailed controls over businesses and householders.

9.4 Planning Policy Wales requires in para 6.4.1 that UDPs set out policies for the preservation and enhancement of the historic environment and the factors to be taken into account in assessing planning applications. UDPs should include policies for the protection and enhancement of sites of archaeological interest and their settings. Policies should also address demolition, alteration, extension and re-use of listed buildings and their curtilages, with a general presumption in favour of the preservation of listed buildings.

9.5 National guidance also states that UDPs should make clear that development proposals will be judged for their effect on the character and appearance of conservation areas, to ensure that development is in accord with the areas' special architectural and historic interest.

9.6 It is important to note that there is no statutory requirement to have regard to the provisions of a development plan when considering applications for listed building consent or conservation area consent (the Courts have accepted that s54A of the Town and Country Planning Act 1990 does not apply). However, Planning Policy Wales advises that "UDPs should include policies for the conservation of the built environment that are relevant to development control decisions and which should be taken into consideration in the determination of applications for both listed building and conservation area consent".

## Flintshire Context

9.7 Conservation Areas - Conservation area controls are enshrined in the Planning (Listed Buildings and Conservation Areas) Act 1990. A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Designations are intended to provide protection from incremental detrimental developments, which can change the character either of a conservation area as a whole or smaller areas within it.

9.8 There are 31 conservation areas in the Plan area, all of which are shown on the Inset Plans. They range from the centres of market towns to small villages, historic parks, and collections of historic buildings, and include: Flint, Mold and Holywell town centres; parts of the villages of: Cadole, Caerwys, Cilcain, Ffynnongroyw, Gorsedd, Gwaenysgor, Gwespyr, Halkyn, Llanasa, Nannerch, Nercwys, Northop, Trelawnyd, Whitford, Ysceifiog, Hawarden and Caergwrle and smaller conservation areas at Gadlys, Glan yr Afon, Kinsale Hall, Leeswood Hall, Lygan y Wern, Oakenholt Hall, Pantasaph, Plas Bellin, Plas Onn, Talacre Abbey, and The Wern.

9.9 The Council will in relation to conservation areas:

- Carry out appraisals and review existing conservation areas;
- Designate new conservation areas where appropriate;
- Ensure the special architectural or historic features of the conservation areas are protected from inappropriate development;
- Prepare management /enhancement plans to enhance the essential character and setting of the conservation areas;
- Issue directions under Article 4 of the General Permitted Development Order 1995 to remove permitted development rights in conservation areas, where appropriate.

9.10 All conservation areas will have character appraisals carried out to identify the essential architectural or historic elements to be protected. Development proposals will be judged on how well they meet the aims of preservation or enhancement of the special character. New conservation areas will be designated in accordance with the criteria set out in Welsh Office Circular 61/96.

9.11 Once the appraisals have been completed, periodic reviews will be carried out and management / enhancement plans will be produced to tackle identified problems.

9.12 The County Council is also committed to improving the appearance of and maintaining the character of conservation areas through the Historic Buildings Repair Grant and the Holywell Townscape Heritage Initiative. These grant systems are not specifically targeted at conservation areas but have proved valuable in such designations.

9.13 Buildings of Architectural or Historic Interest - A list of buildings and structures of architectural or historic interest is compiled by Cadw: Welsh Historic Monuments. These "listed buildings", of which there are over 868 in the Plan area, are considered to be of national importance (The number of listed buildings changes over time as de-listings and new listings occur). They are listed as Grade 1 if of outstanding interest, Grade 2 if of special interest, and Grade 2\* if of more than special interest. Under the Listed Buildings and Conservation Areas Act 1990, the Council is required to pay special regard to listed buildings and the desirability of preserving listed buildings, their setting, or any features of special archaeological or historic interest which they possess. This legislation also refers to the preservation of the setting of a listed building and buildings within the curtilage of a listed building (although not all curtilage buildings are protected by listing).

9.14 Historic Landscapes, Parks and Gardens - Whilst the scenic and wildlife importance of the Welsh countryside has long been recognised and appreciated, its

historic significance has only recently been given equal recognition through the compilation of The Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales which has been set up by CCW, Cadw, Welsh Historic Monuments and ICOMOS (International Council on Monuments and Sites). This document comprises Part 1 Parks and Gardens, Part 2.1 Landscapes of Outstanding Historic Interest and Part 2.2 Landscapes of Special Historic Interest. Within Flintshire, at present, there are 23 registered historic parks and gardens and one historic landscape (Holywell Common and Halkyn Mountain) along with the eastern boundary of the Vale of Clwyd outstanding historic landscape. At present the register is non statutory and no extra planning controls affect the designated areas. The register is supported by policy HE5, which seeks to ensure the preservation, conservation and management of these important assets.

9.15 Sites of Archaeological Interest - Archaeological remains are a finite and fragile resource. They range from the ruins of Flint castle to traces of more modest buildings and artefacts. The County Council recognises the historical importance of these sites, and is keen to maximise their educational, interpretation and potential tourist value.

9.16 There are currently around 100 such Scheduled Ancient Monuments in the Plan area. However, Planning Policy Wales (2011) acknowledges that not all nationally important sites, meriting preservation, are scheduled, and stresses that development plans should include policies to protect both scheduled and unscheduled archaeological monuments and remains. More detailed National Guidance is found in Welsh Office circular 60/96.

9.17 Recording of Historic Features - There is a final policy in this chapter regarding the recording of features of historic interest both before and during the implementation of a development proposal.

## Policies

### HE1 Development Affecting Conservation Areas

Development in or affecting the setting of conservation areas will only be permitted if it preserves or enhances the character or appearance of the designated area.

9.18 Applicants must demonstrate how development proposals within or affecting conservation areas will preserve or enhance the special character or appearance of the area.

9.19 The massing of any new buildings or extensions should be in scale with surrounding buildings and external building materials should be appropriate to the conservation area.

9.20 The Council will also have regard to the broader townscape or landscape setting of a conservation area. In particular, proposals for development which would be visible from a conservation area will be controlled to ensure that views into and out of the area are preserved.

9.21 Special attention will be given to the protection of building layout and plot patterns, roofscapes and skylines, trees, open spaces, designated landscapes and other features, which contribute positively to the special character or appearance of an area.

9.22 It is especially important for conservation areas within commercial centres that there is a controlled and positive management of development. At the same time new development must preserve or enhance the special architectural visual and historic qualities of the conservation area. For example, good shop front design and control of advertisements are essential elements of retaining the special nature of conservation areas.

9.23 The designation of a Conservation Area provides some protection to trees even if they are not subject to a TPO. Any works to trees in conservation areas requires 6 weeks notice; this gives the Council time to consider whether a TPO should be made.

9.24 The extent to which buildings contribute positively or otherwise to the special character or appearance of a conservation area will be assessed during the preparation of conservation area appraisals.

9.25 The Council believes that a number of minor alterations, such as replacement windows and doors, extensions, and satellite dishes are detrimental to the character and appearance of the conservation area. Where there is evidence that there is a threat from Permitted Development (PD) Rights the Council will, where applicable, seek the approval of the Welsh Government to employ Article 4 directions (not all Article 4 directions require confirmation). This will remove Rights making it necessary for owners in the conservation area to apply for planning permission for development normally permitted under parts 1 and 2 of the Town and Country Planning (General Permitted Development) Order 1995 and enable tighter controls over development in conservation areas.

## HE2 Development Affecting Listed Buildings and their Settings

Any development affecting listed buildings or their settings, including internal or external alterations or change of use will be permitted only where:

- a. there is no adverse effect on the building's special architectural or historic character and appearance and the setting of a listed building.
- b. it can be demonstrated that the loss of, or damage to its historic fabric is unavoidable, has been minimised and that works which would result in the loss of, or which would conceal parts of a listed building, and which contribute to its interest, will be recorded by a photographic or drawn survey; and
- c. a change of use of a listed building or structure would increase the likelihood of the survival of the building and where alterations do not harm its character or special interest.

9.26 The setting of a listed building may be limited to its immediate surroundings, but can include land some distance from it. It can best be protected and enhanced through the careful control of development including highways improvements, and the sensitive design of elements such as street furniture, and landscaping. To this end the County Council will expect developers to submit applications in sufficient detail to allow a full assessment of the impact of proposals. Outline applications will not be considered acceptable in such circumstances.

9.27 Alteration, extension and some repairs that affect the character of either the interior or exterior of a listed building require Listed Building Consent. Such works can include quite minor repairs (Welsh Office Circular 61/96 provides more detailed advice). Circular 61/96 also states that all reasonable efforts should be made to sustain existing uses or, failing that, find viable and appropriate new ones for listed buildings. The County Council shares the view that, wherever possible, listed buildings should be repaired and reused rather than demolished.

9.28 All such extension proposals should be in scale and sympathy with the existing building, and should include the use of traditional materials and construction techniques. The County Council has produced supplementary planning guidance, Historic Buildings - Principles of Repair, to advise owners and developers on the treatment of historic buildings and listed buildings. Moreover, it will strive to maintain its own listed buildings in a manner which provides an example of good practice.

9.29 Modern attachments such as satellite television antennae, solar panels and meter boxes, are generally incongruous on listed buildings and, in prominent positions, can detract significantly from their appearance or character. Change of use to residential, particularly of distinctive farm buildings, is especially difficult to achieve without significantly harming their traditional character. Where necessary, the Council will support the relaxation of building regulations, highway and other standards, in order to avoid damage to the character of listed buildings.

9.30 The demolition or substantial demolition of a listed building, structure or relevant structure within the curtilage of a listed building will not be permitted unless an exceptional case can be made as to why the building or structure cannot be retained. Consent will only be granted for such demolition in exceptional circumstances and only when the Council is satisfied that all attempts at finding a suitable new use, which would increase the likelihood of the building's survival, have been exhausted. Demolition of a listed building will not be permitted merely on the grounds that a building is unsafe, or that no reasonable alternative use can be found. Over time, economic circumstances may change, or financial grant aid may become available for any necessary works.

9.31 In the exceptional circumstances that demolition of a listed building is allowed, it cannot take place until the requirements of section 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990 have been discharged. Detailed records may be taken of the building prior to the commencement of work. When consulted, the Royal Commission on the Ancient and Historical Monuments of Wales will have advised whether they want to record. A scheme of either redevelopment or restoration must have been agreed prior to demolition.

### HE3 Demolition in Conservation Areas

Development involving the substantial or total demolition of a building(s) or structure(s) in a Conservation Area will not be permitted unless the demolition and any proposed replacement building would preserve or enhance the character or appearance of the area.

9.32 Conservation Areas derive their character from a number of features including buildings and structures. Conservation area designation includes control over demolition, which may require conservation area consent. Although there is no statutory duty to have regard to the development plan in relation to conservation area consent, such applications are usually associated with planning applications for development proposals which should be determined in accordance with the plan under Section 54A. When this occurs an assessment will be made of the proposal's impact on the character or appearance of the conservation area. In making such an assessment the Council will seek to preserve those buildings that contribute to the conservation area. Section 91 of Welsh Office Circular 61/96 details the criteria to be used in assessing planning applications and Conservation Area Consent.

### HE4 Buildings of Local Interest

The demolition or alteration of any building or structure that is included on the List of Buildings of Local Interest will only be permitted where the following criteria apply:

- a. in the case of demolition that the building is structurally unsound, it cannot be made safe without extensive alteration or rebuilding and is incapable of refurbishment at a cost which is reasonable in relation to its degree of interest. The design of the replacement building should match or exceed that which has been demolished; or
- b. in the case of alteration and extension that the works do not adversely affect the architectural or historic character of the building.

9.33 This policy is designed to protect buildings or structures which are not currently listed, but which are nevertheless considered worthy of retention because of the significant contribution that they make to the local environment. These might include: buildings or groups of buildings formerly listed at Grade 3 (which afforded no statutory protection); buildings associated with important local historical events, people or activities; and buildings contributing to the setting of a listed building.

9.34 The County Council maintains a list of all such "buildings of local interest", giving reasons for their inclusion. Their demolition will be allowed only if the cost of repair would

significantly outweigh their historic or architectural value. The Council will require that the replacement building is of a matching or higher standard and quality of design.

9.35 Where consent is required and alterations are subsequently permitted, care will be taken to ensure that these are not detrimental to the historic character of the building. In particular, attention will be given to ensuring that any features of architectural or historic interest are preserved and that all new work is in keeping with the character of the original building and its setting in terms of design, scale and materials.

9.36 In the exceptional circumstance that demolition is allowed, detailed records must be taken of the building prior to the commencement of works.

#### HE5 Protection of Registered Landscapes, Parks and Gardens of Special Historic Interest.

Development affecting land in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales and adjacent areas, particularly their zones of essential setting and significant views, along with historic parks and gardens of local interest, will be permitted only where there is no adverse effect on their special historic character, appearance or setting.

9.37 It is recognised that historic landscapes generally cover significant areas of land where it is only the more major developments which are likely to impact on the character of the overall landscape. Therefore, development within a registered landscape which is acceptable in terms of other Plan policies will not be permitted where it would have more than a local impact on the area identified in the Register. Instead the conservation of the landscape will be encouraged. Sufficient details should be submitted with all applications affecting historic landscapes, parks and gardens to satisfy the Council that proposals will not detract from views within, into or out of the designated area, including its Zone of Essential Setting, as indicated in the Register. The level of significance of the impacts of a development on a historic landscape will be assessed by the use of Assessment of Significance of the Impact of Development on Historic Landscape (ASIDOHL).

9.38 Where permitted, restoration should be based upon thorough historical research. To this end the County Council may require adequate architectural or archaeological investigation prior to the grant of planning permission.

9.39 There is also a list of Historic Parks and Gardens of Local Interest which has proved useful in considering planning decisions and appeals. It is the aim of the Council to view and consider the historic environment on a holistic basis. Since these local parks and gardens, within or outside designated areas, make an important contribution to the local history and distinctiveness of the County they should be safeguarded from detrimental effects of development.

#### HE6 Scheduled Ancient Monuments and other Nationally Important Archaeological Sites

Development that would remove, damage or obscure a Scheduled Ancient Monument or other nationally important archaeological site, or its setting, will not be permitted.

9.40 The Welsh Government must be consulted on any development proposal likely to affect a Scheduled Ancient Monument and Scheduled Monument Consent must be sought from the Welsh Government for any proposed works to a Scheduled Ancient Monument. This policy seeks to ensure the physical preservation of nationally important archaeological remains and there is a presumption in favour of their physical preservation in situ. To achieve this, a thorough archaeological field evaluation of the impact of any proposal likely to affect a nationally important archaeological site must be submitted before a decision on a planning application is taken. The developer will be

required to provide the evaluation at their expense in accordance with a specification supplied by the County Council.

9.41 Such an evaluation should seek to define the character and condition of any monuments or remains within the application site and the likely impact of the proposed development on such features. In some cases it may be possible to satisfactorily the effects of the proposed development by the redesign of the proposal. In exceptional cases where the County Council decides that the physical preservation in situ of archaeological remains is not justified, it must be satisfied that there is appropriate and satisfactory provision for the investigation and recording of remains.

#### HE7 Other Sites of Lesser Archaeological Significance

Development that affects sites of either known or suspected local and/or regional archaeological interest and their settings will be permitted only where:

- a. an archaeological assessment has been carried out, before a decision is made on the proposal, to the satisfaction of the Council which evaluates the intrinsic importance of the remains; and
- b. the need to retain the interest that has been identified is outweighed by the need for the proposed development.

Where remains are affected but preservation in situ is not merited, excavations and/ or recording must be carried out to the satisfaction of the Council in advance of development commencing.

9.42 This policy seeks to protect other archaeological remains that are of less than national importance but which are nevertheless of significance. Where research indicates that archaeological remains are likely to exist, proposals for development will not be determined until suitable archaeological field evaluation has been undertaken to determine whether the remains are of local or regional importance. The developer will be required to provide the evaluation at its expense in accordance with a specification supplied by the County Council and also to identify the need for the development.

9.43 These policies seek to protect all important archaeological features, whether scheduled or not, from development that would damage their historic character. It applies to all sites listed on the Sites and Monuments Records, which, in addition to scheduled sites, also shows all other known or suspected archaeological sites.

9.44 The Council will then consider the intrinsic importance of the remains against the need for the development. Where archaeological remains are considered to be important enough to merit protection, or where the requirement for an assessment has not been met, planning permission will be refused (Circular 60/96).

9.45 The Welsh Government may give prior approval of Scheduled Ancient Monument Consent however the County Council could still withhold planning permission on the basis of local archaeological interest. The County Council supports in situ preservation as a preferred solution to excavation which should only be undertaken as a last resort. It is possible for development to take place with archaeological remains retained in situ and discussions should take place with the County Council at an early stage to reduce any potential conflict where possible. When in situ preservation is not feasible, excavation and recording should be undertaken before or during development. Any features which would otherwise be destroyed but which are capable of conservation should be removed for safekeeping prior to development commencing.

9.46 The County Council will seek mitigation measures through agreement with developers. In some circumstances it may be necessary to attach conditions to the planning permission to prohibit development until the required archaeological work is completed.



### HE8 Recording of Historic permitted Features

Development will be only where there is provision for adequate recording of any historic features likely to be affected by the development.

9.47 This policy applies to all development which would impact upon valued architectural, archaeological or historic landscape features. The Council will require that adequate architectural or archaeological investigation is carried out prior to the grant of planning permission and in many cases will require that detailed records continue to be taken whilst the work is being carried out. Subsequent publication of the results will be required.

# Chapter 10

## Access and Communications

Relevant Strategic Aims	
I. Transport and access	
Policy Objectives	Policy List
<p>a. DEVELOPMENT PATTERNS - to encourage the environmentally efficient distribution of land uses, ensuring that patterns of development minimise the need for car use</p> <p>b. CHOICE AND INTEGRATION - to encourage and promote a diverse and integrated transport network, making provision for special needs and alternative forms of travel, such as cycling and walking</p> <p>c. PUBLIC TRANSPORT - to encourage the expansion and enhancement of public transport provision particularly as part of new development proposals</p> <p>d. TRAFFIC MANAGEMENT AND CALMING - to enhance safety, efficiency and environmental quality by encouraging traffic management and calming within new development</p> <p>e. RESOURCES - to make the most efficient and effective use of existing roads prior to road improvements or new roads</p> <p>f. ENERGY - to seek to reduce energy consumption through reduced travel by private car</p>	<p>AC1 Facilities for the Disabled</p> <p>AC2 Pedestrian Provision and Public Rights of Way</p> <p>AC3 Cycling Provision</p> <p>AC4 Travel Plans for Major Traffic Generating Developments</p> <p>AC5 New / Improvements to Public Transport Facilities</p> <p>AC6 Railway Stations</p> <p>AC7 Protection of Disused Railway Lines</p> <p>AC8 Buses</p> <p>AC9 Provision of New Rail Freight Facilities</p> <p>AC10 Mostyn Docks</p> <p>AC11 Other Docks / Jetties</p> <p>AC12 Airport Safeguarding Zone</p> <p>AC13 Access and Traffic Impact</p> <p>AC14 Traffic Calming</p> <p>AC15 Traffic Management</p> <p>AC16 Road Improvements / New Roads Design</p> <p>AC17 Safeguarded Routes</p> <p>AC18 Parking Provision and New Development</p> <p>AC19 Lay-by and Picnic Areas</p> <p>AC20 Lorry Parks</p> <p>AC21 Taxis and Private Hire Vehicles</p> <p>AC22 Location of Installations</p> <p>AC23 New Development and Interference with Telecommunications Signals</p> <p>AC24 Cable Installation</p>
Indicators of Policy Performance	Targets
<p>34. No./% reduction in car trips</p> <p>35. Levels of public transport usage</p> <p>36. New development on large sites within 250m of a bus stop</p> <p>37. No. of major traffic generating developments for which a travel plan is supplied</p> <p>38. Increase in cycling as a travel mode</p> <p>39. Provision of parking spaces in accordance with 'maximum' parking standards</p> <p>40. Telecommunications masts permitted/shared</p> <p>41. Implementation of public transport schemes</p> <p>42. Extent of cycling network (km)</p> <p>43. Amount of airport related development</p> <p>44. Amount of port related development</p> <p>45. Travel patterns to work/school</p> <p>46. Length/condition of public rights of way</p> <p>47. Proportion of development making provision for people with special needs</p> <p>48. Provision for/use of rail/water freight</p>	<p>TARGET 5: Adopt Parking Management Strategy</p>

## 10 Access and Communications

### Introduction

10.1 Access and transport is inextricably linked with land use, and is a key theme of the Unitary Development Plan. The development patterns we set today, together with those inherited, will endure well into the next century. If land use policies permit continued dispersal of development with a high reliance on the car, other policies to reduce the environmental impact of transport may be less effective or come at a higher cost. Transport is central to current government thinking on land use planning which now suggests that local planning authorities should consider how to minimise the need to travel and reduce reliance on the private car. Integrated transport is also a key theme, to which there are three aspects:

- integration between modes of transport;
- integration of land use and transport policies;
- integration of transport into other policy areas such as environment, education, health, social inclusion and wealth creation.

10.2 The continued dominance of the private car, often at the expense of other modes, presents a major challenge to the objective of sustainable development. Global climate change, resource depletion, pollution, ill-health, habitat loss, increased accident rates, destruction of the built fabric, and reduction of economic competitiveness have all been linked to the inexorable rise in car-borne travel. Furthermore it can exacerbate inequality, as those who do not own a vehicle are denied access to a variety of opportunities and services. The plan therefore seeks to promote more sustainable modes of travel such as cycling and walking and the use of public transport. Nevertheless, the Plan has to facilitate the most efficient use of the County's road system in a manner which is based on improving safety, reducing congestion and reducing the environmental impact of road traffic.

10.3 The telecommunications industry is growing and altering rapidly at present, bringing significant changes to the way we live. Potentially, better availability of information gives people access to a greater variety of services than ever before. There may be significant environmental benefits too, as an increase in activities such as teleworking may help to reduce the need to travel. However, new telecommunications development must be carried out in a manner which is compatible with landscape and nature conservation.

### National Planning Policy

10.4 The goal of the Welsh Government's Wales Transport Strategy, One Wales: Connecting The Nation (2008) is to 'promote sustainable transport networks that safeguard the environment while strengthening our country's economic and social life'. This reflects the Assembly's wider thinking in the One Wales document.

10.5 The Assembly Government's objectives for transport as set out in the revised Technical Advice Note (TAN) 18 Transport are:

- promoting resource and travel efficient settlement patterns;
- ensuring new development is located where there is, or will be, good access by public transport, walking and cycling thereby minimising the need for travel and fostering social inclusion;
- managing parking provision;

- ensuring that new development and major alterations to existing developments include appropriate provision for pedestrians (including those with special access and mobility requirements), cycling, public transport, and traffic management and parking/servicing;
- encouraging the location of development near other related uses to encourage multi-purpose trips;
- promoting cycling and walking;
- supporting the provision of high quality, inclusive public transport;
- promoting the location of warehousing and manufacturing developments to facilitate the use of rail and sea transport for freight;
- encouraging good quality design of streets that provide a safe public realm and a distinct sense of place; and
- ensuring that transport infrastructure or service improvements necessary to serve new development allow existing transport networks to continue to perform their identified functions.

10.6 The Assembly directs that development plans should:

- ensure that new housing, jobs, shopping, leisure and services are highly accessible by walking, cycling, and public transport;
- locate major generators of travel demand within existing urban areas, or in other locations that can be well served by public transport, walking or cycling;
- encourage higher density and mixed - use development near public transport nodes, or near corridors well served by public transport;
- ensure that development sites which are highly accessible by non-car modes are used for travel intensive uses, reallocating their use if necessary;
- in rural areas, designate local service centres, or clusters of settlements where a sustainable functional linkage can be demonstrated, as the preferred locations for new development;
- include specific measures to promote walking and cycling;
- set out policies to promote the use of public transport including new and improved interchange facilities and, where appropriate, park and ride schemes;
- identify the primary road network, including trunk roads, and separately identify the core network;
- identify proposals for new roads and major improvements to the primary route network and the broad policy on priorities for minor improvements;
- include policies and proposals relating to the development of transport infrastructure other than roads;
- identify, and where appropriate, protect routes required for the sustainable movement of freight;
- protect disused transport infrastructure, including railways, rail sidings, port, harbours and inland waterways from development that would compromise their future transport use, where re-use is a possibility; and
- minimise the adverse impacts of transport infrastructure projects on the natural, historic and built environment and on local communities.

10.7 In terms of telecommunications, 'Development plans should set out policies and proposals for the location of telecommunications development, allocating sites for major developments and including criteria based policies to guide telecommunications developments where sites other than those identified in the plan may be proposed.

Criteria should be sufficiently flexible to accommodate technical changes and may be concerned with siting and appearance of apparatus, including location and landscaping requirements designed to minimise the impact on amenity consistent with operational requirements' (PPW 2011).

### National Transport Guidance

10.8 Each of the 22 local authorities in Wales were required to produce a 5 year Local Transport Plan. The Flintshire Local Transport Plan (FLTP) 2001 - 2006 first issued in August 2000, was submitted to the National Assembly for Wales (NAW) and made statutory under the Transport Act 2000. Subsequent Annual Progress Reports on the Plan were published in June 2002, 2003, 2004 and 2005. The FLTP examines the present transport situation, and sets out the County Council's vision and aspirations for transport together with the strategies and measures to achieve them over the next 5 years and beyond. The FLTP and the UDP with its spatial strategy, should be complementary and produce a co-ordinated approach to transport and land use planning.

10.9 The Welsh Government (WG) has recently produced "Connecting Wales: the Wales Transport Strategy", which is its transport strategy for Wales, and they will also be producing the National Transport Plan which is a plan for transport functions within Wales as a whole for which the Assembly Government is responsible. These include trunk roads and railways. It is now intended that RTPs will replace the existing LTPs (which were produced by LAs for their areas) during 2008. This reflects a need to plan transport improvements on a regional basis recognising that many transport issues across Wales raise cross boundary issues for LAs.

10.10 There will be four Regional Transport Plans (RTPs) within Wales, one of which will cover the six local authorities in North Wales. The RTP in North Wales is being developed by Taith, which is a transport partnership of these six local authorities and is a strategy for delivering improvements to the transport system in North Wales over the next 25 years. The Regional Transport Plans sit alongside this National Transport Plan looking after all the other transport functions in our regions. This link between the two plans is especially important as so many strategic routes within the region are controlled by the Welsh Government. These routes are important locally to the people who live near them and use them for their general transport needs.

10.11 The Regional Transport Plan must also link closely with the aims and objectives of the Wales Spatial Plan (WSP) which aims to deliver an agenda for the sustainable development of Wales over the next 20 years and the more detailed development plans produced by the Councils covering the North Wales region. Taith's area includes the North West, North East and part of the Central Wales areas defined by the WSP. There are close links between the Taith Consortium and the Spatial Plan area teams to ensure compatibility between the plans.

### Flintshire Context

10.12 In setting out the existing transport patterns and systems in the County (and beyond) it is necessary to look at the following factors:

10.13 The existing development pattern - The existing development pattern and transport system are interdependent and poses a substantial constraint on the ability of land use planning to effect more sustainable transport patterns. Unlike Chester or Wrexham for example, Flintshire has no single key centre. Population is concentrated in the central and eastern part of the County, around Flint, Mold, Buckley and Deeside. In addition the Dee Estuary gives a linear settlement pattern stretching across Flintshire from east to north-west. Elsewhere, the west and south of Flintshire forms a substantial and more dispersed rural hinterland, largely characterised by smaller villages.

10.14 The relationship between Flintshire and surrounding areas - Regional and sub-regional linkages are also an important part of Flintshire's spatial context. Flintshire

contains the strategic transport links between North Wales and England. Indeed the A55 road forms part of the E22 Trans European Road Network (TERN), linking Dublin to continental Europe. As the County is highly accessible to the M56 corridor it is functionally linked to the wider North West Region and is closely related, in employment and housing terms, to west Cheshire and the Wirral with significant commuting movements across the Border. The North Wales Coast railway line provides important links between North Wales and the remainder of the National Rail Network.

10.15 The Existing Transport Network - Flintshire's transport context largely reflects its settlement pattern, transport corridors and public transport nodes. The spatial strategy highlights the need to consider where the most sustainable locations are with regard to the influence transport has on travel patterns. In particular public transport corridors can be seen:

- following the settlement pattern along the Dee, all the way from Chester via Sealand or Saltney in the east (and via Broughton and Hawarden) to Mostyn and Talacre in the west and on to Prestatyn and Rhyl;
- Flint - Northop - Sychdyn - Mold;
- Mold - Mynydd Isa - Buckley - Penymynydd - Broughton - Saltney - Chester; or Mold - Buckley - Deeside on to Chester;
- Mold - Leeswood - Caergwrle - Cefn y Bedd on to Wrexham;
- the North Wales Coast railway line from Chester to Holyhead, via Shotton and Flint;
- the Wrexham to Bidston railway line, via Cefn y Bedd - Caergwrle - Hope - Penyffordd - Buckley - Hawarden - Shotton - Hawarden Bridge.

10.16 Within the County there are a number of key transport interchanges including Shotton (Wrexham – Bidston railway line with North Wales Coast railway line & local bus services), Flint (railway station and local bus services), Mostyn (port/railway) and minor interchanges on the Wrexham – Bidston railway line at Cefn y Bedd, Caergwrle, Penyffordd, Little Mountain (Buckley) and Hawarden. Furthermore, there are transport hubs at Mold and Holywell Bus Stations.

10.17 The key roads in the County are the A55(T), A494(T) and A548. Key recent infrastructure developments have been the completion of the A55 through Flintshire and the more recent construction of the Flintshire Bridge connecting the A548 with the Deeside Industrial Park and the M56 via the A550. Important bypasses have been constructed at Mold, Penyffordd and around communities along the A548.

10.18 The Queensferry Transportation Study Report in September 2000 concluded that passenger transport options on their own would not resolve the traffic problems in this area and that rail freight opportunities would not significantly reduce traffic flows on the trunk road. The report recommended that green transport plans and cycling initiatives should be encouraged and implemented alongside other options. Other measures include a demand responsive public transport scheme to serve the Deeside Enterprise Zone. The Trunk Road Forward Programme 2000 concludes that in the short to medium term there is a need to increase capacity on the A494/A550 in the Queensferry area to solve the worsening congestion and traffic safety problems on the route. The widening scheme of the A494/A550 between Deeside Park and Drome Corner was opened in November 2004. The Trunk Road Forward Programme 2002 confirmed the Welsh Government's preferred route between Drome Corner and Ewloe, however following a Public Local Inquiry into the proposed route, an announcement was made in March 2008 to the effect that the scheme subject of the consultation was no longer being pursued. The exact implications on the widening of the A494/A550 between Drome Corner and Ewloe are therefore not known at this time.

10.19 In the lifetime of the Plan an off-road transport link between the Deeside Industrial Park and Chester is proposed (referred to as the Chester Deeside Link). This may have a considerable impact on transport patterns in this part of the Plan area. A

Millennium cycle route, co-ordinated by Sustrans as part of a National Cycle Network, is also proposed between Liverpool and Holyhead. Sections of this route have been constructed within Flintshire extending to Chester to the east and Conwy and Denbighshire in the west. In the wider context other local cycle routes and networks could link into this spine route.

## UDP Content / Strategy

10.20 It is recognised that many of the proactive powers pertaining to transport rest principally with the Council as a Highway Authority and the public transport service providers, rather than being vested in the development plan or planning control process. Nonetheless the UDP can play a key role in providing a policy framework for controlling the location, design and use of new development. However, this will need to be backed up by a change in people's lifestyle choices and substantial investment in alternative means of travel.

10.21 Transport proposals will generally arise out of the FLTP and forthcoming RTP. Proposals that are committed for the County within the Plan period have been outlined and protected in the UDP. The emphasis in terms of roads will, in the short term be on the better use of the existing highway and minor improvements to the network, rather than an extensive programme of new road building. Land is therefore safeguarded for several road improvements. Within existing settlements this will involve traffic management and calming measures. In terms of public transport, land is safeguarded for a Chester Deeside Link along the former Deeside to Mickle Trafford railway line.

10.22 The UDP can also support and protect facilities for the transfer of freight to rail or ship (such as at Mostyn Docks) as more sustainable forms of freight transport. The continued use of Hawarden airport as a valuable facility for air services will be supported.

## Policies

### AC1 Facilities for the Disabled

Development proposals will be permitted only if appropriate facilities are provided to meet the special needs of people with disabilities.

10.23 All development should be fully accessible to all groups within the community. However, people with mobility impairments or other disabilities, are often precluded from playing a full and independent role in society by the inaccessibility of land, buildings, transport and other facilities. With careful layout, design and use of materials, sites and premises can be constructed to allow for the sensitive and discreet integration of facilities for the benefit both of people with special needs and those carrying small children and baggage who are also often hindered by poor access. The design of new car parks should take full account of the requirements of people with limited mobility. In particular, sufficiently generous space must be provided to accommodate wheelchair users in close proximity to the facility concerned, who would otherwise be unfairly precluded from making use of facilities. Further details will be found in the Council's Supplementary Planning Guidance on parking standards.

10.24 Standards that enable people with disabilities to access and use buildings can have a considerable impact on their design and appearance. Building Regulations and British Standards and Guidance lay down standards for access to all classes of building. Adopting an inclusive approach from the outset minimises the need for new buildings to require subsequent modifications to ensure compliance with the Disability Discrimination Act 1995 (as amended 2005). The Council intends to update its existing Local Planning Guidance Note 'Access for All' in the form of SPG.

## AC2 Pedestrian Provision and Public Rights of Way

Development proposals will be permitted only where:

- a. there is safe, direct, and overlooked foot access to main local pedestrian routes;
- b. in the case of major publicly accessible development, there are signs and easily identifiable routes to and from public transport facilities and other local amenities; and
- c. any existing public rights of way are retained and integrated sympathetically into the landscaping of the site. Where diversion or alternative provision is deemed necessary, this should be designed and located to provide at least equivalent convenience and enjoyment and the diversion should be completed before the development commences.

10.25 Adequate provision for pedestrians in all new development can help to reduce the dependence upon private cars, providing a safe, healthy and sustainable alternative means of travel for most members of the community either for leisure or more functional purposes. "Major publicly accessible development" would include large offices, retail facilities or industrial development for example and this policy is seeking to ensure that there is provision for safe movement around and links to/from the site. This would apply equally to larger residential development. The access by people with limited mobility to public rights of way must be considered.

10.26 There is an extensive network of public footpaths and bridleways throughout the Plan area, which has traditionally provided safe and convenient access both within and between urban and rural areas. Rights of way can also have other values, being part of the character of an area or functioning as important green corridors. If opportunities for walking, either for leisure or more functional purposes are to be maintained, then all existing routes should be retained. The Council has a statutory duty to ensure that the network is open for the use and enjoyment of the public.

10.27 Planning permission does not constitute permission to close or divert a footpath. The retention and sympathetic incorporation of a public right of way in a development should be considered from the outset of the design process. Where the diversion of a path proves absolutely necessary, then any alternative provision should be designed to take account of the needs of users for direct and safe access and the diversion should be completed before the development commences. Enhancement of provision will often be appropriate.

## AC3 Cycling Provision

New development proposals will be required where appropriate, to provide:

- a. safe and convenient cycle access to the local highway network or any existing or proposed cycle lane / route in the locality; and
- b well signed and easily identifiable routes to and from public transport facilities and other local amenities and facilities; and
- c cycling, parking and storage facilities.

10.28 Adequate provision for cyclists in new development can help to reduce dependence upon private cars, offering the option of a healthy, relatively inexpensive, and environmentally friendly means of travel for many members of the community. At the very least this can provide a valuable recreational resource.

10.29 The Council will, in the form of Supplementary Planning Guidance, define cycle parking standards at levels necessary to accommodate targets for increased cycling



levels. Developments which are likely to qualify for consideration under this policy include: proposals for employment, shopping, recreation, tourism and community development; housing developments of more than 30 units; and development at main railway and bus stations will be expected to make provision for cycle facilities. The kinds of facilities which developers will be expected to provide include: safe, secure and covered parking and storage facilities; road surfacing and lane marking; signage, lighting and shower / changing facilities. Cycleways should be designed and located to provide direct and safe access. Details of the required level of provision will be determined to suit the nature of the specific development proposal. Reference should be made to the Flintshire Cycling Strategy which was adopted by the Council in June 1999.

10.30 The Council will work towards the creation of a comprehensive network of safe and accessible cycleways which, it is hoped, will improve the quality of life in Flintshire by:

- lessening the environmental impact of day to day travel by linking main areas of population and services;
- providing a comprehensive recreation infrastructure, encouraging local people and visitors to enjoy countryside and heritage without having to use the car;
- bringing about environmental improvements and enhancing derelict and redundant sites;
- promoting health and fitness through a reduction in pollution and an increase in outdoor physical activity.

10.31 Existing cycle routes include the National Cycle Network and the Deeside Cycle Network. Proposals include enhancements to the Network along with links to more rural areas.

#### AC4 Travel Plans for Major Traffic Generating Developments

Developments which are likely to generate a substantial number of trips will only be permitted provided that the proposal is accompanied by a travel plan setting out what measures will be implemented to satisfactorily reduce the level of car based trips in terms of:

- a. provision for pedestrians, cyclists and public transport;
- b. other arrangements such as formal car sharing and private bus services;
- c. implementation programme; and
- d. monitoring and review procedures.

In the case of outline or speculative proposals the Council will require the submission of a Travel Plan at reserved matters stage or other appropriate pre-agreed time, through either a planning condition or legal agreement.

10.32 Substantial trips are often generated by larger scale employment, retail, leisure and tourism developments and many of these will be made by private car. The Policy is concerned with those developments which are likely to generate a demand for car based travel which would be unsustainable. By careful choice of location, combined with appropriate layout, design and management measures, many of these trips could be undertaken in a more sustainable manner by means other than the car.

10.33 In order to assess the scope for reducing car based travel all such developments will be required to submit a travel plan as part of the planning application. In cases where a transport assessment is also required (policy AC13), the two could be combined resulting in a more thorough examination of the transport requirements and impacts of

the development. The Travel Plan should identify current transport infrastructure and travel patterns, assess the scope for alternative means of travel and identify the means by which this can be implemented and subsequently monitored. Such developments will be expected to demonstrate that a satisfactory reduction in car based travel can be achieved and maintained.

10.34 This approach can offer benefits to existing and new developments in terms of:

- higher density development;
- enabling extensions or intensification;
- healthier workforce;
- good public relations / environmental credentials.

10.35 It is recognised that in the case of outline or speculative development proposals it is impractical to require the submission of a Travel Plan without having detailed knowledge of the end user. In these circumstances it will be more appropriate for a Travel Plan to be submitted at reserved matters stage or at some other pre-agreed time where there is sufficient information to draw up a Travel Plan and set out the implementation and monitoring mechanisms. The Council will use planning conditions or legal agreements to bring about Travel Plans.

#### AC5 New / Improvements to Public Transport Facilities

Proposals for new and improved public transport facilities will be permitted only where they are:

- a. conveniently located to serve town and village centres, residential, employment, recreation areas and important rural locations;
- b. accessible by pedestrians, cyclists and those with mobility impairments; and
- c. designed to facilitate safe and easy interchange between different transport modes and services.

10.36 The development of new and improved public transport facilities, including bus and rail stations and routes, can offer enhanced access for all members of the community to jobs, services and leisure opportunities. To be most effective they should provide direct links between main areas of population, and retail and employment centres, and should be fully accessible to all people regardless of their mobility. They should facilitate transfers between different modes of transport and services. However, such proposals will still need to satisfy policies throughout the plan in terms of protecting the built and natural environment. Often, railway stations have a particular vernacular character in terms of architectural style and this should be preserved wherever practicable.

10.37 Improvements or new facilities will be expected to include a number of elements. In terms of 'movement' they should include car and cycle parking facilities including provision for persons with disabilities as well as facilities for coaches and taxis, traffic calming and management measures to reduce potential conflicts, sensitive signage and safe and convenient movement between platforms. In terms of the 'station environment' they should include improved facilities such as sheltered waiting and ticketing facilities, public transport information, public conveniences and refreshments together with sensitive lighting and landscaping.

#### AC6 Railway Stations

New development at or near to railway stations will be permitted only where it:

- a. does not lead to a loss of station facilities for members of the public;
- b. does not lead to an unacceptable loss of public car parking spaces;

- c. does not have a detrimental impact on the station or its surrounding areas in a way which would affect the long term viability of services; and
- d. does not prejudice the present or potential future use of the station for freight movement.

Development which enhances the existing and/or brings about new railway stations and associated facilities will be welcomed.

10.38 The policy aims to facilitate and encourage rail use by protecting existing facilities. The sections of the North Wales Coast line and the Bidston to Wrexham line which run through Flintshire represent important assets, the protection and enhancement of which will be essential if greater choice of transport modes is to be made available in the future.

10.39 The loss of station and platform facilities through conversion to other uses, or a reduction in dedicated parking spaces, may deter potential passengers from making maximum use of the line. Likewise any obstruction of operational space around the station could jeopardise the potential for goods movement, which will be increasingly important in the bid to encourage more environmentally friendly methods of transport.

10.40 The Council will welcome development proposals which bring about the improvement of existing railway stations and facilities or the provision of new, or bring about some other improvement which will be beneficial to the operation of the line.

#### AC7 Protection of Disused Railway Lines

Development will not be permitted where it would prejudice the re-use of disused rail corridors where there is a reasonable prospect of:

- a. the re-opening of the line either for light or heavy rail; or
- b. the future or continued use of the line as a transport corridor for walking, cycling or horse riding; or
- c. the reclamation of the line as a linear park; or
- d. the function of the line as a wildlife corridor.

Any application for development which would compromise the integrity of a disused railway line should be accompanied by an assessment which demonstrates there is no reasonable prospect of the uses in a. to d. coming forward.

The section of the former trackbed between Dee Marsh and Mickle Trafford within Flintshire is safeguarded to facilitate the development of a Deeside-Chester transport link.

10.41 This policy aims to protect disused railway lines to allow for the possibility of returning them to their former use, or for new uses such as footpaths, cycleways, bridleways or wildlife corridors because once such a resource has been lost it is unlikely to ever be recovered. Any planning applications for development on or affecting a disused railway line should be accompanied by an assessment in order to establish whether there is any reasonable prospect of the line being brought back into use.

10.42 The disused railway line between Deeside Marsh and Mickle Trafford provides an opportunity for a Chester - Deeside Transport Link. Originally proposed as a guided bus system to provide a modern, quiet and environmentally friendly public transport system, the route also offers scope for a walking and cycling route.

10.43 Other disused lines offer considerable potential for non-car based travel and recreation linking urban with rural areas. The Dee Coastal Path also offers huge potential. Furthermore, if economic circumstances were to change in favour of rail then redundant lines offer a readily useable option for the development of new services.

10.44 However, even in their disused state, such lines perform a valuable function as wildlife corridors and habitats and any new development should be carefully designed to minimise harm to the natural environment. The policy will also seek to protect such routes once recreational uses are established.

#### AC8 Buses

Development proposals will be required, where appropriate, to be adequately serviced by public transport either through existing bus services or through the provision of new or extended bus services.

Development proposals which would affect existing or proposed bus stations, or other off-street facilities for bus passengers, will be permitted only where it can be demonstrated that:

- a. the existing public transport facility is no longer necessary; or
- b. the existing public transport facility is improved; or
- c. suitable alternative provision can be made, subject to policy AC5 (New / Improvements to Public Transport Facilities).

10.45 The limited extent of Flintshire's rail network means that many of the County's towns and villages depend upon bus services for their public transport needs. The protection of existing facilities and related infrastructure will be essential if levels of service are to be retained and enhanced. Nevertheless, occasions may arise where existing bus stations or facilities can be relocated to enable redevelopment of the existing site, provided that suitable alternative provision is made subject to the criteria in policy AC5. In such cases it will be expected that there will be an overall improvement in the quality of the facility/service.

10.46 With the exception of development of a 'minor' nature and development in remote rural locations, development will generally be expected to be located close to good public transport routes. In cases where new development proposals are likely to generate significant numbers of trips, such as retail, leisure, employment, housing and tourism, the adequacy of local services will be a factor. Where this is inadequate to serve the proposed development the Council will use planning conditions and/or planning obligations to secure new services or appropriate improvements to existing services. Measures such as reservations of road space for buses and the provision of facilities such as lay-bys, turning and sheltered waiting areas, and information displays, can help to make the bus more attractive and enhance the effectiveness of other policies designed to encourage less car use.

#### AC9 Provision of New Rail Freight Facilities

Proposals for the development of new or improved railway freight sidings will be permitted provided that:

- a. it utilises wherever possible land with an existing or allocated industrial use, or other suitable brownfield land;
- b. the access, and surrounding highway network are capable of adequately accommodating the nature and volume of traffic generated;

- c. it would not adversely affect residential or other amenity by virtue of noise, vibration or fumes; and
- d. it would not result in significant adverse harm to features or areas of landscape, nature conservation, historic value or water quality.

Land is safeguarded on the proposals map to facilitate an east - north rail chord at Shotton.

New development which generates significant movements of materials and goods will be encouraged to utilise rail wherever this is feasible or practicable.

10.47 The Council is keen to encourage the transfer of freight from road to rail given that the increase in the volume of freight conveyed by road is one of the most damaging aspects of recent transport trends. The development of rail freight facilities close to major manufacturing centres and distribution points can provide a cleaner, less energy hungry and safer means of transporting freight, particularly when goods are being carried over medium to long distances. There are three locations in the Plan area, at Mostyn Docks, the Greenfield Business Park and the cement works at Padeswood which may be particularly suitable for this kind of development. In all cases it will be necessary to establish that proposals are acceptable in terms of the volume and nature of traffic and impact on local amenity. Other relevant Plan policies would also need to be satisfied.

10.48 As a general principle, new development which generates significant movements of materials and goods will be encouraged to utilise rail wherever this is feasible or practicable.

10.49 A key infrastructure improvement which will significantly assist the increased use of rail freight is a new east to north rail chord at Shotton linking the North Wales Coast Line with the Bidston - Wrexham line. This would radically improve rail access to a large industrial area and allow freight to directly access the national rail network rather than passing through Wrexham. Such a scheme may also be of some benefit to passenger services. Land is therefore safeguarded on the proposals map to facilitate this chord.

#### AC10 Mostyn Docks

The expansion and enhancement of water based freight transport facilities at Mostyn Docks will be permitted provided that:

- a. consideration has been given to the transfer of freight from road to rail or between river and sea vessels;
- b. the transport infrastructure is adequate to serve the development; and
- c. the development does not unacceptably harm the ecological, landscape, historic, recreational integrity and water and air quality of the Dee Estuary.

10.50 The development of Mostyn docks offers an excellent opportunity to increase the volume of goods which are moved by sea, thereby reducing the impacts of heavy lorries on the local community. However, such benefits will be realised only if opportunities are created for the use of rail or the River Dee as a means of delivery and distribution. Increased transport of freight by sea and rail and its co-ordination could make an important contribution to a sustainable transport policy.

10.51 In any further development of the dock there will be a need to ensure that the wildlife, landscape, historic and recreational interests of the Dee Estuary are not hindered by subsequent activities. Guiding principle 9.3a of the Dee Estuary Strategy supports the continued operation of the Port of Mostyn but in a sustainable manner where any expansion of the existing facilities should minimise adverse impacts upon the environment and other uses, including recreational use along the Dee Estuary.

#### Other Key Policies:

- L6 The Undeveloped Coast
- WB2 Sites of International Importance
- SR8 The Dee Estuary Corridor
- EWP17 Flood Risk

#### AC11 Other Docks / Jetties

The development and use of other dock and jetty facilities for freight or recreational uses will be permitted provided that:

- a. the transport infrastructure is adequate to serve the development; and
- b. the development does not harm the ecological integrity and water and air quality of the Dee Estuary and River Dee.

10.52 Opportunities may exist for freight at the Corus jetty at Shotton Steelworks. The Connah's Quay docks may also offer scope either for an enlarged fishing fleet or leisure related uses. Any such proposals would need to have an adequate transport infrastructure and not harm the Dee Estuary and the River Dee which is now designated as a SSSI and cSAC for its importance for migratory fish and in particular salmonid populations. The goals and guiding principles of the Dee Estuary Strategy will be an important consideration. Many of the remaining docks and jetties are of historic and archaeological importance and development proposals in such cases would need to be assessed against policy HE7.

#### Other key policies:

- L6 The Undeveloped Coast
- WB2 Sites of International Importance
- SR8 The Dee Estuary Corridor
- HE7 Other Sites of Lesser Archaeological Significance
- EWP17 Flood Risk

#### AC12 Airport Safeguarding Zone

Development will not be permitted which would prejudice the safe and efficient operation of Hawarden Airport and RAF Sealand.

10.53 Hawarden Airport is the only operational civil airport in Flintshire, being used by Airbus UK Ltd and Raytheon PLC, and for private flying purposes. An airfield also exists at RAF Sealand but is used only as a glider training school.

10.54 In both cases, there is a need to control the location and scale of development in the vicinity of the flightpaths of aircraft in order to prevent physical obstacles or distraction. A Safeguarding Zone has been identified for Hawarden Airport and RAF Sealand within which development proposals will be closely scrutinised to ensure that they would not affect the safe and efficient operation of the airport and airfield. Consultation will be carried out with the Civil Aviation Authority or the Ministry Of Defence, as appropriate.

#### AC13 Access and Traffic Impact

Development proposals will be permitted only if:

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

Where considered necessary, the Council will require a transport assessment, incorporating a traffic impact assessment.

10.55 In order to ensure that new development does not create increased risk of injury, ill health or nuisance it will be essential that the likely implications of additional traffic generation are fully assessed. Not only must safe access directly to and from the site be capable of being provided by the developer, but care must be taken to ensure that additional vehicular journeys to and from the site do not create congestion or unacceptable disturbance further afield. Consideration will be given to traffic speeds, the adequacy of visibility splays, proximity to junctions, parking controls and other relevant factors.

10.56 Where it is considered that a proposal would necessitate the construction of new road capacity the developer will be expected to provide the additional infrastructure needed. With larger developments the submission of a transport assessment may be required with a proposal. This would need to assess the impact of traffic generated by the development and the adequacy of any mitigation measures put forward as part of the proposal.

#### AC14 Traffic Calming

In all new developments where there is potential concern for the road safety of pedestrians, cyclists and vehicular traffic either within the development or on surrounding streets, the County Council will require appropriate traffic calming measures to be implemented.

10.57 The implementation of effective traffic calming measures can lead to increased road safety as well as enhancing the environment and improving the quality of life for people living in, or using new developments. However, traffic calming schemes must be well designed, sympathetic to the character of the area and appropriate for the particular circumstances of each case or may in themselves bring about safety, congestion and environmental problems. Appropriate examples where traffic calming measures will be necessary include residential, retail and employment developments, schools and community facilities, and near to recreational routes and facilities. Consideration could be given to the creation of 20mph zones or 'home zones' which involve small areas where traffic speeds are lowered and greater priority is given to pedestrians and cyclists. Consideration might also be given to the creation of 'quiet lanes' in rural areas whereby minor roads are 'shared' by walkers, cyclists, horse riders and motorised users. However, in order to avoid creating further problems elsewhere, care needs to be taken to ensure that any schemes are suitably designed and implemented in accordance with any current or proposed area wide strategy.

#### AC15 Traffic Management

Proposals for integrated traffic management schemes will be permitted where they will:

- a. reduce congestion and improve traffic flow;
- b. reduce conflict between pedestrians, cyclists and vehicles;
- c. contribute to a reduction in traffic growth; and
- d. enhance the safety and environmental quality of towns and villages.

10.58 The implementation of traffic management measures can improve the quality of life for local people as well as enhancing the quality and attractiveness of the County for visitors and investors. The more efficient utilisation of the existing road network can deliver cost-effective environmental improvements without the need for the construction of new routes. Often such schemes will concentrate on town and district shopping centres but will also be appropriate for sections of roads or junctions that are congested, dangerous or which experience conflict between road users. Traffic Management schemes should work towards achieving a reduction in actual traffic growth or the rate of traffic growth in line with the targets set in the FLTP and forthcoming RTP.

#### AC16 Road Improvements / New Roads Design

Road improvement schemes or new roads will only be considered where traffic calming or traffic management schemes are not practicable and must result in:

- a. improved highway safety;
- b. improved environmental conditions;
- c. improved accessibility; and
- d. improved integration.

Such schemes should be routed and designed so as to:

- i. not unacceptably harm the natural environment taking into account landscape, nature conservation and existing landform and screening;
- ii. not unacceptably harm the built environment taking into account listed buildings, conservation areas, historic landscapes, parks and gardens, archaeological remains and townscape considerations;
- iii. retain or reinstate traditional boundary features;
- iv. incorporate suitable landscaping measures and materials;
- v. make provision for pedestrians, cyclists, and public transport, and where appropriate other road users;
- vi. not unacceptably harm residential amenity;
- vii. have regard to the form and pattern of settlements, avoiding the severance of communities and not creating precedents for harmful development; and
- viii. not harm air or water quality.

10.59 In the first instance, existing highway problems should be addressed through traffic calming or traffic management schemes. Where this is not practicable, consideration may be given to road improvements or new roads provided that the scheme brings about improved highway safety and environmental conditions and better accessibility in the locality. Schemes will need to be carefully assessed to ensure that they address particular problems rather than induce unacceptable levels of future traffic growth.

10.60 Once the principle of either a road improvement or new road scheme is established, careful attention will need to be given to routing and design so that environmental impacts are minimised or negated through mitigation measures. Provision should be made to facilitate non car users including pedestrians, cyclists and buses. In areas where there is existing usage or specific safety concerns then provision should be made for horse riders and horse drawn vehicles. Particular attention should be paid to facilitating safe crossings where the scheme cuts through public rights of way including provision for equestrian traffic where appropriate. The choice of materials, building



practices, finishes and use of indigenous species as part of landscaping schemes will be crucial in sensitive rural and urban locations, particularly in respect of boundary treatment. Schemes should take into account wildlife casualties and incorporate appropriate mitigation measures as part of the design and implementation process. In certain instances, where there are issues relating to the disposal of surface water or implications for flooding, road schemes will need to incorporate sustainable drainage schemes (SuDS).

#### AC17 Safeguarded Routes

The following land, as indicated on the proposals map and inset plans, will be safeguarded for future road improvements:

- a. A548 Greenfield - Ffynnongroyw Improvements (Stage 1)
- b. Plough Lane Link Road, Shotton
- c. A550/A541 Hope Caergwrle Bypass
- d. A494/A550 Drome Corner - Ewloe

10.61 The above proposed road improvements are included in the Flintshire County Council road programme.

10.62 The A548 coast road is an important route through the Plan area, linking many of the main centres of population with major employment sites. It carries an increasing volume of industrial and holiday traffic, and during summer months is prone to severe congestion in places. The careful design of limited improvements can ensure the safe and efficient movement of traffic along its length. During the lifetime of the Plan it is likely that the A548 will become a trunk road. Stage 2 of the A548 Improvement, although not in the road programme at present, will extend through to Ffynnongroyw, including a link to Mostyn Docks.

10.63 The villages of Hope, Caergwrle, Abmorddu and Cefn y Bedd suffer from traffic congestion and associated problems, being located at the junction of the A550 and A541 which carry traffic to / from Wrexham on routes linked to Deeside and Mold. These villages are close to the B5373 which serves Llay Industrial Estate in Wrexham County Borough. A preferred route exists for a bypass for these communities as safeguarded on the proposals map which would enable other related highway and environmental improvements to be undertaken in these communities.

10.64 The A494/A550 is a key part of the primary road network providing links to the motorway network in North West England. These routes carry a heavy volume of traffic and have a poor safety record. Proposals are therefore included in the Plan to increase capacity and improve safety by widening the road between Drome Corner and Ewloe. During the lifetime of the Plan improvements to the A494/A55 Ewloe Interchange may take place. The scheme is included in the 2004 supplement to the Assembly's Trunk Road Forward Programme (2002) as a Phase 2 scheme. The Welsh Government will be undertaking a North East Wales Transport Study to identify future transport provision in the area.

The Primary highway network comprises:

- A55(T)
- A494(T)
- A550 / A541
- A548

The core highway network comprises:

- A5119
- A543
- A5151

- A5104
- A549
- A5118
- A5026

#### AC18 Parking Provision and New Development

All new development, including changes of use, must provide appropriate parking in accordance with Flintshire County Council Parking Standards, which will be applied as a maximum. Reduced requirements may be applied where:

- it is located in a town centre;
- it lies within 300 metres of existing public car parks which have sufficient spare capacity and are accessible by all users;
- on site parking is not required by the development;
- the developer has entered into an agreement with the Local Planning Authority to contribute a commuted sum equivalent to the current cost of provision of non-operational parking spaces; and
- alternative provision is made for the use of public transport, cycling and walking, or other arrangements such as formal car sharing or private bus services;

provided that surrounding residential or other areas would not suffer from an increase in on-street parking.

Land Use Type	Standard
<b>A1 Shops</b>	
Food Retail <2,500 m <sup>2</sup> gfa	1 car space per 14m <sup>2</sup> gross floor area
Small Shops <1,000 m <sup>2</sup> gfa	1 car space per 15m <sup>2</sup> gross floor area
Non Food Retail	1 car space per 20m <sup>2</sup> gross floor area
Superstores >2,500 m <sup>2</sup> gfa	1 car space per 20m <sup>2</sup> gross floor area
Garages (including tyre and repair centres) and filling stations	3 sp per service bay+ 2sp for MOT centre+ additional for forecourt shop (see 'small shops')
Garage Showroom	1 sp per 40m <sup>2</sup> sales display area
<b>A2 Financial &amp; Professional Services</b>	
Financial & Professional Services	1 car space per 20m <sup>2</sup> gross floor area
<b>A3 Food &amp; Drink</b>	
Public house, Licensed Club, Restaurant, Café and Hot food takeaway etc.	1 car space per 4m <sup>2</sup> net public floor area
Fast food drive through	1 car space per 7.5m <sup>2</sup> net gross floor area
<b>B1 Business</b>	
Business including offices	1 car space per 30m <sup>2</sup> gross floor area
<b>B2 General Industry</b>	
General Industry	1 car space per 50m <sup>2</sup> gross floor area

<b>B8 Storage</b>	
Storage & Distribution	1 car space per 100m <sup>2</sup> gross floor area
<b>C1 Hotels</b>	
Hotels	1 car space per bed, including staff beds + 1 car space per 3 non-residential staff + additional for function suites etc. (see A3 uses) and assembly and leisure uses (see D2 uses) if available for public use
<b>C2 Residential Institutions</b>	
Residential Institutions	1 car space per 3 bed spaces + 1 car space per staff
<b>C3 Dwellings</b>	
1 Bedroom house	1.5 car spaces per unit
2 Bedroom house	2 car spaces per unit
3 Bedroom house	3 car spaces per unit
>3 Bedroom house	
Flats	1 car spaces per unit + 1 car space per 2 units for visitors
Elderly person/retirement dwellings or flats	1 car spaces per unit + 1 car space per 3 units for visitors
<b>Sheltered Housing</b>	
Sheltered Housing	1 car space per 3 units+ ambulance access
<b>D1 Non Residential Institutions</b>	
Medical / Health Services	4 car spaces per consulting room + 1 car space per 2 staff
Education – pre school (including crèche, day nursery or day centre)	1 car space per 25m <sup>2</sup> gross floor area + 1 car space per staff
Education – Primary & Secondary Schools <sup>1</sup>	1.5 car spaces per classroom
Sixth Form & Further Education Colleges	1 car space per 4 students
Art Galleries, Museums and Libraries	1 car space per 25m <sup>2</sup> gross floor area
Place of worship	1 car space per 5 seats or 1 car space per 10m <sup>2</sup> public floor area
Assembly hall	1 car space per 4m <sup>2</sup> public floor area
<b>D2 Assembly and Leisure</b>	
Cinema, dance halls, conference facilities, bingo, participatory and spectator sports etc.	1 car space per 4 seats for auditoria or 1 car space per 15m <sup>2</sup> gross floor area for dance hall or sports centre

Notes to table

<sup>1</sup> For Primary Schools provision must also be made within the curtilage of the development for the safe setting down and picking-up of children, preferably by use of circulatory systems.

10.65 The provision of adequate off-street parking spaces can ensure that new developments do not create pressures for ad-hoc parking on the highway which may impair safety and conflict with the needs of local residents and businesses. To this end, the Council has existing parking standards which can be applied to most uses and to which developers will be expected to adhere, both in terms of the amount and quality of provision.

10.66 However, over generous parking can prevent higher density development, and may deter the use of more sustainable forms of travel. Car parking provision has a major influence on the choice of transport and excessive provision may simply serve to perpetuate car usage. With this in mind, the existing car parking standards will be applied as a maximum and provision will not be allowed to exceed this. The amount of car parking provided will depend on a variety of factors including the type of development and proximity to public car parks. Situations where a lower parking provision will simply result in displaced off street parking onto roads around the development will not be acceptable. The full standards, including further details on how the standards will be implemented, will be set out in a Local Planning Guidance Note which will be the subject of a separate, tailored public consultation exercise.

10.67 In certain instances it will be necessary to have regard to the potential for a commuted sum to be paid to the Council, in lieu of parking provision, taking into account the specific circumstances of the development and the locality, which will be used to:

- provide improved facilities and access for non car based travel;
- improve environmental quality and safety through traffic calming initiatives;
- improve the management, safety, efficiency and appearance of existing car parking facilities;
- take measures to reduce the impacts of on street parking in severely affected residential areas .

10.68 Opportunities also exist for reduced parking requirements where the development seeks to enhance public transport, cycling and pedestrian facilities or other arrangements such as private works bus services or formal car sharing schemes which reduce the amount of car borne traffic generated. Policy AC4 requires such considerations to be set out in a travel plan for all developments which generate substantial amounts of travel.

Other key policies:

- AC1 Facilities for the Disabled

#### AC19 Lay-by and Picnic Areas

Proposals for the development of lay-by and picnic areas for cars and touring caravans will be permitted where:

- a. the site has an existing or past built use which is no longer economically viable;
- b. adequate toilet, safety, tourist information and picnic facilities are or will be provided;
- c. any associated built development is subordinate to the main functions of the site as a rest or picnic area and tourist information point; and

- d. the impact of the development is minimised through landscape screening, sensitive signage, and appropriate surface materials.

10.69 During the summer months many people pass through Flintshire on their way to holiday destinations on the North Wales Coast and Snowdonia. However, at present there are only a limited number of lay-by areas with safe and convenient access onto the main routes. The publication of a series of leisure routes and drives through Flintshire may result in the need for such facilities.

10.70 The sensitive development of an appropriate gateway site, with the incorporation of tourist information, rest and picnic facilities could encourage more people to take advantage of the many attractions which Flintshire has to offer, increasing expenditure in the area, and highlighting holiday opportunities closer to the main urban catchments of Liverpool and Manchester. Providing facilities in a controlled manner may also help to reduce the incidence of parking on grass verges or common land, which damages sensitive environments.

### AC20 Lorry Parks

Lorry parks which accommodate either short term or overnight stays will be permitted, provided that the need has been established:

- a. on existing industrial estates; or
- b. where their development would lead to the enhancement of existing facilities; or
- c. where there is no duplication of existing facilities within the Plan area and serving the same highway; or
- d. where there are no suitable alternative sites available.

In all cases such development would be permitted only if:

- i. the site has direct two way access and egress onto both sides of the A55, A548, or A494, without passing through residential areas;
- ii. the type, scale and nature of the facility is restricted to that which is necessary to meet proven demand and is appropriate given the character and appearance of the site and locality;
- iii. any associated built development is subordinate to the primary use of the site as a rest area;
- iv. adequate toilet facilities and safety features are incorporated into the site;
- v. the site is unobtrusive in the landscape or where any visual impact of the development can be satisfactorily minimised through landscape screening, sensitive signage, and appropriate surface materials;
- vi. it does not unacceptably harm air or water quality; and
- vii. there would be no unacceptable harm to residential amenity.

10.71 At present there is a shortage of safe and convenient rest stops for lorry drivers heading for the County's main employment sites or passing through the area on their way to and from North West Wales and Ireland.

10.72 Subject to North Wales Trunk Road Agency (NWTRA) approval, the creation of safe, well designed and carefully sited alternatives can provide an essential facility for long distance drivers, enhancing the safety of the trunk road system, as well as

minimising pressures on surrounding highways. The 24 hour a day operation of lorry parks along with their land intensive nature and the amount and type of traffic means that there will be few acceptable sites which have safe and convenient access to both carriageways of a major highway, and that do not harm the landscape or residential amenity.

#### AC21 Taxis and Private Hire Vehicles

Provision for taxis will be permitted in the form of:

- a. pick up / put down and waiting areas as part of all new commercial, shopping, employment, leisure and community developments;
- b. non - operational offices provided that adequate off - street parking exists, and in residential areas:
  - i. the design and location of the radio mast is acceptable visually and where its operation does not harm amenity; and
  - ii. the proposal involves only one vehicle and that vehicular movements to and from the site do not result in a highway hazard nor result in a loss of amenity.
- c. operational offices provided that:
  - i. adequate off - street parking or pick up / put down and waiting areas exist;
  - ii. in town or district shopping centres the proposal would not harm its vitality or viability; and
  - iii. the proposal would not harm the amenity of any residential properties as a result of vehicular movements, noise and hours of operation.

In some circumstances, a temporary permission may be granted in order to allow the opportunity to assess the impact of the proposal.

10.73 The policy recognises that taxis can provide a valuable means of transport for people with disabilities or mobility impairments, or for those who live in areas which are remote from more conventional public transport networks or at times of the day when public transport services have ceased.

10.74 However, taxi offices can have a detrimental impact on an area, dependant on the type of office. Non - operational offices will include small taxi businesses which do not involve a waiting room but are operated from a radio system. Often these businesses involve only a single vehicle and operate from a variety of locations including residential areas subject to certain safeguards relating to the radio mast equipment and impact on residential amenity, particularly in terms of hours of operation.

10.75 Operational offices include those with waiting rooms for the public and rest rooms for drivers. These are larger businesses involving several vehicles and often operate 24 hours a day. The range of locations likely to be acceptable will be less but will include town and district centres, mixed commercial areas and employment areas. In town and district centres, proposals should not harm its vitality and viability e.g. through creating a dead frontage, yet need to be located in a convenient location resulting in fringe areas providing the best options. Proposals will need to have regard to any residential accommodation in the locality such as flats above shops and impact on their amenity in terms of noise, activity and hours of operation, having regard to the nature of other uses in the vicinity. Operational offices will generally not be acceptable in residential areas.

10.76 In all cases appropriate off street parking and / or pick up / drop off points will be necessary. In order to monitor the impact of the proposal on the character of the area, amenity of any residential accommodation and local highway network it may be necessary to grant a temporary permission.

Other key policies:

- S7 Retail Frontages Within Town Centre Core Retail Areas
- S9 Non-Retail Commercial Development
- S10 Conversion of Upper Floors

Telecommunications

AC22 Location of Installations

Telecommunications installations will be permitted where:

- a. there is no reasonable possibility of sharing existing facilities or utilising suitable existing buildings or structures;
- b. satisfactory steps have been taken to minimise the visual impact both of the equipment itself and any associated infrastructure;
- c. they are available for use as a shared facility; and
- d. the proposals include adequate provision for the full restoration and aftercare of the site on any cessation of use.

Where such installations are proposed within or adjacent to the AONB, they will be permitted only if it can be demonstrated that there are no satisfactory alternative sites.

10.77 The technical and economic constraints facing telecommunications operators are recognised and it is intended that this policy be interpreted and applied within these parameters. However, telecommunications infrastructure can be a major intrusion into the landscape, particularly in more sensitive rural areas. When considering proposals for new infrastructure, developers must make early contact with the Council to discuss matters of location and design prior to the submission of a planning application.

10.78 Considerable importance is attached in government guidance to the extent to which telecommunications masts can be shared, keeping to a minimum the numbers of masts and the number of sites of such installations. The Council will attach conditions to planning permissions to this effect. Conditions will also be imposed to ensure that if the use of the telecommunications facility should cease, provision would be made for the full restoration and aftercare of the site.

10.79 In considering the design of an installation, its height, ancillary development and any screening will be important. Care must be taken therefore to ensure that the design and siting of new facilities minimises the visual impact from surrounding viewpoints. Innovative design and landscaping solutions may be the most acceptable solution where there is no alternative to locating an installation on a landscape - sensitive site. In sensitive locations developers will be requested to submit a feasibility study, carried out by a suitably qualified and independent professional, to justify the provision and location of the new facility.

Other Key Policies:

- D4 Landscaping

### AC23 New Development and Interference with Telecommunication Signals

In all new development, steps must be taken to avoid causing unacceptable interference to existing telecommunication signals.

10.80 Electrical interference can be caused by radio transmitters or other electrical equipment, but will rarely be a planning matter. Physical interference can occur when large or prominent structures cause obstruction or reflection of signals. Efforts should be made to site and design other forms of development so as to avoid this possibility.

10.81 In cases where development proposals are likely to cause disruption to television reception there should be full consultation with the broadcasting authorities at the earliest possible opportunity.

### AC24 Cable Installation

In housing proposals over 10 units and in major retail, commercial and industrial developments, where appropriate, provision must be made for the installation of cables or ducts during the course of construction.

10.82 Proponents of large scale developments such as housing, offices, industrial and retail facilities should enter into discussions with operators of telecommunications facilities to ascertain their potential future needs. Appropriate prior provision can then be made for the installation of ducts and cabling during construction to minimise potential future disruption.

10.83 In all telecommunications proposals where consideration is being given to the burial of cables, attention is drawn to potential impacts on archaeological remains, and to existing and newly planted trees.

#### Other Key Policies:

- HE6 Scheduled Ancient Monuments and other Nationally Important Archaeological Sites
- HE7 Other Sites of Lesser Archaeological Significance
- HE8 Recording of Historic Features



# Chapter 11

## Housing

Relevant Strategic Aims	
b. Social and welfare, d. Community identity, h. Resources, k. Culture and language	
Policy Objectives	Policy List
<p>a. HOUSING REQUIREMENT - to ensure that the number of new houses built in the plan period meets the needs of the existing population without exceeding the environmental limits of individual settlements to absorb further growth</p> <p>b. DISTRIBUTION - to ensure that most new housing is located close to employment areas and existing community facilities and services</p> <p>c. SUSTAINABLE USE OF LAND - to ensure that the amount of greenfield land developed for new housing is kept to a minimum and the best use of brownfield sites is made</p> <p>d. CHOICE - to ensure a range of house types and tenure which meets the needs of the local population including affordable housing</p>	<p>HSG1 New Housing Development Proposals</p> <p>HSG2 Housing at Croes Atti, Flint</p> <p>HSG2A Strategic Mixed Use Development: Land North West of Garden City</p> <p>HSG2B Former Holywell Textile Mill</p> <p>HSG3 Housing on Unallocated Sites Within Settlement Boundaries</p> <p>HSG4 New Dwellings in the Open Countryside</p> <p>HSG5 Limited Infill Development Outside Settlement Boundaries</p> <p>HSG6 Replacement Dwellings Outside Settlement Boundaries</p> <p>HSG7 Change of Use to Residential Outside Settlement Boundaries</p> <p>HSG8 Density of Development</p> <p>HSG9 Housing Mix and Type</p> <p>HSG10 Affordable Housing Within Settlement Boundaries</p> <p>HSG11 Affordable Housing in Rural Areas</p> <p>HSG12 House Extensions and Alterations</p> <p>HSG13 Annex Accommodation</p> <p>HSG14 Gypsy Sites</p> <p>HSG15 Re-use/Conversion of Large Houses/Former Residential Institutional Buildings Outside Settlement Boundaries</p>
Indicators of Policy Performance	Targets
<p>49. Amount and proportion of new housing built on brownfield land</p> <p>50. Completions on windfall sites</p> <p>51. Average density of development</p> <p>52. Amount and proportion of affordable housing on large housing sites</p> <p>53. Overall need for affordable housing assessed through County housing needs survey</p> <p>54. 5 year supply/completions</p> <p>55. % affordable housing provided on all large development sites</p> <p>56. % growth in defined settlements through dwelling completions and permissions since the 2000 baseline relative to the indicative growth band</p> <p>57. Number of homes approved on unallocated sites</p> <p>58. Number of homes approved on infill sites and in small villages</p> <p>59. Updated urban/rural capacity study</p> <p>60. Average house prices/rents relative to average income levels</p>	<p>TARGET 6: Achieve a minimum of 30 houses/ha on all allocated sites</p> <p>TARGET 7: Achieve 30% affordable housing on all large housing sites</p>

## 11 Housing

### Introduction

11.1 Planning Policy Wales (2011) states that *“the planning system must provide for an adequate and continuous supply of land, available and suitable for development to meet society’s needs. It must do this in a way that is consistent with overall sustainability principles and objectives”* (1.2.2).

11.2 It is one of the core functions of the UDP to assess and meet this need, and housing provision represents one of the most intensive and contentious uses of land that the Plan has to cater for. The Plan has a duty to ensure an adequate supply of land for housing, but it must do so in an environmentally sustainable manner that maintains the viability and character of settlements, communities, and the countryside.

11.3 This chapter deals with the quantity, location and quality of housing to meet future needs in Flintshire. Sites are identified to accommodate new housing development, commitments in the form of sites with planning permission and/or carried forward from existing plans are taken into account, and assumptions are made about the likely contribution to supply from windfall and small sites. Policies also highlight the limited circumstances in which housing development is permitted outside settlement boundaries, and others give weight to social considerations and in particular the provision of affordable housing. Other related policies in the Plan provide guidance on related issues such as design, environmental and transportation issues, the provision of infrastructure and community and leisure facilities, and developer contributions.

11.4 The UDP’s strategy for housing provision has been expressed through its Part I policy STR4 Housing, which outlines the key aims for the detailed policies within this chapter:

- to provide sufficient housing (7,400) over the Plan period to meet the needs of the whole community, including those in need of affordable and special needs housing;
- to provide a range of dwelling sizes and types to create a mix of socially inclusive communities;
- to make the best use of land for housing, including making the best use of the existing housing stock.

### National and Regional Planning Policy

11.5 UDP’s are required to take account of the Welsh Government’s latest household projections when making future provision for housing, but projections are only one input into the process. The Government has indicated that the traditional ‘predict and provide’ approach to future housing provision is no longer appropriate, and that Local Authorities should take account of various social, economic, and environmental capacity issues in making their housing assessments. Linked to this is the need to ensure effective monitoring of these issues to ensure adequate supply of land (and buildings) is maintained and to ensure the management of their release. As Planning Policy Wales states “local planning authorities must ensure that sufficient land is genuinely available or will become available to provide a five year supply of land for housing”.

11.6 National Planning Guidance emphasises the need to provide for 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.

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.

11.8 The promotion of mixed use developments, reduced car parking requirements, the encouragement of higher densities and quality design, providing for a choice of housing (including affordable), and protecting cultural and community identity, are also National Policy objectives.

11.9 The Plan's preparation and progression has also taken into account the Wales Spatial Plan, particularly in respect of North East Wales.

### Flintshire Context

11.10 Flintshire's population was estimated to be 147,100 in 2000 and is projected to increase to 153,200 by 2015 according to the Council's own projections. These figures represent the best available information at the time of the Plan's preparation, and have been used due to the lack of availability of reliable household projections from the National Assembly. It is clear from these figures that Flintshire's population is likely to generate a significant need for new dwellings over the Plan period, a projected demand of 7,400 dwellings over the life of the Plan. This will cover predominantly the needs of local people, but also allows for the needs of those who move into the area. Flintshire has a history of net in-migration which is a reflection of its border location, relative economic prosperity and attractive environment. The Plan's projections have assumed an average level of in-migration that is consistent with the average annual trend experienced through much of the 1990s.

11.11 Projections are not the only consideration however, in arriving at Flintshire's UDP housing requirement. However, in taking into account various factors such as the availability and choice of sustainable housing sites, house building rates, house prices, and the external pressure for development due to Flintshire's border location, the forecast requirement of 7,400 new homes is considered to be appropriate. The amount of new housing that can be allocated in Flintshire has ultimately been informed by the ability of its towns and main villages to sustainably accommodate new housing development, with projections used as a benchmark against which this assessment has been compared.

11.12 A broad brush assessment of Flintshire's settlements has been undertaken in terms of the amount of new development that could be sensibly and sustainably accommodated. A wide range of factors such as the availability of community facilities and services, the suitability of road access and infrastructure, public transport, and environmental constraints, have been taken into account in making this assessment.

11.13 This assessment helped inform the categorisation of settlements into a three tier classification. In drawing up the Plan, each settlement has been given an indicative growth band, reflecting their relative growth potential based on an assessment of capacity (see table 1). Flintshire's main urban settlements contain a range of services and facilities, with town centres comprising significant concentrations of retail and commercial premises. Their proposed growth band is between 10% - 20%. The second category includes the larger villages (all over 200 dwellings) with a good nucleus of facilities, easily accessible by public transport and which have some potential for growth (8% - 15%). 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. The small villages category includes the smallest settlements which generally have poor accessibility to public transport, poor facilities, and many are constrained by environmental designations. Any growth in this band will generally be restricted to a maximum of 10% of the existing housing stock where possible and new development will also need meet proven local needs.

Table 1 - growth bands for settlements

<b>Category A - urban (10 - 20% growth)</b>		
Buckley	Holywell	Shotton/Aston
Connah's Quay	Queensferry	
Flint	Mold	
<b>Category B - semi-urban / main villages (8 - 15% growth)</b>		
Ewloe	Mancot	Northop
Broughton	Garden City	Carmel
Saltney	Leeswood	Caerwys
Mynydd Isa	Sychdyn	Treuddyn
Hope/Caergwle/ Abermorddu/Cefn-y-Bedd	Northop Hall	Gwernymynydd
Bagillt	Sandycroft	New Brighton
Penyffordd/ Penymynydd	Drury & Burntwood	Ffynnongroyw
Hawarden	Gronant	Pentre
Greenfield	Mostyn (Maes Pennant)	
<b>Category C - small villages (0 - 10% growth)</b>		
Higher Kinnerton	Rhosesmor	Afonwen
Pentre Halkyn	Coed Talon/Pontybodkin	Pontblyddyn
Gwernaffield	Cymau	Cadole
Pantymwyn	Gwaenysgor	Alltami
Penyffordd	Gorsedd	Whitford
Trelawnyd	Nercwys	Bretton
Trelogan/ Berthengam	Nannerch	Dobshell
Rhydymwyn	Halkyn	Llanfynydd
Flint Mountain	Ffrith	Ysceifiog
Rhewl Mostyn	Rhes y Cae	Cilcain
Lixwm	Llanasa	Brynford
Talacre	Gwespyr	

11.14 This classification recognises that settlements have differing opportunities and constraints for development, and allows a sustainable basis on which to distribute and control the rate of housing development within the Plan period, whilst at the same time maintaining the environmental, social, and cultural qualities of Flintshire's settlements, particularly the smaller villages.

11.15 Due to individual constraints that include the availability of suitable sites, access, and the capacity of the highway network, it has proved difficult to find appropriate new sites in some settlements, and the suggested growth band level has not been achieved. In others it has been exceeded, particularly as a result of existing housing commitments.

### Housing Requirement

11.16 The settlement strategy of the UDP sets out a framework to allow for a sustainable level of growth in Flintshire. Arising from this, a key concern expressed in the preparation of the UDP, has been the desire to reduce house building rates in Flintshire in order to avoid perpetuating past high levels of housing development, which are regarded as being unsustainable. This would complement the reassessment of the supply of employment land in the UDP, reflecting the relative consolidation of Flintshire's economy

which seems likely to occur over the next few years. The Plan therefore seeks to provide primarily for local need, and a reasonable amount of in-migration. The issue of house price increases and social exclusion are to be addressed through a firm approach to securing affordable housing.

11.17 The approach to housing should also give consideration to the need to avoid overdevelopment in villages, and to protect against providing for displaced housing demand from Cheshire, especially in the border areas around Chester. In the past such demand has led to excessive growth in some villages which cannot be sustained.

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

11.19 The Plan, in its first 5 years has 'underperformed' in that it has underprovided for around 500 houses. This element of the supply still needs to be provided for in the remaining Plan period if the Plan is to achieve its objectives. Additional capacity has arisen in the form of a large mixed use part brownfield site at Garden City. The combined effect of these two elements is that it is now possible to achieve the Plan's original projected need of 7,400 in a sustainable manner. This approach represents a move away from the traditional 'predict and provide', and towards the 'plan, monitor, manage' method, in which the Plan has taken a more cautious approach to the provision of housing land on the basis that the implementation of the Plan will be more closely monitored through its monitoring framework and any trends or performance issues identified will be addressed through regular reviews of the Plan.

## Housing Supply

11.20 There are many factors and assumptions which need to be taken into account in considering how the requirement for 7,400 new houses will be met within the Flintshire UDP. Whilst a significant proportion of the provision will involve identifying sites to accommodate new housing, there are also other considerations such as existing commitments and development of the existing housing stock through conversion, empty/derelict homes, and changes of use.

11.21 This section presents the housing 'balance sheet', taking the identified need of 7,400, and explaining how this has been met from existing known or anticipated supply, and the residual which the UDP will have to provide as new sites. The key elements in the balance sheet are:

- Existing commitments - sites already with planning permission;
- Existing allocations - sites already allocated in existing plans which will be carried over to the UDP;
- Small sites - sites capable of accommodating 9 or fewer dwellings which become available during the Plan period, usually within existing settlement boundaries. An allowance for these is based on a reduction of the past average completion rate for this type of site, because of concern that the level of small site availability cannot be maintained at high levels over the Plan period. The rate proposed is 60 units/year;
- Windfall Sites - unidentified sites which for various reasons become available for housing development during the Plan period, which can accommodate ten or more housing units. The allowance for these is based on a reduction of the past average completion rate for this type of site and an estimation of availability based on detailed site surveys. The rate proposed is 50 units/year.

11.22 The following table (2) quantifies the above supply elements and deducts them from the housing need figure to leave the number of new houses that need to be allocated on new sites in the UDP. The table has been amended to reflect the position set out in the 2010 Housing Land Availability Study. This will enable the changes that have occurred in the first ten years of the Plan period, since the base date (2000) to be taken into account in determining the residual requirement to be met through new housing allocations.

Table 2: UDP Housing Requirement 'Balance Sheet'  
As at Apr 2010 with revised requirement

Requirement (2000-2015)	7,400
Less completions:	
2000-2001	474
2001-2002	239
2002-2004	621
2004-2005	347
2005-2006	318
2006-2007	317
2007-2008	494
2008-2010	478
	3,288
Revised requirement:	4,112
Less commitments and allowances:	
Sites with PP & in Adopted Plans	1,938
Sites allocated in Unadopted Plans (dNFLP only)	0
Small Sites Allowance (9 units or less) 60/annum	0*
Windfall Allowance (10 units or more) 50/annum	250
	2,188
Residual requirement:	1,924
New allocations remaining in UDP**	2879
'Over' allocation	955
For which a 10% flexibility allowance accounts for	740
Further flexibility	215
Actual Flexibility Allowance	13%
N.B. Includes strategic mixed use development Land North West of Garden City (HSG2A)	

\* An allowance for small sites is already included within the 1,938 figure

\*\* UDP allocations without planning permission and including 650 units at North West of Garden City

11.23 The revised balance sheet shows that at 2010, taking into account the completions in the first ten years of the Plan period, there is a revised requirement of 4,112 units. Existing commitments (planning permissions and existing allocations) together with allowances for the development of small sites and windfall sites over the remaining Plan period, already account for 2,188 units or 53% of the revised requirement. This is sufficient to ensure that land is genuinely available or will become available to provide a 5 year supply of land for housing.

### New Housing Sites Provision

11.24 The County Council has adopted a sequential approach to the assessment of potential new housing sites as set out in Planning Policy Wales, which has included a reassessment of existing employment sites. Surveys have been undertaken to assess the availability of suitable brownfield land for housing development, and whilst potentially significant areas of former or underused industrial land exists within Flintshire, these sites are not suitable for housing development due to the combined constraints of highways access and flood risk. Where possible, suitable brownfield sites have been allocated, and of the new sites allocated in the Plan, brownfield (or part brownfield) sites account for 37% of the total.

11.25 The sites identified in policy HSG1 and HSG2A are sufficient to provide 2,879 units based on the working densities applied to each site (30/ha in category A, B and C settlements. Clearly this exceeds the housing residual figure (1,924) by 955 which equates to an 13% 'overprovision' or flexibility on the residual figure sought. Whilst it is not the intention of the Council to deliberately provide an oversupply of sites, the flexibility in the new sites provision is necessary to account for any unforeseen issues or constraints that may arise with certain sites resulting in slippage in some sites coming forward for development. The level of flexibility allowed for equates with standard practice in most development plans.

### Policies

#### HSG1 New Housing Development Proposals

Land has been allocated for new housing development on the following sites, as shown on the proposals map:

Ref.	Settlement	Site	Area (ha)	Total units	Brown-field
Category A settlements					
1	Buckley	Mount Pool	0.8	15	b/f
2	Buckley	Whitley's depot, Padeswood Road	0.89	27	-
3	Buckley	Well Street	5.4	162	-
4	Buckley	Somerfields	0.4	30	-
5	Connah's Quay	Highmere Drive	5.4	162	-
6	Connah's Quay	Llwyni Drive	4.6	138	-
7	Connah's Quay	Adj. Fairoaks Drive, Mold Road	2.9	87	-
8	Connah's Quay	Ffordd Llanarth	0.67	20	-
9	Flint	North West of Cornist School	1.0	30	-
10	Flint	Halkyn Road	1.6	48	-
11	Holywell	Lluesty Hospital	1.7	70	b/f
12	Holywell	East of Halkyn Road	1.5	45	-
13	Mold	Taylor's Tiles	0.1	18	b/f

14	Mold	Queens Park, Hendy Road	1.7	51	-
15	Mold	West of St. Mary's Park, Ruthin Road	1.5	45	-
16	Mold	Upper Bryn Coch Lane	1.0	15	-

## Category B settlements

17	Bagillt	Wern Farm	1.5	45	-
18	Broughton	South of Retail Park	9.4	235	-
19	Broughton	Compound Site	1.8	54	b/f
20	Caerwys	Summerhill Farm, Drovers Lane	1.8	54	b/f
21	Drury & Burntwood	South of Clydesdale Road, Drury	1.7	51	-
22	Ewloe	West of Ewloe Green Primary School	0.8	24	-
23	Ewloe	South of The Larches	1.2	14	-
24	Ewloe	Rear of Bon Accord, Holywell Road	1.1	27	-
25	Greenfield	Greenfield School	0.4	12	b/f
26	Gronant	East of Gronant Hill	0.9	27	-
27	Hawarden	Overlea Drive	1.9	48	-
28	Hope	Bridge Farm, Fagl Lane	1.9	57	-
29	Hope	West of Abermorddu School	1.3	39	-
30	Leeswood	Former Laura Ashley site	1.0	30	b/f
31	Mostyn	Ffordd Pennant West	1.8	54	b/f part
32	Mynydd Isa	Rose Lane	1.9	57	-
33	New Brighton	Rear of/ including New Brighton Service Station	1.1	33	b/f part
34	Northop	Connahs Quay Road	1.8	45	-
35	Northop Hall	Cae Eithin Farm	3.1	93	-
36	Penyffordd	White Lion	4.4	132	-
37	Penyffordd	Wood Lane Farm	7.1	213	-
38	Sychdyn	Former sewage works, Wats Dyke Way	2.1	63	-

## Category C settlements

39	Coed Talon	Station Yard/Depot	1.9	57	b/f
40	Higher Kinnerton	Main Road	1.2	36	-
41	Pen-y-Ffordd	Llys Dewi	0.5	15	-

11.26 The majority of new sites allocated are sustainable extensions to existing settlements and urban areas, where the sites are within category A or B settlements, are within or abut settlement boundaries and adjoin existing development which can facilitate access and provide connections to essential infrastructure. These sites also have good access to other facilities and services and are well served by public transport. The remaining sites allocated are on greenfield sites on the edges of existing settlements.

11.27 Of all the new sites allocated in the UDP, six large brownfield/urban extension sites (99 or more houses) account for 36% (1,042) of the total new site allocations. Three of these sites provide 462 dwellings, and are located in the main settlements of Buckley and Connah's Quay. The remaining sites are located in sustainable category B settlements (Broughton and Penyffordd/Penymynydd).

11.28 Overall, 31% of new sites are allocated in the category A main settlements and 66% in the category B settlements (including Land NW of Garden City – HSG2A). The



remaining 3% are allocations in category C rural villages, and represent three sites in three separate villages, three of which are brownfield site opportunities.

11.29 This distribution reflects the desire to control the rate and distribution of development in the County, ensuring that the level of proposed development is appropriate to the scale and character of each settlement. There are only a few instances where rural villages make any significant contribution to the overall housing requirement, and there are specific and sustainable reasons for each of these. Policy HSG3 seeks to monitor and control the distribution and level of growth in category B and C settlements by requiring, in certain circumstances, new housing to be justified on the basis of local needs.

11.30 On large sites and on sites where there are particular development requirements to take into account, a development brief will be prepared by the Council outlining the issues involved and the requirements for dealing with those issues as part of any development proposals. These will form part of supplementary planning guidance produced to support the Plan and will be material considerations in determining applications relating to the development of the sites in question. It is recognised that several of the sites are adjacent to Natura 2000 sites. Detailed development proposals on such sites will be rigorously assessed as to their impacts on international nature conservation designations and are likely to require Appropriate Assessment.

Other key policies:

- D1 Design Quality, Location and Layout
- WB2 Sites of International Importance
- HSG8 Density of Development
- HSG9 Housing Mix and Type
- HSG10 Affordable Housing Within Settlement Boundaries
- CF8 Service Provision
- IMP1 Planning Conditions and Planning Obligations

HSG2 Housing at Croes Atti, Flint

New housing will be permitted as part of the mixed use development at Croes Atti, provided that:

- a. it provides a mix of house types, including an appropriate proportion of affordable housing;
- b. it is developed in phases during the Plan period; and
- c. it represents an exemplar development in terms of its quality and the innovative nature of its design, layout, form and function.

11.31 This is a large mixed use development site originally allocated in the North Flintshire Local Plan and carried forward into the UDP. Outline planning permission for the development of the site has been granted, and so this policy is designed specifically to establish the requirement for a clear development framework for the site.

11.32 The Council will ensure that complementary recreational, social, retail, and community facilities are provided simultaneously with the development of new houses by planning and agreeing the development from the outset. The Council is seeking an exemplary development on this site that will set new standards relating to the concept, design, form, layout and function of the development, which will be applied where appropriate on other development sites in Flintshire.

11.33 The location and extent of land uses within the site and the means of delivering them in the future, including the protection of landscape features, have been set out in a detailed development brief for the site, which has been agreed between the Council and

the developers as a basis on which to develop this site. Whilst developers must be guided by the requirements of this brief, the Council are prepared to consider alternative and complementary proposals in the form of a detailed design statement based on the latest available design guidance such as that found in TAN12 and best practice elsewhere.

#### Other Key Policies:

- AC13 Access and Traffic Impact

#### HSG2A Strategic Mixed Use Development: Land North West of Garden City

Land to the North West of Garden City, as shown on the Proposals Map, is allocated as a Strategic Mixed Use Development site. Development will be phased over the Plan period and should comprise the following key elements:

- i. 20-25 hectares of housing land (at least 650 dwellings), 30% of which will be sought as affordable housing;
- ii. 98 hectares of employment land predominantly for B8 uses, supported by B1 and B2 uses;
- iii. The provision of enhanced and/or new school facilities, health facilities, a community building, convenience retail provision, civic space and other related community requirements;
- iv. 40 hectares of parkland area comprising informal, formal and equipped public open space with appropriate pedestrian and cycle linkages to the housing, employment and surrounding areas;
- v. Improved points of vehicular access to the site including the potential upgrading of the Drome Corner interchange to provide for a full grade separated interchange;
- vi. Other improvements necessary to the highway infrastructure and local highway network to accommodate the likely traffic generated by the development;
- vii. Incorporation of a SUDS drainage system and improvements necessary to the existing drainage infrastructure to accommodate the development;
- viii. Enhanced public transport provision and linkages to the site.

Detailed proposals will need to demonstrate that the proposed development incorporates appropriate and acceptable flood risk mitigation measures, in accordance with the development solution identified and agreed with the Environment Agency Wales in the flood consequences assessment carried out to support the allocation of this site.

A detailed development brief will need to be produced and agreed, which will contain a master plan for the overall development, a design statement, and a schedule identifying the phasing of development and associated infrastructure improvements required at each stage.

Detailed development proposals will be required to demonstrate that the proposed development will not have a significant adverse effect on water resources through the submission of a water abstraction / resources assessment.

11.34 The land North West of Garden City occupies a strategic location, not only within Flintshire, but also in a national and sub-regional spatial context. Located adjacent to one of the region's principal centres of employment (Deeside Industrial Park), the site sits strategically within the wider Deeside area, and is well served by both public transport and the local and trunk road network.

11.35 The site comprises significant areas of both brownfield and under utilised land, which is sequentially preferable for the development of a range of uses. Given these sustainable advantages the site is well placed to accommodate a mix of uses, subject to overcoming the impacts of two key issues, the risk from flooding given the site's C1 flood

zone designation, and the volume of traffic likely to be generated by the development and the capacity of the network to accommodate this.

11.36 Comprehensive studies have shown that both of these issues have been assessed and are capable of being overcome to the satisfaction of the responsible agencies, to allow the Local Planning Authority to fully justify the allocation of the site for a mixed use development. Comprehensive reports are available as background documents to fully support the allocation of the site for mixed use development.

11.37 It is only on the basis that the consequences of flooding have been robustly assessed and can be managed down to a level which poses minimal risk to life, minimal impact and disruption to people, property and flood risk generally, that residential development is considered acceptable on this site. This is based on the Environment Agency's advice and acceptance of the flood consequences assessment and the measures it proposes.

11.38 The promotion of the site for mixed use development is seen as the best and most sustainable way to bring forward economic development opportunities to sustain the development of Flintshire's economy and that of the wider sub-region, whilst at the same time achieving other sustainability objectives of locating housing close to employment, minimising the need to travel by car, using previously developed land, and building a cohesive community.

11.39 The relative balance of employment uses should be established as part of the process of producing a development brief for the site, and will take into account factors that include the Council's economic aspirations for the site, market demand, compatibility with other uses, traffic generation and impact, and the phasing of employment development relative to other uses and infrastructure improvement.

11.40 In terms of the mixed uses for the site the policy sets out the main component uses that will be described in more detail via the development brief, master plan and design statement. Any proposals for uses not specified in the policy, will need to be linked to the development in terms of the need for them, and also justified in terms of their appropriateness relative to relevant national and local planning policies. Whilst policy HSG2A is intended to identify and guide the provision of the key requirements for the development of the site, this will also be guided by the production of a comprehensive development brief, master plan and design statement, which will draw on key information already prepared as part of a detailed planning appraisal of the site, and will support the submission and determination of subsequent planning applications.

11.41 It is recognised that the site is adjacent to Natura 2000 sites. Detailed development proposals on the site will be rigorously assessed as to their impacts on international nature conservation designations and are likely to require Appropriate Assessment.

Other Key Policies:

- WB2 Sites of International Importance
- AC13 Access and Traffic Impact
- HSG10 Affordable Housing Within Settlement Boundaries
- SR5 Outdoor Playing Space and New Residential Development
- EWP17 Flood Risk

#### HSG2B Former Holywell Textile Mill

Land at the former Holywell Textile Mill, as shown on the Proposals Map, is allocated as a mixed use development site. Development should comprise the following key elements:

- i. high quality, high density housing development;

- ii. tourism development;
- iii. other commercial development.

provided that development:

- a. enhances the tourism potential of the Greenfield Valley;
- b. does not harm and where possible enhances areas or features of landscape, townscape, nature conservation and historic value;
- c. incorporates pedestrian and cycling links with the surrounding area;
- d. incorporates high quality hard and soft landscaping.

A detailed development brief will be required to be produced and agreed which will contain a master plan and detailed design statement.

11.42 The former Textile Mill site represents an opportunity for a high quality, high density mixed use scheme which can make a contribution to the housing needs of both the locality and the County whilst, at the same time, helping to facilitate tourism or other commercial development which would enhance both the tourism attraction of the Greenfield Valley and its unique heritage value. At the present time the site comprises derelict and under used land and buildings some of which have heritage value. Studies have been carried out which show that the best and most sustainable way to promote the site and attract a high quality development which will protect the heritage value of the area, is through a mixed use scheme. In essence, it has the potential not only to bring about the development of the site but also to bring about the wider regeneration of the locality.

11.43 However, in the absence of detailed proposals or a development brief at this time, it is difficult to quantify either the overall mix of development which might be attracted to the site or to quantify the individual elements given the character of the site and its surroundings and the mix of constraints present. The policy therefore allocates the site as a mixed use development site and gives an indication of the range of likely acceptable uses on it. Such an allocation will enable a higher profile to be achieved by the site in terms of attracting developer interest whilst ensuring that the Council retains control over the exact scale and nature of development proposals. Whilst policy HSG2B is intended to identify and guide the provision of the key requirements for the development of the site, this will need to be supplemented by the production of a comprehensive development brief and design statement focusing on the heritage value of the site and setting out the manner in which the development of the site should come about. This will form the basis of any subsequent planning applications.

Other Key Policies:

- D1 Design Quality, Location and Layout
- D2 Design
- HE1 Development Affecting Conservation Areas
- AC13 Access and Traffic Impact
- HSG10 Affordable Housing Within Settlement Boundaries
- T9 Greenfield Valley

### HSG3 Housing on Unallocated Sites Within Settlement Boundaries

On unallocated sites within settlement boundaries, new housing, the change of use of non-residential buildings to dwellings, the renovation or replacement of existing dwellings, and infill development will be permitted provided that:

- a. in category C settlements it is the renovation or replacement of an existing dwelling or it is to meet proven local needs and cumulatively does not result in over 10% growth since 2000.

- b. in category B settlements it is the renovation or replacement of an existing dwelling or where it would cumulatively result in more than 15% growth since 2000 the development is justified on the grounds of housing need, and
- c. where a housing development is acceptable in principle in category A, B and C settlements:
  - i. it does not result in tandem development or overdevelopment in relation to the character of the site and surrounding area;
  - ii. it does not conflict with the UDP housing provision for the County over the Plan period; and
  - iii. the proposal complies with policy GEN1.

11.44 Settlement boundaries define the outer limit and form of the main built up areas of a town or village. They have been defined to enclose the main concentration of dwellings which forms the nucleus of a settlement. Sporadic groups of houses and ribbons of development in most cases have not been included within settlement boundaries.

11.45 In most circumstances it will be appropriate to allow residential development within towns and villages that have identified settlement boundaries. Any proposal should be proportional to the size of settlement and should not overwhelm smaller villages or represent overdevelopment due to the proximity of one dwelling to another. Proposals to develop large windfall sites will be considered in relation to the availability of allocated sites and their impact on the overall UDP housing provision.

11.46 The Plan is generally permissive of housing development within settlement boundaries subject to ensuring that there is no oversupply of housing in the County in the context of the housing requirement figure of 7,400 for the County for the plan period, as detailed in policy STR4. The Plan's strategy seeks to direct new development to those settlements, having regard to the settlement categorization and the ability of each settlement to sustainably accommodate new growth. Levels of growth significantly in excess of the indicative bands, weakens the spatial strategy and its aim of concentration of development in the larger more accessible areas. In order to promote sustainable development and control the location of development, the policy incorporates a robust regulatory mechanism to constrain growth in the smaller settlements.

11.47 In category C settlements, criterion c. makes it clear that additional housing will only be permitted if it is to meet proven local housing needs and that this cumulatively should generally result in less than 10% growth. In some instances there may be arguments for a higher rate of growth to enable social inclusion, but such cases should be treated as an exception to the policy. The approach is in line with national policy which recognises that whilst there is a particular problem with housing affordability in the rural areas, there is also a need for development to embody sustainable principles.

11.48 In category B settlements, where there are more services and facilities, criterion b. is clear that additional development which would cumulatively result in more than 15% growth, would need to be justified on the grounds of housing need. Justification in terms of meeting housing need would include both local housing need and/or an explanation of why the development needs to take place in a category B rather than a category A settlement, perhaps it would include the redevelopment of a brownfield site. Again this approach is in line with national policy and would direct development to the larger villages in the rural areas where the local community, its economy and services could be supported by additional growth.

11.49 Where a housing proposal is made to address identified local housing needs it will be required that the applicant specify what the housing need is that they are seeking to address. If the proposal seeks to provide a home for an essential worker whose employment requires that they live in a specific locality then it will be necessary that the applicant submits details of their employment in support of their application. The LPA will

consider the need for a functional and financial test to establish that the need is genuine and whether a person engaged in the enterprise is required to live at or very close to the place of work. If the proposal seeks to provide a home or homes to satisfy the affordable housing needs then it will be necessary for the applicant to provide the following information to support development proposals as follows: the number of dwellings; the size of dwellings; an estimated sale/rental cost for dwellings; indication of measures to put in place to retain the affordability of the property; and justification for the proposed sale/rental costs by way of a summarised financial appraisal of the proposed development. In both cases where the LPA resolve to grant planning permission the LPA will seek to apply conditions and where appropriate legal requirements to ensure that any subsequent local needs housing delivered is retained for as long as required by the community.

11.50 To act as a safeguard and to monitor the success of the policy the percentage growth for each settlement from the 2000 base line will be monitored on a yearly basis having regard to the factual findings in the annual Joint Housing Land Availability Study.

11.51 Tandem development, consisting of one house immediately behind another and sharing the same access, is considered unsatisfactory because of the difficulties of access to the house at the back and the disturbance and lack of privacy suffered by the house at the front.

11.52 New development outside settlement boundaries will be resisted except in certain specific cases outlined in policies that follow.

#### Other Key Policies:

- AC13 Access and Traffic Impact

#### HSG4 New Dwellings Outside Settlement Boundaries

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

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

An occupancy condition will be imposed on the new dwelling, and the time period for an outline permission will be limited to two years, with approval of reserved matters required within two years and commencement within three years of the decision date.

Where other dwellings exist within a farm or forestry complex, the Council may seek to utilise legal agreements to control their occupancy.

Dwellings permitted as part of new farm or forestry enterprises where the case is not completely proven will, for a period of three years (or until the enterprise is

fully established), be required to be of a temporary construction, and removed from site if the enterprise ceases.

11.53 Planning Policy Wales places a strong emphasis on strictly controlling the development of new dwellings in the countryside away from existing settlements identified in the UDP. Sporadic uncontrolled housing development in the open countryside would destroy its rural character, and therefore only limited exceptions will be permitted, which mainly includes essential worker housing.

11.54 This type of housing will usually apply to farm or forestry workers, who by the nature of their jobs, require a dwelling at or close to their place of work, in the absence of nearby suitable accommodation. Agricultural/forestry needs alone however, cannot justify the provision of new dwellings as retirement homes for farmers/forestry workers.

11.55 In all cases, applicants will be required to pass a strict functional and financial test to establish that the stated aims to engage in a farm/forestry enterprise are genuine and that a person engaged in the enterprise is required to live at or very close to the place of work, rather than in a nearby settlement. The Council will require the submission of a completed questionnaire to accompany a planning application, which will assist both the applicant in supplying the information in a logical manner and the Council in assessing the proposal. The information supplied will be assessed by independent consultants employed by the Council. In certain situations new dwellings could be avoided if an opportunity arises to purchase a house in a nearby village, or to convert a redundant building on site to provide suitable accommodation. Applicants will need to demonstrate that these options have been explored prior to proposing a new dwelling. The Council may undertake a full investigation into the history of the holding, where it is concerned about a possible abuse of the planning system and lack of need for the proposed dwelling. This will look at the recent pattern of use of land and buildings, and whether any dwellings have been recently sold from the holding.

11.56 The design of new dwellings should be of a good standard and take account of the setting and landscape, including the proximity of any adjacent older agricultural buildings. Dwellings should be of a size that is commensurate with the functional requirements of the enterprise. Dwellings that are unusually large in relation to the needs of the enterprise, or which are unusually expensive to build in relation to the income it can sustain in the long term, will not normally be permitted.

11.57 Where the proposed dwelling relates to a newly established farm or forestry enterprise, the Council will grant a temporary permission for the first three years for the use of a caravan or other form of temporary accommodation on the site, to allow time for the enterprise's long term viability to become established. The granting of successive extensions to a temporary permission will generally not be acceptable.

11.58 Any permission granted under this policy will be the subject of an occupancy condition, which will require that the occupancy of the new dwelling, and if appropriate other dwellings on the holding, is restricted to essential workers and their dependants. The Council considers it reasonable for an essential worker dwelling to be commenced within three years of any outline permission. If not, the essential need will be called into question.

#### HSG5 Limited Infill Development Outside Settlement Boundaries

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

- a. comprises a small gap which is not an important landscape, nature conservation, historic or other amenity feature within a clearly identifiable small group of houses within a continuously developed frontage;

- b. does not constitute, or extend existing, ribbon development which would be detrimental to the character and appearance of open countryside, and does not create fragmented development; and
- c. respects adjacent properties and the surrounding area in terms of its siting, form, design and scale, and does not represent overdevelopment of the site.

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

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

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

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

#### HSG6 Replacement Dwellings Outside Settlement Boundaries

The replacement of a dwelling outside settlement boundaries will only be permitted if:

- a. the existing building has lawful use rights as a dwelling;
- b. the existing dwelling is habitable or capable of being made habitable without works which are tantamount to the construction of a new dwelling;
- c. the existing dwelling does not have significant local historical or architectural interest;



- d. the new dwelling is of a similar scale to that which it is intended to replace, and should reflect the character and traditional building style of the locality in terms of its siting, design, form, and the materials used; and
- e. the replacement dwelling should be located on the site of the existing dwelling. Exceptionally, an alternative location will be considered, where this is within the existing curtilage or if impractical due to physical conditions or environmental constraints on site, nearby, subject to bringing about an overall environmental improvement to both the existing and proposed site.

11.63 The replacement of derelict dwellings which have been abandoned for a long period of time and have become ruinous will not be permitted under this policy, nor will the replacement of dwellings that have been used as holiday accommodation, or other temporary uses. It is accepted that there may be occasions when an existing dwelling outside settlement boundaries is inappropriately sited or lacks facilities which makes it unsuited to modern living. In all circumstances, to satisfy the requirements of this policy an existing dwelling must have lawful use rights as a dwelling and habitable in its present state, or be capable of being made habitable according to modern standards without recourse to work amounting to substantial reconstruction.

11.64 The new dwelling should be positioned at least partly on the footprint of the previous structure unless there are good reasons to relocate the dwelling (such as subsidence). In such cases there will be a requirement that the original dwelling is demolished on occupation of the new dwelling. The replacement dwelling should not be significantly larger than the original and an increase in floorspace of greater than 50% will generally not be acceptable. The new dwelling should improve the appearance of the site and its surroundings by careful attention to scale and design appropriate for its rural setting.

11.65 Many houses, although not listed buildings, are of local historic interest and make a significant contribution to local distinctiveness by virtue of their age, use of traditional materials or vernacular design and past association with economic and cultural matters. Where such buildings are identified their demolition and replacement will be resisted.

### HSG7 Change of Use to Residential Outside Settlement Boundaries

The change of use to a dwelling of an existing non-residential building outside settlement boundaries will only be permitted where:

- a. if suitable for employment use, the building has been advertised at a reasonable price for sale or lease for an employment generating use, for a period of at least one year without success; or
- b. residential conversion is a subordinate part of a scheme for business re-use; or
- c. the resultant housing would contribute to an identified need for affordable housing to meet local needs.

provided that:

- i. the building is structurally sound and capable of conversion without significant extension, extensive rebuilding, or external alteration. A detailed independent structural survey will be required as evidence in support of the application;
- ii. the building has traditional architectural and historic features which merit retention and are retained as part of the scheme;
- iii. the residential use of the building and curtilage provides adequate privacy and space around dwellings, and does not have an unacceptable effect on the character and appearance of the surrounding area, by virtue of its siting, scale, design, form, use of materials and landscaping;
- iv. reasonable standards of residential amenity are provided by the proposal.

11.66 The Council will give sympathetic consideration to the change of use of existing buildings of architectural or historic merit to residential uses rather than allow their deterioration. Due to the need to exercise strict control on new housing development outside settlement boundaries only buildings with worthy architectural or historic interest will be considered for conversion under this policy. If other buildings of no architectural or historic interest were considered it would lead to the proliferation of new dwellings in the open countryside which the Plan and National Planning Guidance seek to avoid. Many older traditional buildings are inherently attractive and because of the use of natural materials such as stone and slate they blend in with their natural surroundings.

11.67 National Planning Guidance gives preference to the conversion of rural buildings to employment related rather than residential uses except where residential conversion is a subordinate part of a scheme for business re-use, or is contributing to an identified need for affordable housing. This policy seeks to distinguish between rural buildings which have an existing economic use whose conversion to residential may have a detrimental effect on the local economy, and those buildings which have ceased to have an economic use. However, due to the need to diversify the rural economy, proposals must be supported by a statement from the applicant of the genuine efforts made to advertise the property for sale or lease as an employment related use, with recognised estate agents and/or in appropriate property journals, at a reasonable price, for a minimum period of one year. This will only be required when the building is considered suitable for employment generating uses having regard to the characteristics of the building, the site and surroundings, and the vehicular access and local highway network.

11.68 Not all buildings will be suitable for a change of use. Those radically altered since their original construction or of insufficient architectural merit may not be worthy of retention or too small to adapt without significant extension. The original building must be structurally sound, or capable of being made so, by works that are not tantamount to rebuilding. A structural survey will be required with all proposals to verify the condition of a building. It must also be capable of accommodating the new use without significant extensions which might destroy its character or lead to overdevelopment. The emphasis should be on retaining existing openings with only minor extensions which complement the scheme of conversion and do not detract from it. Division to more than one residential unit will depend on the size and available space around the building and its suitability for multiple adaptation. All schemes should conform to the Council's "Space About Dwellings" standards to ensure adequate space between existing and proposed new dwellings.

11.69 In all cases, every effort must be made to ensure the stability of the building during conversion works. The full or partial collapse of the building, whatever the cause, will render the planning permission null and void.

#### Other Key Policies

- WB1 Protected Species

#### HSG8 Density of Development

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

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

11.70 All land allocated for development should be regarded as a precious resource and used as efficiently as possible. Higher density developments can help to reduce the

amount of land needed to meet future housing needs. On allocated sites a general minimum net housing density of 30 dwellings per hectare is required in category A, B and C. Developers should also aim to achieve 30 dwellings per ha on unallocated sites in category A and B settlements and 25 dwellings per ha on sites in category C settlements, but it is acknowledged that individual circumstances will vary according to the site location and the character of the surrounding area, but the Council will ensure that developers make the best use of land or buildings.

11.71 It is possible, through innovative design, to build higher density housing without compromising the overall quality of the scheme. In seeking to achieve higher densities developers must have regard to good design which maximises the use of land and creates a pleasant living environment which does not result in overdevelopment of the site, and makes adequate provision of open space.

#### Other Key Policies:

- D1 Design Quality, Location and Layout

#### HSG9 Housing Mix and Type

All new housing developments should provide an appropriate mix of dwelling size and type in order to create mixed and socially inclusive communities.

11.72 In order to meet the variety of needs in Flintshire, a range of housing must be provided on sites. The Council will expect developers to provide an appropriate mix of dwelling size and type to meet local housing needs. To ensure that mixed and balanced communities are created, new housing developments should avoid the creation of large areas of housing of similar characteristics. Through careful design and layout it should be possible to avoid a distinction between different types of housing and tenures. Further guidance on affordable housing is provided by policy HSG10.

#### HSG10 Affordable Housing within Settlement Boundaries

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

11.73 Where there is a demonstrable lack of affordable housing within a given locality the Council will enter into negotiations with the developer to secure appropriate mixes of affordable housing types and tenures as part of a new housing scheme. For the purposes of the plan Affordable Housing is defined as including both low cost market/discount housing and social housing for sale and/or rent, which is made available to people who could not otherwise afford housing available on the open market. Flintshire County Council has undertaken extensive work in assessing the Flintshire Housing Market to identify and plan for the County's housing needs. In 2005 Flintshire launched its Housing Needs Assessment which was undertaken by the consultancy Fordhams. This study identified the need for 808 affordable dwellings each year, for a period of five years depending on the continued strength of the housing market. The housing market has changed significantly since 2004/05 and consequently the scale of demand indicated by the Fordhams study has changed.

11.74 In 2008 the draft North East Wales Market Housing Assessment (NEWHMA) was released. The North East Wales Market Housing Assessment is a joint study which has been undertaken in partnership with neighbouring Welsh authorities. The NEWHMA study concluded similarly to the Fordhams study that there are significant unmet housing needs in Flintshire. To meet identified housing needs the NEWHMA study recommended

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

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

11.76 On the basis of the identified need within the NEWHMA together with the capacity of the County to accommodate new housing development it is reasonably anticipated that the UDP could secure by way of planning condition or legal agreement some 1,000 affordable homes over the plan period.

11.77 Where schemes do not make provision for 30% affordable housing it will be required that developers ensure the proposal is sufficiently justified to the satisfaction of the Council as to why an exception to the policy should be made. The precise nature and scale of affordable housing provision will be the subject of early negotiations between the Council and the applicant.'

#### Other Key Policies:

- IMP1 Planning Conditions and Planning Obligations

#### 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.

11.78 Affordable housing is particularly important in rural areas where building rates are lower and houses are generally more expensive. However, in these areas it is likely that there are insufficient housing sites available to provide an element of affordable housing within larger developments. This policy is an exception to the general principle that new housing will not be permitted outside settlement boundaries, and makes special provision to release small housing sites in rural areas outside village settlement boundaries, which would not otherwise be allocated in the UDP, and where there is a proven local need. For the purposes of this policy, "villages" are those category B and C settlements that lie within Flintshire's rural area as defined by Flintshire's Cadwyn

Leader+ area and/or the area defined under the Article 33 Rural Areas Initiative maintained by the Welsh Government.

11.79 Sites must be located immediately adjacent to the edge of the village and respect the physical appearance and design characteristics of surrounding properties. It is not envisaged that the scale of provision on these sites will be large or out of balance with the character, form and function of the village or the existing pattern of settlements in Flintshire.

11.80 The definition of affordable housing outlined in para 11.69 applies equally to this policy, and proposals must demonstrate that there is a genuine need for this type of housing in the local area. Applicants must submit supporting evidence of need with any proposal.

11.81 This policy is intended to apply to housing schemes that can remain affordable in perpetuity, and does not apply to proposals by local people for individual self-build dwellings where satisfactory proposals cannot be made to ensure that the dwelling remains affordable in the same way. It is an essential part of the policy that occupation of the dwellings can be controlled in the long term so that successive occupants can benefit. The most practical way this can be achieved is by involving an organisation such as the County Council, a housing association or by the formation of a local trust. The organisation or the developer will be expected to enter into a section 106 agreement to ensure homes remain affordable.

#### HSG12 House Extensions and Alterations

Extensions or alterations to existing dwellings will be permitted provided that the proposal:

- a. is subsidiary in scale and form to the existing dwelling, and does not represent an overdevelopment of the site;
- b. respects the design and setting of the existing dwelling and surrounding area; and
- c. will not have an unacceptable impact on people living nearby.

11.82 A stock of varying sizes of dwellings is required to suit the needs of local people and extensions and improvements to dwellings are a legitimate means of achieving more space and functionality within dwellings. The aim of this policy is to ensure that extensions and alterations to existing dwellings, whether in the open countryside or built-up area, are designed to respect the local vernacular and enhance the existing property and surrounding area. As a general guide house extensions should not be more than 50% of the original floorspace, and extensions that are out of scale and character will not be permitted.

11.83 In considering applications the amenity considerations (of adjoining residents and of the application property) will be paramount. Whilst the planning system does not, for example, have the right to protect people's views, this policy will prevent any detrimental impact on neighbouring properties and on the character of the property and its surroundings. Further detailed design guidance exists and will be updated by the Council as supplementary planning guidance to support this Plan.

#### HSG13 Annex Accommodation

Annex accommodation will only be permitted where:

- a. it is created by an extension to an existing dwelling;
- b. or, is a conversion of an existing building within the curtilage of a dwelling; and
- c. its usage is ancillary to the residential use of the existing dwelling.

11.84 A residential annex is accommodation linked and ancillary to a main dwelling within the residential curtilage and must be used for this purpose. Usually such annexes are used to augment the living or sleeping accommodation of the main house where the main residential rooms will remain. If the facilities in the annex become self contained from the original dwelling the Council will consider that a change of use has occurred because the accommodation is being used as a separate dwelling. There is a general presumption against new residential development outside settlement boundaries and this policy will be strictly applied in circumstances where change of use of annex accommodation is being sought.

#### HSG14 Gypsy Sites

Development of new permanent gypsy sites will only be permitted where:

- a. there is a demonstrable need;
- b. there are no suitable alternative sites either with planning permission or allocated for such uses;
- c. there is natural screening, or the site can be screened adequately;
- d. services can be provided at reasonable cost;
- e. there is no unacceptable impact on the amenity and character of surrounding areas due to noise, pollution, traffic or parking problems; and
- f. such sites should be within reasonable distance of main social and shopping facilities.

11.85 National Planning Guidance requires UDPs to make adequate provision for the accommodation needs of gypsy families. Flintshire has an existing residential site for gypsies on land adjacent to the Queensferry bypass and it is not proposed to allocate land for a further site at this time.

11.86 The need for a permanent gypsy caravan site in a particular location should be proven as the demand for such uses changes over time. This policy sets out the criteria against which any proposals for new gypsy sites in Flintshire will be assessed. The policy is concerned with a gypsy or traveller site which is intended for long term permanent residential accommodation. The Council is awaiting the outcome of an assessment of the needs of gypsies and travellers, carried out across North Wales on behalf of all North Wales Local Authorities. This information, when available, will be used as part of the evidence base against which to assess proposals for the development of new sites.

11.87 Sites should be located on or close to main gypsy travelling routes for ease of access, and should be capable of being serviced by new drainage and other necessary services without extensive new infrastructure works. Preferred locations for such sites should be near main towns where there is a nucleus of facilities capable of servicing gypsy sites.

#### HSG15 Re-use/Conversion of Large Houses/Formal Residential Institutional Buildings Outside Settlement Boundaries

Proposals for the re-use/conversion of large houses/former residential institutional buildings outside settlement boundaries to dwellings will be allowed provided that:

- a. the proposal involves the conversion, renovation or change of use of a building or group of buildings within the same curtilage;
- b. the proposal retains any architectural and historic features of merit associated with the building(s);

- c. the building(s) should be capable of viable conversion without the need for substantial extension or associated new development;
- d. any new development associated with the proposal must be ancillary to the main scheme of conversion, subsidiary in scale and form to the existing building(s), does not represent an overdevelopment of the site, and respects the design and setting of the existing building(s) and surrounding area;
- e. the proposal will not have an unacceptable impact on people living nearby; and
- f. the proposal is supported by a detailed design statement.

Proposals must first demonstrate that, if suitable for employment uses, genuine attempts have been made to promote and market the building(s) for that use.

11.88 Some large country houses and former residential institutional buildings such as schools and convents may no longer have a viable existing use but nevertheless make a contribution to the setting and character of the surrounding area. This policy will allow these buildings to be converted to create several smaller dwellings, if the requirements set out in the policy are met.

11.89 These buildings are often located in rural areas and can make a contribution to the provision of affordable housing and the Council will encourage the inclusion of an element of affordable housing as part of a proposed conversion scheme.

11.90 It is recognised that many buildings falling within the remit of this policy are likely to be of historic and architectural interest. In such cases, development proposals will be assessed against the policies in the Historic Environment Chapter to ensure that the historic context of buildings is fully taken into account throughout the development process.

# Chapter 12

## Shopping Centres and Commercial Development

Relevant Strategic Aims	
b. Social and welfare	
Policy Objectives	Policy List
a. SHOPPING CENTRES - to promote the vitality, viability and attractiveness of existing retail centres b. CHOICE - to promote a range of shopping facilities within town centres c. LOCATION - to direct new shopping and commercial investment into town centres d. LOCAL SHOPS - to promote new shops and retain existing shops within residential estates and villages e. RURAL SHOPS - to support rural diversification	S1 Commercial Allocations S2 Shop-front Design S3 Integrating New Commercial Development S4 Small Scale Shopping Within Settlements S5 Small Scale Shopping Outside Settlements S6 Large Shopping Developments S7 Retail Frontages Within Town Centre Core Retail Areas S8 Hot Food Takeaways, Restaurants and Cafes S9 Non-Retail Commercial Development S10 Conversion of Upper Floors S11 Retention of Local Facilities S12 Markets and Car Boot Sales
Indicators of Policy Performance	Targets
61. <i>Area of floorspace of new retail development located in town centres</i> 62. <i>Change of use from shops granted contrary to policy</i> 63. <i>Availability/loss of village shops/post offices/pubs</i> 64. <i>Town centre health checks</i>	TARGET 8: 85% of new retail floorspace located in and around town, district and local centres



## 12 Shopping Centres and Commercial Development

### Introduction

12.1 The diversity of activities seen in town and district centres reflects their cultural and social as well as commercial functions and represents a considerable capital investment in the built environment. Retail activity in particular has been an important factor in shaping town centres and acting as a catalyst for the development of other services and facilities. This gives each town a distinctive character. In addition to shopping this chapter considers the whole range of activities carried out in a town centre such as eating out, launderettes, financial and professional services, and leisure uses including cinemas, bingo halls or amusement arcades.

12.2 The vitality and viability of many town centres is currently under significant pressure. Vitality describes how busy a shopping area is and viability refers to its ability to attract continued investment. The ability of existing centres to continue to serve the interests of the whole community in the long term must not be undermined by new retail developments elsewhere. However there is now growing evidence that larger out of town shopping centres, dependent predominantly upon access by car, are having a damaging impact on traditional shopping centres. This has resulted in the closure of shops and the consequent deterioration in the physical condition of buildings and the street scene. Out of town shopping facilities increase car travel, use up natural resources and cause greater pollution levels. Such developments also frequently involve the development of greenfield sites on the outskirts of towns or adjacent to large road junctions.

### National Planning Policy

12.3 Planning Policy Wales (PPW) states that the most appropriate location for retail, and other compensatory uses are within town, district, local and village centres. This approach of focusing such uses within established shopping centres enhances the vitality, attractiveness and viability of these centres. Maximising the density of development also increases the potential to encourage accessible shopping centres, pedestrian journeys and linked trips.

12.4 PPW requires Local Planning Authorities to develop a clear strategy and policies for retail development, and for the future of town, district, local and village centres to promote a successful retailing sector supporting existing communities and services. Specifically PPW requires UDPs to:

- identify the existing hierarchy of centres;
- identify changing pressures and opportunities and devise appropriate responses to them;
- where necessary plan for the managed decline or managed expansion of a centre;
- encourage the provision of good access to shopping centres for pedestrians, cyclists and public transport.

12.5 PPW also advocates a sequential test to be applied to all new retail development. In proposing new retail allocations the issue of retail need has been considered and it will be an equally important future consideration to ensure that planning applications for new retail development are also assessed against the need for the development. Whilst not precluding out-of-centre developments, the sequential test requires developers to look first at locations within the town centre. Development which cannot be accommodated in the town centre should be located as close as possible to it and on sites which are accessible by public transport. In addition to these objectives it is important for the Planning Authority to promote redevelopment, extension and

modernisation within existing town centres and to follow a clear strategy of town centre improvement and proactive management.

### Flintshire Context

12.6 The main towns within the Plan area have relatively small shopping catchment populations which overlap. They compete both for food and comparison goods retail, with larger centres outside the Plan area. A study of the vitality of the key centres in 2002 indicated that vacancy rates in Mold, Buckley, Shotton, Flint, Holywell, Connah's Quay and Queensferry had decreased possibly as a result of a buoyant national retailing economy and growing confidence in the economy of Flintshire. However despite a resurgence in the fortunes of town and district centres the shopping strategy of the Plan will continue to focus investment into existing shopping centres and to resist the development of peripheral sites.

12.7 This chapter also contains policies that support small scale retail proposals on residential estates, within villages and that are ancillary to rural enterprises such as farm shops or craft workshops. These facilities may play a crucial role in providing services or employment in less accessible areas.

### Policies

#### S1 Retail and Commercial Allocations

The following land is allocated for commercial development and is identified on the proposals map:-

Ref.	Settlement	Site	Area (ha)
Town and District Centres			
1	Buckley	Land adjacent Brunswick Road to be developed primarily for A1 retail.	0.2
2	Connah's Quay	Land to the rear of Connah's Quay Precinct to be developed as a mixed use scheme.	1.3
3	Mold	Land to the South of Chester Road, Mold to be developed primarily for non-food A1 retail.	0.7
Outside Town or District Centres, but not in the Countryside			
4	Connah's Quay	Land adjacent Ffordd Llanarth Shopping Centre.	2.4
5	Flint	Croes Atti, Flint primarily an A1 retail development as part of mixed use allocation of Croes Atti.	0.3
Other Locations			
6	Broughton	Land North of Broughton Retail Park to be developed for non-retail commercial use.	1.8

Key Shopping Centres in Flintshire		
Town Centres	District Centres	Local Centres
<ul style="list-style-type: none"> <li>• Buckley</li> <li>• Flint</li> <li>• Holywell</li> <li>• Mold</li> <li>• Shotton</li> </ul>	<ul style="list-style-type: none"> <li>• Connah's Quay</li> <li>• Queensferry</li> <li>• Saltney</li> </ul>	<ul style="list-style-type: none"> <li>• Bagillt – High Street</li> <li>• Broughton – Broughton Hall Road</li> <li>• Buckley – Lane End</li> <li>• Caergwre – village centre</li> <li>• Caerwys – village centre</li> <li>• Connah's Quay – Thornfield Avenue</li> <li>• Connah's Quay – Englefield Ave</li> <li>• Connah's Quay – Ffordd Llanarth</li> <li>• Ewloe – The Highway</li> <li>• Ewloe – Holywell Road</li> <li>• Flint – Northop Road</li> <li>• Garden City – Welsh Road</li> <li>• Greenfield – Parade</li> <li>• Hawarden – village centre</li> <li>• Holywell - Holway</li> <li>• Hope – village centre</li> </ul>

- Mostyn – Maes Pennant
- Mynydd Isa – The Square
- Penyffordd / Penymynydd – village centre
- Shotton – Aston Park Road
- Shotton – Central Drive

12.8 Given the relatively small catchment population of each town and the existing level of shopping provision, the opportunities for expanding retail provision are limited; indeed further retail development could have an adverse impact on some existing centres. However for shopping centres such as Connah's Quay there are important regeneration issues which require new development to improve the vitality and viability of these centres. Such new development in these centres would increase the range and quality of goods on offer to the public and would see physical improvements to the centres which would make for more attractive centres to investment and consumers. The most modern centre of retail investment in the County is Broughton Retail Park (BRP) which makes a significant contribution to the retail offer of Flintshire. However, BRP is not listed in the Key Shopping Centres figure since it is considered to be an out of town retail park and is therefore a less favourable location for new retail development than traditional town and district centres.

12.9 The mixed use development at Croes Atti, Flint is intended to be an exemplary development which will reflect current best practice standards of urban design and development. The core of the development will consist of 637 new houses on the edge of Flint. To minimise the need to travel and to encourage 'walkable neighbourhoods' it is an important aspect of the development to provide local facilities onsite, including a new local shopping facility. The precise layout and design of the new shopping area is set out in a comprehensive development brief for the Croes Atti site and within a masterplan. Considering the need to maintain a degree of flexibility within the emerging design of the Croes Atti development a specific retail allocation will not be made for the new shopping facility beyond the designation of Croes Atti for housing development.

## S2 Shop-front Design

New or replacement frontages for all commercial premises and shops within town and district centre boundaries will be permitted only where the proposal is sensitive to the architectural design and style of the immediate and adjacent buildings or, where these do not reflect good design, of those in the locality.

12.10 This policy seeks to promote good design within all new commercial properties including shops, banks, building societies, public houses, offices and restaurants, as well as replacement frontages, within the defined town and district centre boundaries. Of the commercial centres in Flintshire, those at Mold, Flint and Holywell have designated conservation areas and have their own particular character and appeal which will be protected through the conservation area policies of the Plan and supplementary guidance. New development should reflect the distinctive features of a town and comply with the "Shop-fronts and their Advertisements" Design Guide for which a supplementary planning guidance note will be produced during the Plan period; this will require that the character of the building be safeguarded together with its traditional architectural features. New developments should respect their setting, particularly as some shops within the Plan area are located in conservation areas.

12.11 Security features such as shutters, cameras, alarms or bollards should not be intrusive and not detract from the visual appearance of town centres. For example shutters should be painted and of a perforated design, enabling shop windows to be viewed at night and allowing light to pass through to the street. Solid steel external shutters will not generally be permitted.

12.12 Town and district centres in the Plan area have an attractive character and can be adversely impacted upon by shop-front advertisements which can be particularly intrusive. The cumulative impact of insensitively designed advertisements can soon lead to a deterioration in the quality of the shopping centre environment, which in turn affects the attractiveness of the centre to consumers and investors.

Other key policies:

- D5 Crime Prevention
- D7 Outdoor Advertisements
- HE1 Development Affecting Conservation Areas

### S3 Integrating New Commercial Development

All commercial proposals will be expected to pay full regard to the design policies of the Plan and will be required to make specific reference to the siting of buildings and building entrances to ensure the provision of safe and convenient access for users and to enhance the surrounding commercial environment. Where appropriate the developer will also be required to:

- a. site the proposed development within easy walking distance of existing commercial developments and other facilities;
- b. provide building entrances in locations which relate best to existing commercial developments, other facilities and pedestrian routes; and
- c. if relevant, provide car parking to the rear of the development.

12.13 It is the aim of the development plan to reduce the need to travel and to promote more sustainable forms of transport. This aim has significant relevance to commercial development, particularly retail development where the proximity of the store to local points of access, to transport interchange facilities, and to other stores is a major consideration in encouraging linked trips, and to creating and maintaining complementary retail districts. An added consideration when determining planning applications will be to ensure developments are designed well to serve the needs of the pedestrians and cyclists so that access to and from the development is safe, convenient and well related to nearby commercial developments.

Other key policies:

- D1 Design Quality, Location and Layout
- D2 Design
- AC2 Pedestrian Provision and Public Rights of Way
- AC3 Cycling Provision

### S4 Small Scale Shopping Within Settlements

New small scale shopping development will be permitted provided that outside town and district centres:-

- i) it is below 300sqm gross or, in exceptional circumstances, up to 500sqm;
- ii) it is to meet local everyday needs and relates to the role, scale and character of the centre and the community it is intended to serve;
- iii) it is located within or adjacent to a local or village centre or, if no sites are available within the nearest centre, it is within the settlement boundary and accessible by a variety of means of transport.

12.14 Local shops are a vital ingredient of community life both in villages and in housing areas located at some distance from central facilities. To minimise the need to travel, shops seeking to meet the local everyday needs of the local community should be located within existing local and village centres. In such centres the effect of clustering retail uses is aimed at widening choice to meet the needs of the community. To ensure new stores are of an appropriate small scale to meet the local everyday needs of the community, policies will seek to limit the size of stores to around 300 square metres (gross). In exceptional circumstances, where there is a demonstrable need, it will be appropriate to permit slightly larger stores (up to 500 sq. metres gross) to meet the needs of the local community.

12.15 Outside of local and village centres, but still within the settlement boundary, local shops could be provided in association with large new housing developments within urban areas, such as the allocation at Croes Atti, Flint, or to make up a deficiency on existing housing estates.

### S5 Small Scale Shopping Outside Settlements

New retail proposals outside settlement boundaries will be permitted provided that the development is:

- a. no more than 100 sq. m. in gross floorspace;
- b. run in conjunction with the operation of an existing agricultural, horticultural or rural craft business;
- c. for the sale of goods of which a significant proportion are produced or manufactured on the premises; and
- d. not detrimental to the viability of existing village shops.

12.16 The purpose of this policy is to encourage rural diversification by giving some flexibility for small scale retailing in the rural area. The policy would cover farm shops and specialist enterprises associated with the manufacture of rural crafts. Small scale is defined as being less than 100 square metres in gross retail floor space area, sufficient in area for the type of specialist shop envisaged. New proposals which are considered likely to damage the viability of existing village shops will be refused. The Council may seek to impose conditions to restrict the scale and type of goods sold to allow development to take place.

12.17 This policy is designed to apply to both shop and cafe uses in the open countryside in conjunction with a farm or craft business. Shops selling only goods produced on the farm or rural business are ancillary to the pre-existing use and do not require planning permission. Where shops sell a greater amount of goods produced elsewhere, planning permission will be required. However, the policy seeks to ensure that a significant proportion of goods sold are produced or manufactured on the premises.

Other key policies:

- RE4 Small Scale Rural Enterprises
- RE5 Small Scale Farm Diversification

### S6 Large Shopping Developments

Proposals for large shopping developments in excess of 500 square metres should be located within town, district and/or local centres. Where it is satisfactorily demonstrated that the proposal cannot be accommodated within an existing centre and/or is out of scale with the shopping centre, the proposed

development should be located on a sequentially preferable edge of centre site. Out-of-centre developments will only be considered appropriate where there is no sequentially preferable, suitable and available site nearer to a town, district or local centres. In all cases such developments will be permitted only where:

- a. it is not directly, or when considered together with any other committed schemes, detrimental to the vitality, attractiveness and viability of existing town, district, or local centres within the development's catchment area;
- b. the site is within the settlement boundary;
- c. the site has been evaluated and found to be appropriate in accordance with the sequential approach where first preference should be given to town centre locations followed by edge of centre sites then by district and local centres and only then out of centre locations;
- d. the site is located conveniently to minimise users' dependence on private transport and to maximise the potential for journeys by foot, cycle and public transport;
- e. the development would not, through the generation of traffic, have a significant adverse impact upon the local highway network or the quality of the local environment; and
- f. outside defined town centres a need for the proposal has been demonstrated.

12.18 The objective of this policy is to enhance the vitality, viability and attractiveness of existing centres by only permitting out-of-centre retail development in appropriate locations and circumstances. An out-of-centre location is defined as a site clearly separate from a town centre but not outside the settlement boundary. Outside of settlement boundaries in out of town locations there will be a presumption against proposals for large shopping development unless there exist sufficient material considerations to justify an exception from the policy.

12.19 The Plan's retail strategy seeks to improve shopping facilities within existing centres, concentrating new development within them in order to stimulate economic activity and prevent town centre uses from concentrating elsewhere. Given the relatively small catchment population of each town and the existing level of shopping provision, the opportunities for expanding outside town centres without affecting existing shopping provision are very limited. Consideration will also need to be given to the possible effect of shopping proposals already granted planning permission and expected to be implemented within a three year period.

12.20 Under this policy, developers will need to demonstrate that they have examined the suitability and availability of sites in accordance with the sequential approach. If no appropriate sites can be found within town, district or local centres, then edge-of-centre sites which are within easy walking distance of the town centre (i.e. within 200 - 300 metres) will be the preferred location for new retail development. Where edge of centre locations are chosen it will be expected that the developer clearly shows how the new development will link in with the existing centre to optimise opportunities for walking and cycling and linked trips. Out-of-centre developments will be assessed against this strategy. It must be clearly established that retail proposals outside an identified shopping centre by virtue of their scale, type and location will not adversely affect the commercial viability, attractiveness and vitality of existing town, district and local centres. The use of vacant or under-used land will be preferred to greenfield sites. Proposals should be located within the settlement boundary and close to main bus routes to enable ease of access by non-car users. As retail proposals are generators of substantial volumes of traffic, they will be assessed on the ability of the surrounding highway network to satisfactorily accommodate them and their impact on overall car travel. All

applications for retail developments over 2,500 square metres gross floorspace should be supported by a retail impact assessment which addresses the above issues.

12.21 Where the applicant is successful in demonstrating a lack of sequentially preferable sites, large shopping developments may be permitted outside identified centres, particularly where it entails the sale of bulky goods which cannot be accommodated within an existing centre. However large scale retail proposals outside settlement boundaries would conflict with the strategy of protecting town, district and local centres and will be resisted in accordance with the policies in this chapter.

Other key policies:

- EPW9 New Development and Waste Management Facilities
- AC4 Travel Plans for Major Traffic Generating Developments
- AC13 Access and Traffic Impact
- EM6 Protection of Employment Land

### S7 Retail Frontages Within Town Centre Core Retail Areas

Within town centre core retail areas, as designated on the proposals map, proposals for retail uses will be permitted. Non A1 development or changes of use of shops will be permitted only where:

- a. the total non-shop frontage on any continuous street frontage remains less than 25%; and
- b. the proposal does not result in two or more adjacent units being in non-shop use; or
- c. the proposal is for the conversion of an upper floor to an appropriate use; or
- d. the shop has been advertised at a reasonable price for sale or lease in its existing use for a period of at least one year without success.

12.22 Core retail areas delineate the primary shopping area where retail development is encouraged and non A1 development is controlled to ensure the availability of premises for retailing. This policy approach seeks to concentrate retail activity in the core of the town centre at high densities to achieve a critical mass of retailing where each store enhances the value of its neighbour and in turn benefits from a mixture of surrounding complementary uses. For the local community the presence of a successful and competitive shopping environment is vital for maintaining an attractive centre of investment and employment creation and for meeting the shopping needs of the community in terms of both the quality and the range of goods.

12.23 For the purposes of this policy shops are defined as being those uses which fall within Class A1 of the Use Classes Order 1987. Class A1 uses include the types of shop commonly found in a high street, ranging from shoe shops to post offices. This policy is designed to prevent other commercial uses such as banks and offices from locating in a core retail area and displacing shops to more peripheral locations to the detriment of the attraction of the town centre as a place to shop.

12.24 Shop frontage will be measured in metres rather than the number of A1 units within a street frontage, along one side of a street and unbroken by vehicular highways, note under this policy narrow accesses between properties are not considered to break up the retail frontage. Conversions of the upper floors of shops are an exception to this policy, being considered instead under policy S10 below.

12.25 In situations where a property has been vacant for a period of at least one year and has been advertised for sale or lease, a non-A1 use would be allowed to prevent any deterioration in the physical appearance of the street scene.

### S8 Hot Food Takeaways, Restaurants and Cafes

Proposals for new establishments or for the change of use of existing establishments to sell hot food for the consumption both on or off the premises will be permitted where they meet the following criteria:

- a. the amenity of local residents, including residents living above the property, is not unduly harmed;
- b. on-site provision is made for the disposal of casual litter and wastes; and
- c. the use will not result in traffic hazards or disturbance arising from street parking.

12.26 Hot food shops, restaurants and cafes are appropriate uses within town, district and local centres complementing existing uses and enhancing the service choice available to the public. Such uses are also important to the evening economies of existing centres complementing the range of public houses and clubs present. While proposals for these uses will be encouraged within shopping centres it will be important to ensure they do not jeopardise the health and viability of the shopping centre. In particular it will be important for proposals to consider their impact on residents in upper floor dwellings.

12.27 Outside of designated shopping centres, proposals for hot food takeaways, restaurants and cafes will be carefully treated to ensure the amenity of residents is protected. All proposals will be expected to minimise disturbance and be sensitive to the needs of neighbouring land uses. Specifically, proposals for hot food takeaways, restaurants and cafes in or near residential areas will close no later than 2300 hours during the week, no later than 2330 on a Friday and Saturday, and no later than 2200 on a Sunday.

12.28 In appropriate circumstances the Council will consider restricting the use of a building to the specific use applied for and will remove Permitted Development Rights to move from A3 to other uses (A1 and A2). This action will only be taken where there is a need to protect residential amenity and the integrity of shopping centres.

### S9 Non-Retail Commercial Development

With the exception of ground floor premises within town centre core retail areas, non-retail commercial development will be permitted within the remaining area of town centres, within district centres and within local centres, provided that:

- a. the development would be on a scale appropriate to the locality and would not detract from the overall character and appearance of the area;
- b. the development would not have a detrimental impact upon the shopping centre; and
- c. the development would not be significantly detrimental to local residential amenities.

12.29 Offices have an important role to play in providing local services and opportunities for employment. These often need to be accessible to large numbers of people, both employees and visitors, and are therefore best located within shopping centre boundaries where they are convenient and accessible to non-car users. However, non-retail uses should not be allowed to dominate core retail areas as this can undermine the retail function of a town centre and core retail areas. Non-retail uses in such areas are dealt with in policy S7. Additionally, offices and other commercial development can detract from the character and highway safety of residential areas. The criteria in the policy are designed to ensure that there are no detrimental effects of such development.

Other key policies:



- AC13 Access and Traffic Impact
- AC18 Parking Provision and New Development

### S10 Conversion of Upper Floors

The conversion of upper floors of town and district centre properties to other uses will be permitted provided that:

- a. where private parking space is required, but unable to be provided on-site, the conversion is able to make use of public car parking;
- b. the operation of the ground floor use would not be adversely affected by the proposed development; and
- c. in the case of residential conversions, adequate residential amenity can be assured.

12.30 The upper floors of many town and district centre properties are vacant or not used to their full potential. The intention of the Council is to make the most of upper floors and it will encourage the conversion of such spaces to offices or dwellings and other appropriate uses for example cafes or hairdressers. Utilising upper floors is a key consideration for maintaining the health and viability of town centres offering the potential to bring more people into the town centre, reduce crime and improve safety, improve the condition of buildings and help create a more vibrant retail core.

12.31 Where car parking is required in connection with any development it must be provided in accordance with the parking standards adopted by the County Council. However, the requirement to provide car parking spaces in town centre locations may be relaxed where sufficient and appropriate public car parking is available.

Other key policies:

- AC18 Parking Provision and New Development

### S11 Retention of Local Facilities

Development which will lead to the loss of a shop, post office or public house or other building which performs a social as well as an economic role will be permitted only where:

- a. similar facilities exist in the neighbourhood or village which are equally as conveniently accessible to local residents; or
- b. where this is not the case, the property has been advertised at a reasonable price for sale or lease in its existing use for a period of at least one year without success.

12.32 Existing facilities are important in community life, especially where local people may not have easy access to any alternatives. The need to travel for local residents can be minimised by retaining provision of facilities within new housing areas or villages through careful consideration of applications for the conversion of shops, post offices and public houses to other uses. This policy seeks to retain such facilities but recognises that some are closed out of economic necessity and prove difficult to sell or let.

12.33 A period of at least one year is required for the marketing of local facilities to ensure that every reasonable attempt has been made to retain the use for the benefit of the community. It will be a matter for the applicant to prove through the use of evidence submitted to the Local Authority that: a comprehensive and sustained marketing exercise offering the local facility as a going concern, has been undertaken; that the marketing exercise has run for a continuous period of at least one year before the planning application is submitted; and that the facility has been offered for sale or lease locally, and in the region, in appropriate publications.

## S12 Markets and Car Boot Sales

Outside town and district centres proposals for new retail markets, car boot sales or the extension of existing markets will only be permitted where:

- a. it can be established that the market will not adversely affect the overall viability of existing town centres or existing street markets;
- b. the market is not open for more than two days a week;
- c. sufficient car parking spaces and operational space on an existing suitable surface are provided within the boundaries of the market to cater for the vehicles of shoppers and stall holders;
- d. the development would not adversely affect the amenity of neighbouring occupiers through noise, odours, litter, on street parking or delivery vehicles; and
- e. permission is limited to a temporary consent to allow the effects of the development to be monitored.

12.34 Town centre markets in Flint, Mold and Holywell make an important contribution to the range of shopping available and bring more shoppers into the towns. However, new open-air markets outside town centres could severely affect the viability of existing shops or existing markets in the Plan area and therefore they will generally not be acceptable in other locations. Their operation can cause traffic congestion and their introduction in areas outside town centres will be resisted under this policy unless proposals clearly comply with the criteria listed in the policy. In particular large new market proposals outside settlement boundaries are unlikely to be appropriate in the Plan area.

12.35 The same considerations would apply to car boot sales if they were to become permanent. Both types of operation can be carried out for 28 days a year without the need for planning permission.

12.36 It should also be ensured that the development does not cause nuisance or adversely affect the amenity of neighbouring occupiers through noise, odours, litter, on street parking or delivery vehicles.

Other key policies:

- AC13 Access and Traffic Impact

# Chapter 13

## Employment

Relevant Strategic Aims	
a. Economy, h. Resources	
Policy Objectives	Policy List
<p>a. SCALE AND QUALITY - to ensure sufficient land is available to provide access for local people to a range of good quality, long term employment opportunities</p> <p>b. LOCATION - to guide new commercial and industrial development to appropriate sites in and adjoining main centres of population in order to minimise the need to travel by car</p> <p>c. RE-USE OF LAND - to concentrate employment development on derelict or under-used land</p> <p>d. HARMONY - to ensure that development has minimal detrimental impact on the natural and built environment and the local community</p>	<p>EM1 General Employment Land Allocations</p> <p>EM2 High Quality Site Allocations</p> <p>EM3 Development Zones and Principal Employment Areas</p> <p>EM4 Location of Other Employment Development</p> <p>EM5 Expansion of Existing Concerns</p> <p>EM6 Protection of Employment Land</p> <p>EM7 Bad Neighbour Industry</p>
Indicators of Policy Performance	Targets
<p>65. % of new employment development on brownfield sites</p> <p>66. Employment land developed by use classes (B1, B2, B8)</p> <p>67. Take up rates</p> <p>68. Development permitted on designated employment sites contrary to policy</p> <p>69. Jobs created</p>	

## 13 Employment

### Introduction

13.1 One of the Plan's key aims is "to create a thriving and sustainable economy providing a wide range of quality employment opportunities for local people". Whilst it cannot in itself determine future levels of employment, the Plan can influence economic performance through the successful implementation of land use proposals and policies.

13.2 The Plan has a fundamental role in making provision for and encouraging employment development in the County, in order to revitalise and broaden the local economy and stimulate employment opportunities, to ensure the future economic prosperity of the County and the well being of its residents. However, it is equally important to balance this goal against the need to protect the environment and landscape.

13.3 This chapter is principally concerned with industry, offices and warehousing. Other sources of employment such as shopping, tourism and rural enterprise are addressed in other chapters of the Plan.

### National Planning Policy

13.4 The Welsh Government's objectives for economic development are to enhance the economic success of both urban areas and the countryside. This includes helping businesses to maximise their competitiveness; supporting initiative; encouraging diversity in the local economy; and promoting the exploitation of new technologies.

13.5 Para 7.1.7 of Planning Policy Wales advises local authorities to ensure that:

- sufficient land suitable for development for enterprise and employment uses and well served by infrastructure is designated for employment so as to meet both identified and as yet unidentified needs; and that
- new development for enterprise and employment uses is located and implemented in accordance with sustainability principles.

13.6 Para 7.2.1 advises local planning authorities, in designating land for employment needs, to consider phasing and the availability of infrastructure. It also recommends a review of all non housing allocations to consider whether some of this land might be better used for housing or mixed use development. Para 7.2.2 places emphasis on the preference for brownfield sites, proximity to existing urban developments, good accessibility to the public transport and primary road network, and good quality telecommunications as key sustainability principles to be considered in selecting key employment locations. Further guidance is provided on the promotion of businesses outside key employment sites and the value of mixed use development. Para 7.2.7 recognises the importance of resisting other uses on key sites in terms of maintaining an industrial land bank.

13.7 Planning Policy Wales requires that UDP's should set out policies that encourage environmentally sound and socially responsible economic development; identify a range and choice of sites to meet different economic and employment needs; and set out clear criteria against which new economic development proposals will be assessed. UDP's should also include, amongst other things, policies on the promotion of the development of under used and vacant previously developed land and premises, hazardous development and potentially polluting industries.

### Flintshire Context

13.8 The relative success of the economy in Flintshire today is very much a reflection of the well-resourced, multi-agency efforts in attracting significant new investment and

jobs to the area following the setbacks of the early 1980s when the textile and steel industries collapsed.

13.9 Flintshire acts as a key focal point for the wider regional economy of North Wales and the North West, providing, for example, 'high-value' manufacturing employment at Deeside Industrial Park and Airbus at Broughton. Some of the key economic indicators suggest that Flintshire's economy is currently strong and performing well: unemployment is relatively low, GDP and economic activity are relatively high.

13.10 However there are still weaknesses in the County economy such as pockets of high unemployment and deprivation in both rural and urban parts of Flintshire; low work force qualifications; high dependence on manufacturing employment; and a weak enterprise culture.

13.11 The Flintshire Regeneration Strategy (FRS) (2009-2020) provides the context in which the Plan's policies seek to bring about the continued economic development and regeneration of the Flintshire economy. Key principles of the Strategy include:

- Working to improve the economic performance across the County;
- working to improve economic activity levels and support enterprise in our most deprived areas;
- creating sustainable places where people want to live and work and where businesses want to invest;
- developing a stronger sense of common purpose for regeneration across different agencies;
- recognising that some areas have been left behind and that what works well in one area of Flintshire may not be appropriate in another. Actions will be better targeted, co-ordinated and based on strategic priorities;
- recognising that everyone, irrespective of their health status, level of physical or learning ability or background will be supported to reach their individual potential and benefit from opportunities developed through the implementation of this strategy;
- recognising that Flintshire is part of a closely interrelated wider economic sub region in the Mersey Dee area. Working with our partners in the Mersey Dee Alliance to sustain shared economic social and environmental strengths;
- involving local people and businesses from the start, using local knowledge of what works best;
- creating the right conditions for businesses to grow and to help local people into work.

13.12 The key issues to be addressed by the UDP in the context of the FRS and Planning Policy Wales are the scale and location of future employment land provision. The principle aim is to achieve the sustainable development and diversification of the local economy through the provision of a suitable range of types and sizes of employment sites in locations which are accessible to people, wherever possible either on foot, by cycle or by using public transport.

### Employment Land Requirements

13.13 The scale of future employment land requirements is based on both quantitative and qualitative factors. The quantitative element comprises an assessment of need based on previous rates of take up of employment land in the County which is reflective of demand and development over the 10 year period 1990-2000. In numerical terms this equates to a land take up rate of between 12 and 19 hectares per annum, depending on whether large 'one-off' developments are included (e.g. BHP terminal and Powergen).

Over the Plan period this produces a land need of between 207 and 328 hectares including an allowance for flexibility (15%) to cater for the need to provide a range of choice of sites for different industrial sectors, the provision of infrastructure, and delays in bringing forward sites.

13.14 In identifying the most sustainable provision within this range it should be noted that the last 'major' development in the County in terms of land take was the BHP terminal in 1993. Also, following the public inquiry into the Shotwick Road planning application, the Inspector felt that the overriding need for a development of this size (in excess of 60 ha) had not been proven. In the current climate it would therefore appear unrealistic to base employment land need on previous rates of land take up that include all large one off developments (the maximum end of the range). However, whilst the demand for large sites seems to have fallen away, developments with large site requirements cannot entirely be ruled out in the future.

13.15 Nevertheless, it is also considered unrealistic to assess employment land provision purely in quantitative terms and based entirely on past trends which may change over time. Allowance should be made for other qualitative factors such as:

- some of the current employment sites are of poor quality and unattractive to certain sectors of the economy;
- some of the land that will be required to roll forward as part of the employment allocations is tied up for existing company expansions and is therefore not generally available to accommodate new investment enquiries;
- increasing demands from 'land hungry' companies/developments;
- the FRS highlights, amongst other things, the service sector is increasing resulting in a need for high quality sites which are currently in short supply;
- new investment and the jobs which flow from it will be increasingly market driven;
- projects are no longer so grant dependent as was the case in the 1980's and early 1990's;
- certain employment sites that will be allocated may not come forward in the early stages of the Plan due to long lead in times and infrastructure provision.

13.16 To provide for the range of scenarios that the above factors will undoubtedly generate, it is more appropriate to consider a level of employment land provision closer to the upper end of the range (207ha to 328ha). The Plan therefore identifies an employment land need in the order of 300 hectares over the Plan period. Such a level of provision would not preclude new inward investment but would be more sustainable.

## Employment Land Provision

13.17 The future provision of employment land in the form of allocations in the UDP is heavily influenced by existing commitments and allocations inherited from the Alyn and Deeside and Draft North Flintshire Local Plans. The level of employment land allocations in these Plans was relatively high, being based on a period of significant economic activity and high rates of take-up of employment land. Because the UDP is setting a relatively lower employment land need, it is almost inevitable that a substantial proportion of existing allocations will make up the land provision in the UDP. However, it has to be acknowledged that some of these sites are not generally available, being held for expansion purposes. Others have lain vacant for a long period of time thus raising questions about their suitability to meet current economic development requirements, their marketability or whether constraints affecting their development can be overcome. A critical examination of these sites has been carried out to identify those allocations which need to be rolled forward into the UDP, net areas of land that can realistically be regarded as available (where known), and to discard those sites which are no longer suitable to be carried forward as employment land allocations. The latter have been assessed as to their suitability for alternative uses.

13.18 Previous plans have made provision for strategic, high quality and local sites and it is considered that this type of provision remains appropriate. Where possible, brownfield sites have been identified for employment purposes as part of this provision. Some 294 ha. of existing employment allocations (assuming a development area of 36.5 ha. at Warren Hall) have been rolled forward into the Plan, but 32 ha. of this is not generally available, being tied up by existing businesses for expansion purposes. New allocations amounting to 47 ha. have been made to address the notional shortfall. These comprise bringing brownfield land back into use; capitalising on opportunities to form business clusters centred around the aerospace sector at Broughton; and recognising the increasing demands for high quality sites from the sectors of the economy that Flintshire is now trying to attract.

13.19 Whilst the total allocations exceed the 'target' need figure, some of the land is not generally available and a relatively large proportion of the total (98 ha.) is taken up by one site to the north west of Garden City, which may take some time to come forward. However, it is considered that the level of provision is acceptable given that there is potential capacity for further employment development within the existing Development Zones and Principal Employment Areas, particularly around the Corus (now Tata) site, to provide the flexibility required to meet any shortfalls that may arise.

13.20 The following summarises the employment land provision compared to the requirement:

- UDP employment land need = 300 ha.
- Current allocations rolled forward = 294ha.
- New allocations = 47 ha.
- Total allocations = 341 ha. (general employment land 279 ha., high quality sites 62 ha. [using development area of Warren Hall])
- Of which, land held by companies for expansion/not generally available = 32 ha.
- Balance of allocations generally available = 309 ha.

## Policies

### EM1 General Employment Land Allocations

The following sites, as defined on the proposals map, are allocated for B1, B2 and B8 employment uses, unless otherwise stated provided that the proposal:

- i. is of an appropriate type and scale for both the site and its surroundings;
- ii. will not unacceptably harm residential or other amenity or restrict neighbouring land uses;
- iii. provides satisfactory on-site parking, servicing and manoeuvring space and that the highway network (including access and egress) is adequate to safely cater for the type and volume of traffic generated by the proposal; and,
- iv. has no significant adverse impact on the integrity of nature conservation sites, the landscape and historic features.

Ref no.	Settlement Location	Site	Area(ha)	Comments
1	Broughton	Chester Aerospace Park	15.5	Retain allocation. Welsh Government redevelopment of a brownfield site.
2	Broughton	Manor Lane/Hawarden Park Extension	18.2	New allocation to the south of existing industrial park to cater for aerospace sector spin-offs and enable improved access.
3	Buckley	Mount Pleasant Road (north)	2.0	Reduction to original allocation.
4	Buckley	Land North of Buckley Station	0.6	Retain as allocation.
5	Buckley	Drury New Road	1.4	New allocation to reflect vacant land to the north of access road to former Optec factory.
6	'Chester'	Chester West Employment Park	1.3	Retain as allocation.
7	Connahs Quay	Former Power Station	12.8	Retain allocation but omit from the Deeside Development Zone.
8	Connahs Quay	Crumps Yard, Dock Road	4.0	New allocation to bring brownfield site back into use.
9	Deeside	Deeside Industrial Park, Phase II	11.6	Retain balance as allocation.
10	Deeside	Land to North of Shotton Paper	24.0	Retain as allocation. But not generally available.
11	Deeside	Land to East of Shotton Paper	32.0	Retain as allocation.
12	Deeside	Land to North West of Garden City	98.0	Retention of existing allocation, but as part of a mixed use scheme under HSG2A. Needs major infrastructure. Development Brief required.
13	Greenfield	Greenfield Business Park, Phase I	1.3	Retain allocation, but land not generally available.
14	Greenfield	Greenfield Business Park, Phase II	6.1	Retain allocations. But 5.0 ha. not generally available.
15	Greenfield	Greenfield Business Park, Phase III	6.4	Retain allocations.
16	Greenfield	Greenfield Business Park (III) Extension	6.6	Retain allocation as extension to Business Park.
17	Mold	Broncoed Ind. Est.	1.1	Retain allocation.
18	Mold	Mold Business Park	5.3	Retain allocations. Restrict to B1 & high



				quality B2 uses.
19	Mostyn	Adjacent Mostyn Docks	4.5	Retain as allocation.
20	Queensferry	Expressway Business Park	0.7	Retain as allocation.
21	Queensferry	Chester Road East	3.8	Reduction to original allocation.
22	Rhydymwyn	Antelope Ind. Est.	1.1	Retain as allocation.
23	Saltney	River Lane	2.2	Retain as allocation.
24	Saltney	Land East of Saltney Ferry Road	14.6	Retain as allocation.
25	Sandycroft	Prince William Avenue	1.8	Reduction to original allocation.
26	Shotton	Rowley's Drive	1.8	Retain as allocation. All committed - no land generally available. B1, B2 (low impact) & B8 uses.
	Total		278.7	Existing allocations rolled forward - 255.1ha. New site allocations - 23.6ha. Land not generally available - 32.1ha.

13.20 The general employment land allocations comprise mainly local sites which are designed to accommodate a range of types and sizes of B1 business, B2 industrial and B8 warehousing uses. Land North West of Garden City is the largest of the site allocations and forms part of a new mixed use development under policy HSG2A. It is located at the 'Northern Gateway' to the County close to main communication links and should be developed to a high standard.

13.21 The bulk of the allocations are well-related to the main urban areas and transport corridors, giving local people good access to a range of jobs, and contributing to a reduction in the length and number of journeys to work. Meanwhile those at Mostyn and Rhydymwyn provide for job opportunities in the more rural communities, and build on existing developments in these areas.

13.22 Brownfield sites account for over 60% of the employment land allocations. New allocations include sites at Broughton, Buckley and Connah's Quay. The Manor Lane/Hawarden Park Extension site is intended to facilitate aerospace sector spin-off developments and enable improved access from the B5125 to the existing industrial estates at Hawarden Park and off Manor Lane. Whilst the site comprises best and most versatile agricultural land, it is considered that there is an overriding need for the development. Aerospace related projects are primarily driven by proximity to their customers and therefore need co-location in the form of a dedicated supplier park. The allocation is a natural extension to the Airport Development Zone and has well defined physical boundaries. No other brownfield sites or land of lesser agricultural quality in the vicinity or wider area is considered to satisfy the criteria for such a development. A development brief will be produced for the Manor Lane/Hawarden Park Extension site which will include matters such as the protection of landscape and nature conservation features.

13.23 The acceptability of heavy industrial and warehouse uses (B2 and B8) in sensitive areas of the sites allocated under this policy (in particular, Mold Business Park) will be judged against the specific nature of the development and its potential effect on the built and natural environment.

13.24 It is recognised that several of the sites are adjacent to Natura 2000 sites. Detailed development proposals on such sites will be rigorously assessed as to their impacts on international nature conservation designations and are likely to require Appropriate Assessment.

Other Key Policies:

- WB2 Sites of International Importance

## EM2 High Quality Site Allocations

The following sites, as defined on the proposals map, will be safeguarded as high quality employment sites for the location of B1 uses:

1. Warren Hall, Broughton - 36.5 ha.
2. DARA site, Sealand - 18.5 ha.
3. St. David's Park, Ewloe - 2.2 ha.
4. Mold Business Park Extension - 5.0 ha.

Development will be permitted provided that:

- a. it incorporates extensive landscaping measures which respect and retain any existing features of landscape, historic or nature conservation interest;
- b. it is of low density; and
- c. its layout, siting, design and materials are of the highest quality.

13.25 High Quality Sites are aimed principally at attracting firms in the 'high technology', research and development sectors, or prestige offices (B1 uses) which require a high quality environment. In addition to rolling forward existing allocations at Warren Hall and St. David's Park, new allocations are proposed at Sealand and Mold in recognition of the increasing demands for high quality sites from the sectors of the economy that Flintshire is now trying to attract.

13.26 The DARA site offers an opportunity to provide a high quality business environment at the Gateway entrance to the County if and when DARA retrench their operations. Land at Mold is a natural extension off the spine road serving the existing Business Park. Given the site's proximity to residential development at its northern boundary and the topography of the site, a Development Brief will be prepared, addressing matters such as layout, design, materials and landscaping, to ensure the natural and built environment is adequately protected. There are outstanding planning permissions for an estimated 3 ha. of office use at Northop Country Park, to supplement the High Quality Site allocations.

## EM3 - Development Zones and Principal Employment Areas

Within development zones and principal employment areas, as defined on the proposals map, the following types of employment development will be permitted:

- a. B1 business use;
- b. B2 general industry;
- c. B8 storage and distribution.

provided that:

- i. the site is not allocated for a specific employment use by virtue of policy EM1 or EM2;
- ii. the proposal is of an appropriate type and scale for both the site and its surroundings;
- iii. the proposal will not have a significant adverse impact on residential or other amenity or unacceptably restrict neighbouring land uses;
- iv. the proposal provides satisfactory on site parking, servicing and manoeuvring space and that the highway network (including access and egress) is adequate to safely cater for the type and volume of traffic generated by the proposal and;
- v. the proposal has no significant adverse impact on the integrity of nature conservation sites, the landscape and historic features.

13.27 This policy seeks to identify on the proposals map the areas where most employment development is likely to take place. The concept of Development Zone designations has been rolled forward from the Alyn and Deeside Local Plan. However, they have been rationalised so that they only embrace areas within the County that are truly strategic in nature in terms of their economic importance. It is considered that the following 3 areas satisfy this approach:

- **Deeside Development Zone:** this area is of strategic economic importance within the sub-region of eastern Flintshire, west Cheshire and the Wirral, forming the 'Northern Gateway' to the County. The designation recognises its current and long term development potential, specific employment land allocations and its existing and potential transport links. The proposed boundary has been drawn back to exclude land North of Shotwick Road, which will now have a countryside designation, and the former power station site to the south of the River Dee, which is now more appropriately dealt with through a specific employment allocation. A minor extension is proposed to the east of the A550 to include the DARA site, which has been highlighted as having potential for future high quality business use.
- **Airport Development Zone:** this is another area of existing employment uses and industrial estates and which also encompasses the Hawarden Airfield and the aerospace industry. Given the existing focus of employment, the expansion of Airbus and the growing potential for spin-off developments from the aerospace sector, the area has a strategic function in the context of the County's economy. The existing boundary of the Zone is proposed to be extended to the north west up to the B5129 and to the south to include a proposed new employment land allocation east of Manor Lane.
- **Port Development Zone:** this is a proposed new designation at Mostyn Docks in recognition of the growing strategic importance of the area as a sea/rail/road corridor. Development Zone status is designed to cater for the expected increase in demand for general employment and spin-off development in this corridor and to enable the docks site to accommodate further port related developments.

13.28 The Principal Employment Areas comprise a mixture of:

- existing employment land and buildings;
- land or buildings with planning permission (commitments);
- undeveloped employment allocations;
- other undeveloped / unannotated land.

13.29 By identifying key areas where new employment development will generally be acceptable, the Plan aims to provide a greater degree of certainty and consistency and avoid the need to identify numerous small allocations or commitments. The policy is applicable to the use of land, new build, conversion, redevelopment and extension or expansion. Within these areas, employment development will generally be acceptable, unless it is allocated for a specific use by virtue of another policy. However, it will still be necessary for proposals to be of a type and scale which respects the local environment and amenity of other land uses and residents. Similarly, the local highway network must be capable of catering for the volume and nature of traffic likely to be generated. Proposals which are major traffic generating developments will be assessed against policy AC4 to assess how they seek to reduce car based journeys.

13.31 It is recognised that several of the sites are adjacent to Natura 2000 sites. Detailed development proposals on such sites will be rigorously assessed as to their impacts on international nature conservation designations and are likely to require Appropriate Assessment.

**Other Key Policies:**

- WB2 Sites of International Importance
- WB3 Statutory Sites of National Importance

- AC4 Travel Plans for Major Traffic Generating Developments.

#### EM4 Location of Other Employment Development

New industrial, office and warehousing development proposals arising outside either allocated sites, Development Zones or Principal Employment Areas will be permitted:

- within the defined settlement boundary;  
or if outside defined settlement boundaries
- through the conversion of suitable buildings; or
- through the redevelopment of suitable brownfield, underused or vacant land;

provided that :

- the scale and design of the development is in keeping with its immediate surroundings;
- the proposed use is appropriate to the location and causes no detriment to residential amenity or areas and features of landscape, nature conservation and historic importance;
- the proposal provides satisfactory on site parking, servicing and manoeuvring space and that the highway network (including access and egress) is adequate to safely cater for the type and volume of traffic generated by the proposal; and
- outside storage areas are screened from public view.

13.32 Many businesses can be located within settlements, provided that they are of an appropriate scale and design, and do not threaten residential amenity. In villages they can help to create a more diverse range of jobs to offset those that may be lost from agriculture. However, it is essential that proposals do not impair the quality of the local environment and that access and parking facilities are satisfactory. The scale of development permissible under this policy will depend on its location. In rural villages developments will generally need to be small scale in order to harmonise with their immediate surroundings and avoid detriment to local quality of life. However, there are likely to be circumstances, particularly in towns, where larger scale developments may be acceptable provided there is no detrimental impact on the locality.

Other Key Policies:

- AC18 Parking Provision and New Development
- AC13 Access and Traffic Impact

#### EM5 Expansion of Existing Concerns

Outside allocated sites, Development Zones or Principal Employment Areas the expansion of industrial concerns will be permitted only where:

- it is located on land within or abutting the boundary of existing premises;
- any new development is subsidiary to the existing operation;
- the scale of the total cumulative development is in keeping with both the site and its surroundings;
- development relates physically to the scale, pattern and form of existing development;
- any new site boundary is logical, utilising existing features wherever possible, or incorporates suitable boundary treatment, supplemented by sensitive landscaping measures; and

- f. the proposal is appropriate to the location and does not cause unacceptable harm to residential amenity or areas and features of landscape, nature conservation and historic importance.

13.33 In many circumstances it will be appropriate to allow firms to extend their existing operation, particularly as expansion on site is cheaper than relocation and makes the best use of existing infrastructure thereby conserving resources. Such an approach forms a key part of the Council's current Regeneration Strategy. Within Development Zones and Principal Employment Areas there is unlikely to be a problem with the expansion of existing firms, but in other locations such as mixed use areas, small settlements or rural locations, it will be necessary to assess more carefully the impacts of the expansion. Proposals will be resisted if the continued expansion of a firm would lead to an intensification of use resulting in an unacceptable impact on residential amenity, access, landscape, townscape or environment.

#### Other Key Policies:

- AC13 Access and Traffic Impact
- D3 Landscaping

#### EM6 Protection of Employment Land

The establishment of non-employment or retail uses on existing or allocated employment land and buildings will be permitted only where:

- a. no other suitable site is available for the development proposed;
- b. the site or building is no longer considered to be suitable for employment purposes;
- c. it would not result in an unacceptable reduction in the supply and range of employment sites in the area; or
- d. the proposal would bring about the removal or satisfactory relocation of a non-conforming or potentially polluting use from the site or building.

13.34 It is important to maintain an adequate supply of B1, B2 and B8 employment land and buildings in the Plan area. Its loss can result in a cumulative reduction in local job opportunities, forcing people to travel further in search of work and harm existing business linkages and support networks. This policy aims to prevent the loss of employment land for uses such as housing and retail which can be located elsewhere.

13.35 However, the policy recognises that there will be circumstances where it would be unreasonable to prevent other uses or development. A number of criteria would need to be satisfied such as the availability of other suitable sites for the proposal and whether the existing site or building is still considered to be suitable for employment uses given factors such as its location, accessibility, size, configuration and condition. A further criterion is whether the loss of the site or building would harm the ability of the locality or settlement to attract employment development due to a lack of a range of sites or premises. A final scenario is where the existing use of the site or building is 'nonconforming' or 'potentially polluting' i.e. it has the potential to, or already is, harming the amenity of local residents or land uses or the environment through noise pollution, traffic level or other impact. In such cases, the removal or relocation of the nonconforming use to a suitable site, enabled by an alternative use, may bring about overall benefit.

#### EM7 Bad Neighbour Industry

Development which is potentially polluting, hazardous or significantly detrimental to amenity will be permitted only on:

- a. employment sites allocated under policy EM1 and permissible under policies EM3, EM4 and EM5; or
- b. suitable brownfield sites or derelict, underused or vacant land;

provided that:

- i. the site is not visually prominent or is well screened;
- ii. it would have no significant restrictions on the use or development of surrounding land;
- iii. it is of a type and scale which is compatible with both the site and surrounding area;
- iv. it would not result in unacceptable harm to landscape, townscape, the historic or natural environment, residential amenity or public health and safety; and
- v. the proposal provides satisfactory on site parking, servicing and manoeuvring space and that the highway network (including access and egress) is adequate to safely cater for the type and volume of traffic generated by the proposal.

13.36 Bad neighbour industries, such as the handling and storage of waste materials, scrapyards, coal yards and particular industrial processes are usually those which pose the greatest risk to air and water quality, flora and fauna, or health and safety. Whilst the Council places a high priority on job creation, this will not be achieved at the expense of public safety or environmental quality. Employment sites allocated under policy EM1 (although not all) are considered to be the most appropriate locations for such industries provided that they conform to this and other relevant policies of the Plan. There may also be other suitable sites within the County such as brownfield land and derelict, vacant and underused land including sites associated with previous mineral workings.

13.37 It must be stressed however, that in all instances proposals involving such uses will be the subject of a rigorous assessment in order to establish their likely impacts. In many cases an Environmental Assessment will be required and specialist consultants may be employed to assess the potential impact of a proposal. In cases where formal assessment is not required, supporting information will still be required in order to enable an informed decision to be made as to the impacts of the development (Policy GEN5).

Other Key Policies:

- GEN5 Environmental Assessment
- EPW12 Pollution
- EPW13 Nuisance
- EPW16 Water Resources

# Chapter 14

## Rural Enterprise and Agriculture

Relevant Strategic Aims	
a. Economy, b. Social and Welfare, d. Community Identity, k. Culture and language	
Policy Objectives	Policy List
a. RESOURCES - to safeguard and improve the agricultural economy by protecting the best and most versatile agricultural land and enabling necessary farm development b. DIVERSIFICATION - to sustain rural communities by facilitating agricultural diversification and the development of small scale rural enterprises c. HARMONY - to ensure that development has minimal detrimental impact on the natural environment and rural character of the area	RE1 Protection of Agricultural Land RE2 New Agricultural and Forestry Buildings RE3 Intensive Livestock Units RE4 Small Scale Rural Enterprises RE5 Small Scale Farm Diversification
Indicators of Policy Performance	Targets
70. No. of diversification schemes permitted 71. Conversion of rural buildings to employment/commercial uses 72. Area of agricultural land lost to development by grade 73. No. of agri/forestry buildings permitted 74. Monitoring of environmental impacts 75. Employment/wealth creation 76. Take-up of grant assistance 77. Changes in number/size/structure/type of farm holdings	

## 14 Rural Enterprise and Agriculture

### Introduction

13.1 The difficulties in the agricultural industry and the growing emphasis on the need to sustain rural communities has focused attention on ways of improving and diversifying the rural economy. Nevertheless, agriculture will inevitably remain the major user of land within rural areas and will make an important contribution to Flintshire's economy. It will also greatly influence the rural character and appearance of a large part of the County. This chapter includes policies both to provide a positive framework for agricultural development, and to protect the best and most versatile land, so that future generations are not deprived of important natural resources.

13.2 However, the industry no longer provides the level of employment opportunities that it once did. Therefore, policies are also included to facilitate the development of a range of alternative, environmentally acceptable enterprises, which, by enabling people to continue to live and work in the rural areas, will help to sustain and diversify the local economy and local communities, whilst protecting the traditional qualities of the countryside. The Plan also provides specifically for farm diversification initiatives in order to facilitate the long term viability of farms.

### National Planning Policy

13.3 The key concern of the Welsh Government is the promotion of sustainable development. In respect of rural areas, the following policy priorities have been set:

- sustainable rural communities with access to affordable housing and high quality public services;
- a thriving and diverse local economy where agriculture-related activities are complemented by sustainable tourism and other forms of employment in a working countryside; and
- an attractive, ecologically rich and accessible countryside in which the environment and biodiversity are conserved and enhanced.

13.4 The Welsh Government's objectives for economic development, in respect of rural enterprise, are to:

- enhance the economic success of the countryside, helping business to maximise its competitiveness;
- support initiative and avoid placing unnecessary burdens on enterprise;
- respect and encourage diversity in the local economy, for example in rural areas encouraging farm diversification;
- promote the exploitation of new technologies which can provide new opportunities; and
- ensure that development for enterprise and employment uses is in line with sustainability principles and respects the environment in its location, scale and design, especially as to address climate change.

13.5 In terms of rural enterprise, the Welsh Government advises that development plans should:

- include policies to maintain or develop sustainable communities, encouraging environmentally sound, climate responsive and socially responsible economic development;



- encourage diversification in the local economy and development which respects the environment;
- contain policies setting out clear criteria against which new economic development should be assessed;
- contain appropriate policies in support of the development of innovative business or technology clusters and eco-industrial networks;
- promote the development of under-used and vacant previously developed land and premises;
- include policies on the scope for new economic development in and adjoining rural settlements, and identify suitable sites. In remote rural areas and smaller settlements a criteria based approach, as opposed to a site allocation approach, should be considered; and
- include policies encouraging farm diversification and new rural development opportunities.

13.6 In drafting the Chapter, regard has also been had to two research papers 'The Rural Economy and the Planning System' and 'Farm Diversification and the Planning System' which formed part of the Welsh Government's Wales Planning Research Programme (now named Wales Planning Policy Development Programme).

#### Flintshire Context

13.7 Previous plans have sought to allocate specific sites for rural development within or adjoining villages with little success. In rural areas it is difficult to match demand with supply therefore a positive policy approach in support of rural diversification initiatives is more likely to be successful rather than the allocation of specific sites. This recognises the embryonic nature of many business initiatives in rural areas, being based on existing activities, premises, local skills or local resources.

13.8 There are other initiatives indirectly related to land use issues which have a role in sustaining and diversifying the rural economy which are relevant to Flintshire. The Coed Cymru initiative seeks to encourage better use of Welsh hardwoods by supplying new markets and producing added value products. Other initiatives seek to promote local foods and other added value products. The Small Towns and Villages Enterprise Initiative operated in several villages in the north of the County targeting small rural businesses and brought about local economic initiatives and community enterprise.

13.9 The Council's Regeneration Strategy (2009-2020) provides the context in which the Plan's policies will seek to bring about rural diversification and regeneration. Key goals of the Strategy include:

- encourage entrepreneurial activity and enhance the skills of the rural workforce;
- modernise and diversify the rural economic base;
- improve access and explore innovative access to rural services;
- support the development of social enterprise solutions to the provision of rural services;
- develop the rural tourism industry and increase its contribution to the economy;
- develop links between service centres and the rural hinterland;
- support the development of affordable rural housing; and

- improve transport links to rural communities, particularly sustainable transport provision.

## Policies

### RE1 Protection of Agricultural Land

Development which would result in the loss of agricultural land of Grades 1, 2, or 3a will be permitted only where:

- there is an overriding need for the development;
- the development cannot be accommodated on derelict, non-agricultural or lower grade agricultural land; or
- available lower grade land has an environmental value or designation which outweighs the agricultural considerations.

13.10 In recent years measures to curtail excessive food production have created surpluses of agricultural land. Nevertheless, it cannot be assumed that this situation will continue over the longer term. Increasing awareness of the environmental impacts of some modern farming methods may lead to the reintroduction of less intensive practices and a renewed demand for land. It is important therefore that the best and most versatile agricultural land should be protected from irreversible development.

13.11 Agricultural land is classified in terms of quality, based on the Ministry of Agriculture, Fisheries and Food Agricultural Land Classification. However, the Agricultural Land Classification Map, given its scale, can often only give a broad indication of the agricultural quality of a specific piece of land. In cases where developments may impinge on 'best and most versatile' agricultural land, it will be necessary to establish the actual classification based on a detailed site survey. Where development proposals affect 20ha or more of agricultural land developers are advised to consult the Welsh Government regarding the likelihood of their site containing significant amounts of 'best and most versatile' agricultural land. Where this is the case the applicant should consult the local authority on whether there is advantage in commissioning field survey work by specialist consultants and on survey requirements.

13.12 The loss of 'best and most versatile' agricultural land is only likely to be considered where there is an overriding need for the development to take place. Applicants will need to demonstrate that the development cannot be accommodated on derelict, non-agricultural or lower grade agricultural land where that land is available and suitable for the development proposed. However, the use of lower grade agricultural land will not be acceptable where it has an environmental value or designation (landscape, wildlife, historic or archaeology) which outweighs the agricultural considerations. In all cases where agricultural land is affected by a development proposal, it will be necessary to take into account the size, structure and viability of the farm unit and the location of the proposed development in order to minimize unnecessary disruption to agriculture and farm structure.

### RE2 New Agricultural and Forestry Buildings

The erection of new agricultural and forestry buildings, or extensions to existing buildings, will be permitted provided that:

- they are reasonably required for, agricultural or forestry purposes within the farm or forestry unit;
- they are, wherever possible, located close to and well related to an existing group of buildings within the farm or forestry unit;

- c. their siting, design, materials and external finish harmonise with neighbouring buildings and the rural character of the local area; and
- d. in the case of intensively farmed livestock, proposals are assessed against policy RE3.

13.13 Given the importance of the local agricultural industry, it is clear that proposals will arise for buildings which are required to maintain or improve the efficiency or viability of farm holdings, or to comply with new environmental, hygiene and welfare legislation. Certain agricultural development may be undertaken without the need for planning permission in terms of agricultural and forestry permitted development rights, although it should be stressed that this relates to meeting farming and forestry needs and is not for the purposes of farm diversification.

13.14 Generally speaking, proposals for agricultural and forestry development will receive sympathetic consideration. Wherever possible existing buildings within the farm complex should either be adapted or sensitively extended before consideration is given to new buildings. However, it is important to ensure that new farm buildings harmonise with the landscape. To this end, the siting, design and external appearance of new buildings will be considered in relation to agricultural requirements, their relationship with existing buildings and the natural environment.

13.15 Where buildings, normally permitted under the provisions of the General Permitted Development Order 1995 (as amended), are considered to have a material impact by virtue of their size, design, materials and siting, the local planning authority will require details to be submitted in accordance with the prior approval procedure within the Order.

### RE3 Intensive Livestock Units

Development associated with the intensive rearing or accommodation of livestock, including the extension or conversion of existing buildings, will be permitted only if:

- a. it is located at least 400 metres away from a settlement boundary or protected building unless satisfactory mitigation measures can be implemented;
- b. it is designed and sited so as to minimise any environmental impact including the character and appearance of the site and surroundings; and
- c. the highway network (including site access and egress) is adequate to safely cater for the type and volume of traffic generated by the proposal.

13.16 Developments associated with the intensive rearing and accommodation of poultry, pigs or other livestock often give rise to various problems. In particular, the type and scale of such proposals can be seriously harmful to the appearance of the landscape; they can generate significant traffic, including heavy goods vehicles, which can cause serious problems of highway safety when access involves the use of narrow country lanes; and the concentration of livestock in confined conditions can create problems of noise, dust and smell from effluent. Careful control over their location and siting is therefore necessary.

13.17 Some types of development such as houses, schools and hospitals, are particularly sensitive to nuisance and disturbance, and are classified as a 'protected building' in the General Permitted Development Order 1995 (as amended). In the interest of public health and amenity it is generally not considered appropriate to allow the development of intensive livestock within 400 metres of such buildings unless satisfactory mitigation measures can be implemented to reduce to an acceptable level, or negate, any nuisance or other impacts of the development.

Other key policies:

- GEN5 Environmental Assessment

- EWP12 Pollution
- EWP13 Nuisance

#### RE4 Small Scale Rural Enterprises

The development of small scale rural enterprises, outside settlement boundaries will be permitted through the following:

- a. conversion of existing buildings provided that:
  - i. the building is structurally sound and capable of conversion without major or complete reconstruction, tantamount to the erection of a new building;
  - ii. the building is suitable for the specific re-use; and
  - iii. any inherent traditional historic or architectural features of merit in the building are retained;
- b. the development of land on the edge of settlement boundaries of category 'B' and 'C' settlements provided that:
  - i. there are no more suitable sites or buildings available either within a nearby settlement boundary or on brownfield land;
  - ii. it is specifically for a rural activity which cannot be located elsewhere;
  - iii. the development is well related to the form of the settlement and does not exacerbate ribbon development or result in a fragmented pattern of development; and
  - iv. a logical new settlement boundary is formed, utilising existing features wherever possible, or suitable boundary treatment, supplemented by sensitive landscaping measures.

In all cases the development should:

- a. be of a form, bulk, design and materials and sited so as to respect the character of the site and surroundings;
- b. not have a significant adverse impact on features or areas of landscape, nature conservation or historic value;
- c. not involve external storage or operations which would be harmful to residential amenity or to the character and appearance of the area;
- d. provide satisfactory on-site parking, servicing and manoeuvring space for the nature and volume of traffic likely to be generated which is capable of being served satisfactorily by the highway network; and
- e. be accessible, wherever possible, by a choice of means of travel, particularly by foot, cycle or public transport.

13.18 This policy recognises that it is not always possible to identify those rural areas where the need for employment diversification will arise in the future. Therefore, rather than allocating specific employment sites where demand may never materialise, it sets out criteria to assess rural development proposals as and when they arise.

13.19 Small-scale enterprises can play a vital role in promoting a more diverse rural economy. With the advent of new technology, the range of businesses which can be successfully located in rural areas is expanding. Apart from traditional agriculturally related enterprises, other commercial and light manufacturing activities can often be carried on in the countryside without causing unacceptable disturbance.

13.20 The policy is not aimed at those developments which by virtue of their scale and type should be located within settlements or specific employment allocations or areas.

Rather, it is aimed at satisfying the needs of smaller scale enterprises which require a rural location for a variety of reasons such as proximity to a resource, site or workforce or due to the nature of the product or service offered. The policy intentionally does not attempt to define 'small scale' as each proposal must be assessed on its own merits taking into account location, characteristics of the site (including buildings) and surroundings, and the nature and intensity of the proposal.

13.21 As a general rule, the Council would prefer to see new rural development take place either within village boundaries or through the sensitive re-use and adaptation of existing buildings and brownfield land. Such development will generally be permitted unless there are specific objections such as visual intrusion, noise, smell, excessive traffic generation or highway safety. However, it is essential that in the case of conversions, existing buildings are suitable for the specific re-use proposed. Proposals which involve poor quality prefabricated or temporary buildings and structures will generally not be looked upon favourably. In some instances, the Council will seek to secure improvements to the external appearance of such buildings as part of the scheme.

13.22 It is accepted that re-use of brownfield land or buildings may not always be possible. In such circumstances new small scale development on greenfield sites adjacent to the settlement boundary may be permitted, provided that the proposed use is one which by its very nature is dependent upon a rural location. Such uses might include the processing of local food products, or woodland and forestry related businesses, which need to be located close to the source of raw materials. However, these developments will be resisted if their scale, siting and design do not respect existing settlement patterns, or if they would adversely affect the quality of the life for local people, or would harm the natural or historic character of the area.

13.23 The policy is aimed at facilitating genuine rural employment schemes and the Council will not look favourably upon speculative proposals which do not have a specific use or user.

Other key policies:

- T1 Tourist Attractions

#### RE5 Small Scale Farm Diversification

Small scale farm diversification proposals comprising the conversion of existing buildings, the limited extension of existing buildings, and in exceptional circumstances small scale new build, will be permitted where:

- a. the proposed diversification activity is run in conjunction with the main farm enterprise;
- b. the proposal would not have a significant adverse impact on features or areas of landscape, nature conservation or historic value;
- c. the proposal would be accessible, wherever possible, by a choice of modes of travel, particularly by foot, cycle or public transport;
- d. any retail proposals are small scale, related to the farm operation or farm diversification scheme, take place within an existing farm building and do not unacceptably harm local shops or centres;
- e. the proposal does not involve external storage or operations which would be harmful to residential amenity or the character and appearance of the area;
- f. satisfactory provision is made for on-site parking, servicing, and manoeuvring space for the nature and volume of traffic likely to be generated which is capable of being served satisfactorily by the highway network;
- g. in the case of conversions:

- i. the building is suitable for the specific re-use; and
  - ii. any inherent traditional historic or architectural features of merit are retained; and
- h. in the case of new build the buildings are of a scale, siting, design and materials appropriate to the site and surroundings and are well related to existing buildings in the main farm complex.

13.24 In order to ensure long term survival, many farm holdings are embarking on farm diversification schemes as a way of supplementing farm income. This can take many forms such as providing serviced or self catering accommodation, food and timber related commercial activities, business uses, storage and distribution, and tourist attractions such as outdoor activities or arts and crafts. The policy intentionally does not attempt to define 'small scale' as each proposal must be assessed on its own merits taking into account location, characteristics of the site (including buildings) and surroundings, and the nature and intensity of the proposal.

13.25 The preference will be for proposals which involve the conversion of existing buildings or the limited extension of existing buildings. It is essential that in the case of conversions, existing buildings are suitable for the specific re-use proposed. Proposals which involve poor quality, prefabricated or temporary buildings and structures will not be looked upon favourably. However, in some instances, the Council will seek to secure improvements to the external appearance of such buildings as part of the scheme.

13.26 Where there are no existing buildings which can be extended or converted, then consideration may be given to small scale new build. Any new buildings must be well related to existing buildings in the main farm complex and sensitive in terms of scale, siting, design and materials to the site and surroundings.

13.27 The diversification element must be run in conjunction with the main use of the farm and applicants may be requested to submit a 'farm plan' in order to demonstrate how the proposal fits in to the operation of the farm and the contribution the activity will make to the viability of the farm. The inclusion in a 'farm plan' of details of the proposed diversification will make it easier for the pros and cons of the proposal to be assessed, and possibly speed up the decision making process.

14.28 Notwithstanding that the opportunities for reducing car use and increasing the use of public transport, walking and cycling are more limited in rural areas, it is considered that wherever possible, diversification schemes should be accessible by means of travel other than the car.

14.29 In certain instances, retailing may be permissible where it is related to either the farm operation or to the diversification activity e.g. the sale of farm produce or value added food products, the sale of arts and crafts, or the sale of equipment in association with a particular outdoor activity. The retailing element should remain ancillary to the main farm operation and should not harm either existing local or village shops or district shopping centres.

14.30 Consideration will be given to the preparation of a supplementary planning guidance note on the issue of farm diversification. In addition to simply setting out planning considerations in more detail, the note could also address other issues likely to arise in farm diversification proposals such as building control, public protection, licensing and contacts, including economic development, to simplify the process.

14.31 The policy is aimed at facilitating genuine farm diversification schemes and the Council will not look favourably upon speculative proposals which do not have a specific use or user.

Other key policies:

- T8 Small Scale Tourism Based Farm Diversification

# Chapter 15

## Sport and Recreation

Relevant Strategic Aims	
b. Social and welfare, c. Health	
Policy Objectives	Policy List
a. INCREASING CHOICE - promote the development of a comprehensive and diverse network of high quality sport and recreation facilities through management agreements and the implementation of planning policies b. EXISTING SPACE - protect and enhance public and private open space, public rights of way and other land of recreational and amenity value c. NEW DEVELOPMENT - ensure that all major new development is accompanied by a sufficient quantity of safe, usable and accessible recreational space d. ACCESS AND HARMONY - ensure that a diverse range of recreational opportunities are available and accessible to all local people without creating adverse environmental impacts	SR1 Sports, Recreation or Cultural Facilities SR2 Outdoor Activities SR3 Golf Facilities SR4 Protecting Recreational Open Space SR5 Outdoor Playing Space and New Residential Development SR6 Allotments SR7 Allocated Sites for Outdoor Playing Space SR8 The Dee Estuary Corridor
Indicators of Policy Performance	Targets
78. Area of open space gained/lost 79. Area of school playing fields lost to development 80. Applications to develop play/green/open space contrary to policy 81. Residential areas within 500m of publicly accessible open space	

## 15 Sport and Recreation

### Introduction

13.1 Residents and visitors to Flintshire take part in a wide variety of leisure activities ranging from visiting the theatre or participation in organised sport, to informal activities such as walking in the countryside. A combination of factors such as shorter working hours, a growth in early retirement and increasing levels of disposable wealth have resulted in many people having more time to spend on leisure activities. In particular, participation in activities like jogging, aerobics and rambling is increasing with a growing awareness of the need to exercise regularly to stay healthy.

### National Planning Policy

13.2 The Welsh Government supports the development of sport and recreation and the wide range of leisure pursuits which encourage physical activity, recognising its contribution to quality of life. In 2005 it published its strategy for the next 20 years for Sport and Physical Activity, 'Climbing Higher', followed by 'Climbing Higher Next Steps' in 2006, which explains the areas which will be targeted for investment'.

13.3 Planning Policy Wales seeks to ensure that planning authorities provide the framework for well located, good quality sport, recreation and leisure facilities. Areas and facilities provided in both rural and urban areas should be sensitive to the needs of users, attractive, well designed, well maintained, protected from crime and vandalism, safe and accessible by people whose mobility is restricted and by a variety of sustainable means of travel, particularly walking, cycling and public transport. In rural areas the Welsh Government stresses that the scale and nature of such developments must be sensitive to the local environment.

13.4 In line with general principles, encouragement is given to the use of previously used land and existing buildings. Emphasis is placed on the protection of playing fields and formal and informal open spaces, particularly those with not only recreational and amenity value but also biodiversity, landscape and nature conservation value. LPAs should protect existing rights of way network and seek to promote new walking and cycling routes.

13.5 In addition to the policy considerations set out above, section 11.2 of Planning Policy Wales also sets out a number of other functions to be performed by UDPs, which are summarised below:

- contain clear policies for the provision, protection and enhancement of sport, recreation and leisure facilities, taking into account local deficiencies based on set standards of provision;
- encourage the multiple use of open space and facilities;
- set out policies to avoid or resolve conflict between different pursuits.

### Flintshire Context

13.6 The demand for new and improved facilities to pursue leisure activities needs to be carefully managed to ensure that, whilst opportunities are developed they do not place undue pressure on the landscape and wildlife. This chapter of the Plan includes both general policies for the development of sports, recreation, leisure and cultural facilities and more specific ones dealing with particular types of activity. In particular, it seeks to ensure that existing recreational spaces and facilities are protected and enhanced, as well as giving guidance on the most



suitable locations for new proposals. There is a recognition throughout of the need to minimise any potential negative impacts of such developments either on residential amenity or the natural environment. The Council's Countryside Strategy complements these policies and the Plan as a whole by encouraging access and recreation opportunities in the countryside.

## Policies

### SR1 Sports, Recreation or Cultural Facilities

Proposals for sports, recreation or cultural facilities will be permitted provided that:

- a. leisure uses best located in town centres adopt a sequential approach to site selection utilising suitable sites or buildings within town centres, or where this is not practicable, they utilise a site/building within settlement boundaries as close to the town centre as possible;
- b. in villages, they are located within a settlement boundary and are appropriate in scale and type; and
- c. in the open countryside they involve:
  - i. the extension of existing sports or recreational facilities; or
  - ii. the conversion of suitable buildings; or
  - iii. small scale buildings and/or ancillary development necessary to carry out the recreational or sporting activity; and
- d. in all cases, the facility is accessible to the local population by a variety of means of travel other than the private car.

In the case of leisure developments outside the defined town centres, applicants will be required to demonstrate a need for the facility.

- 13.7 The provision of new and improved facilities for sports and recreation will be supported whilst seeking to minimise the impact on their surroundings. It is intended that this policy should cover formal leisure developments such as, bowling alleys and bingo halls, cultural facilities such as public halls, libraries and museums, and sports facilities such as stadiums, pitches and pavilions.
- 13.8 In accordance with Planning Policy Wales, facilities which generate high levels of travel should be measured against the sequential test for site selection. Leisure and cultural uses are most appropriately located in, or otherwise immediately adjacent to, town centres, close to the main centres of population. They can play an important role in generating town centre vitality and can make a valuable contribution to the evening economy. They add interest to settlements and can attract a range of complementary daytime and evening uses like specialist retailing, cafes, pubs, and restaurants. They will not be considered appropriate outside settlements.
- 13.9 Cultural facilities can bring a sense of identity and character to an area. The Council wishes to encourage such developments in accordance with the Plan strategy aim to promote and support a diverse local culture. Wherever possible developments should reflect the historic or cultural character of Flintshire.
- 13.10 The policy also gives guidance in respect of the development of sports facilities. Such facilities may require only very limited built structures in association with the main use of the site for sport and may therefore be appropriate outside settlement boundaries. This policy indicates that where green areas such as outdoor pitches or playing fields would normally be permitted outside settlement boundaries, small amounts of ancillary built development such as changing rooms would also be

permitted where this would not affect the open character of the countryside. The development of outdoor recreation facilities such as picnic sites, local viewpoints, toilet facilities and associated interpretative material will also be permitted in the open countryside provided that they are sympathetically located and designed.

- 13.11 Shared use of existing recreation facilities may be particularly appropriate where land is scarce, leading to more efficient use of existing resources and increasing the range of facilities available to the local community. Schools are a particularly valuable resource which offer great potential to meet the needs of children and of the wider community. The LPA will seek to meet identified shortfalls in sport and recreation provision partly through shared usage and the use of section 106 agreements wherever appropriate.

## SR2 Outdoor Activities

Outdoor activities will be permitted only where:

- a. the activity proposed is of a type, scale and intensity that would not unacceptably harm the character and appearance of the site and its surroundings, residential or other amenity, or any landscape, nature conservation or historic interest;
  - b. in the case of riding centres the County Council is satisfied that there are suitable and convenient bridleways for riding in the vicinity; and
  - c. the site is accessible by a choice of modes of travel other than the private car.
- 13.12 This policy provides guidance with respect to outdoor activity centres and also outdoor activities. Outdoor activity centres are defined as residential or non-residential establishments specifically used as a base for outdoor educational or recreational purposes. Such establishments include field study centres, outdoor pursuit centres, pony trekking centres and riding stables. Outdoor activities include for example, clay pigeon shooting, motorsports, paintballing, war games and watersports. Many of these activities can result in disturbance to adjoining areas and the enjoyment of participants needs to be balanced against the potential nuisance to others, particularly where there are noise sensitive uses such as housing, schools and hospitals located nearby. Where appropriate, such proposals should be located in or adjoining existing industrial areas or in well screened locations such as quarries where they would not create a nuisance to adjoining uses. Noisy sporting / recreation activities, particularly those on a commercial scale, will be assessed on a case by case basis to ensure that such developments do not adversely affect neighbouring communities nor the quiet enjoyment of a location.
- 13.13 Developments of this type can provide recreational opportunities for local people as well as attracting visitors to the area to enjoy the countryside and generating new employment opportunities. Consequently the policy allows for sensitive and appropriate use to be made of the natural assets of the area, whilst encouraging rural diversification. Where new buildings are required, these proposals should be dealt with in conjunction with policy SR1.

Other Key Policies:

- SR1 Sports, Recreation and Cultural Facilities

## SR3 Golf Facilities

Proposals for new golf courses, the extension of existing golf courses, associated facilities and golf driving ranges will be permitted only where:

- a. the development reflects the landscape character of its surroundings and existing landscape features are retained where possible;

- b. the development will seek to enhance the nature conservation value of the site through appropriate design and management of the grounds;
  - c. the development can be accommodated without having a significant adverse effect on areas designated as being of international or national importance for biodiversity and landscape or on the site's historic or archaeological conservation value;
  - d. associated facilities are strictly ancillary to the use of the site as a golf course;
  - e. any floodlighting is located so as to minimise light pollution;
  - f. in the case of golf driving ranges, where outside settlement boundaries, they are directly associated with a golf course;
  - g. existing buildings are utilised and where new buildings are essential, they are located near existing buildings, and blend into the landscape in terms of siting, form, design, and materials supplemented by sensitive landscaping; and
  - h. adequate access can be provided which does not adversely impact on the highway network.
- 13.14 This policy reflects the popularity of golf and its potential impact upon the landscape. The development of new facilities and extension of existing facilities will be permitted only where they would be sensitively located and designed.
- 13.15 Landscape character refers to the distinctiveness of the location of the proposal. It requires that developers should incorporate landscape elements such as trees, copses, water features, hedgerows or stone walls into the design and that any existing features are retained where possible. Associated facilities in this context would include club houses, sports shops, and car parks.
- 13.16 The County Council will carefully assess the possible impact of driving range proposals. Such developments generally incorporate floodlighting, extensive fencing and car parking, which can have a substantial impact on the appearance of the countryside. Their development in isolation from golf courses could introduce an unwelcome urban element into the countryside and will not be permitted.

#### SR4 Protecting Recreational Open Space

Development which would result in the loss of playing fields, play areas, informal recreation areas, and other recreational open space will be permitted only where:

- a. there is already adequate recreational open space in the surrounding area; and
- b. the County Council as local planning authority is satisfied that the land will not be required in the longer term for school or community use; and
- c. the site has no visual or amenity value worthy of retention; or
- d. facilities can best be retained and enhanced through the redevelopment of a small part of the site; or
- e. where the development of the site would result in an under-provision of open space in the surrounding area, an equivalent area of replacement space is provided in an appropriate location.

- 13.17 Playing fields, informal recreation areas and play areas are of special significance to the local community for their public recreational value and their contribution to the urban environment. This policy is intended to ensure that such spaces are protected from other development as advised in paragraphs 11.1.1 -11.1.2 of PPW. In particular this policy reflects TAN 16 which advises that "undeveloped land which has recreational value should be protected if there is or would be a deficiency in accessible public open space in the area. Given their recreational or amenity value school playing fields should only be disposed of where it is clearly demonstrated that they will not be required in the longer term for school or community use".
- 13.18 The National Playing Fields Association (NPFA) 'six acre standard' sets a minimum target of 2.43 hectares (six acres) of outdoor play space per 1000 population. Until any alternative guidance is subsequently adopted by the Council, this will be the minimum standard against which the adequacy of existing open space will be measured. It applies to a variety of different types of open space, ranging from organised sports pitches to more informal parks. In instances where any enhancement of, or replacement space, is provided, the Council may require a particular type of space be provided to meet any identified shortfall, and that it should be within 5 minutes safe walking distance of the population which it serves.
- 13.19 In addition to the above, there may be open spaces which are not actively used by the public, but which nevertheless merit protection for their contribution to the character and appearance of a town or village. Development proposals affecting such areas will be considered under the green spaces policy in the Landscape chapter of the plan.

Other key policies:

- L3 Green Spaces

#### SR5 Outdoor Playing Space and New Residential Development

New residential development will normally be expected to include outdoor playing space at a minimum rate of 2.4 hectares per 1000 population, this provision will include outdoor sport and recreation space together with equipped play space. In exceptional circumstances, where it is not possible to provide open space on the development site, then suitable off site provision or contributions to new or improved facilities, including equipment, will be sought.

15.20 In the past new housing development has often taken place without the provision of sufficient open space to meet the needs of children and adults. This policy seeks to ensure that future development is suitably catered for in the provision of outdoor playing space. The minimum amount of outdoor playing space required by the policy relates to the number and size of the dwellings proposed and is based on the standard of 2.4ha of outdoor playing space for every 1,000 residents. It is split into two types of land:

- i) children's playing space at 0.8 ha per 1,000 population, and
- ii) sports grounds for use by all at 1.6 ha per 1,000 population.

15.21 The children's playing space should be comprised of formal equipped playing space (0.25 ha) and informal playing space (0.55 ha). The sports grounds should be split into land for sports pitches (1.2 ha) and outdoor formal recreation (0.4 ha).

15.22 All new housing developments, including those for single dwellings or for a small number of dwellings, should contribute towards the provision of outdoor playing space. This includes dwelling gains from redevelopments and conversions where additional residential units are created.

15.23 The Council will use planning obligations and conditions imposed on planning permissions in order to guarantee that the outdoor playing spaces provided under this policy are suitably landscaped, transferred to the Council free of charge, and that provision is made for their subsequent maintenance.

15.24 In all circumstances the Council will seek primarily to secure the provision of outdoor playing space as part of the development. It will be the sole responsibility of the Council to determine the location of such provision. In general, outdoor playing space should always be provided on site, however there will be some occasions when this is not possible. In such instances, developers will be expected to make provision off site. It will not usually be realistic for developers of small schemes (i.e. under 10 additional dwellings) to provide playing space on site. However, they will be expected to make a financial contribution towards the provision of outdoor playing space in the locality. In these instances, the resources will be pooled in order to provide adequate, appropriate and accessible outdoor playing spaces in suitable locations.

Other key policies:

- IMP1 Planning Conditions and Planning Obligations

#### SR6 Allotments

Proposals for the redevelopment of allotments for other uses will be permitted only where it can be demonstrated that:

- a. sustained demand for the use of the site has ceased; or
- b. ground conditions are no longer favourable or cannot be suitably improved; or
- c. alternative allotment land of at least equivalent quality and of similar size is offered in exchange.

Where development would be permitted, but the Council considers that there is a shortfall of open space in a town or village, an appropriate portion of the site should be made available for publicly accessible open space.

15.25 Allotments should be protected from redevelopment, wherever possible due to their local value in fulfilling a unique recreation role.

15.26 Allotments do not provide publicly accessible open space in the fullest sense because of their restricted access. Nevertheless, when no longer required for their original purpose, they offer potential to alleviate shortfalls in publicly accessible open space, especially when other open land in the area is limited. In such circumstances, the County Council will be concerned to ensure that their potential contribution to public open space is fully taken into account before allowing their release for other uses.

#### SR7 Allocated Sites for Outdoor Playing Space

The land adjacent to Lilac Drive Penyffordd/ Penymynydd (1.6 ha) is allocated for outdoor sport and recreation and identified on the proposals maps.

15.27 The site identified at Penyffordd / Penymynydd will assist in bringing the provision of outdoor recreation space to the recommended standards. The allocation is well related to the existing settlement and will not have an adverse environmental impact.

#### SR8 The Dee Estuary Corridor

Development proposals within and along the Dee Estuary Corridor will be permitted only where the proposal:

- a. does not detract from the recreational value of the Estuary Corridor;
  - b. would not have a significant adverse effect on, or affect the integrity of, any Ramsar or Natura 2000 site;
  - c. where appropriate improves access to, from, and around the Corridor for pedestrians, cyclists and horse riders;
  - d. enhances the attractiveness of the Dee Estuary for the public's enjoyment; and
  - e. preserves and enhances nature conservation and landscape assets.
- 15.28 For the purpose of this policy the Dee Estuary Corridor is regarded as being land and estuary to the North of the A548. The coastal strip is a vital feature of the County not only for its historic, archaeological, nature conservation and landscape value, but also for the range of recreational opportunities it provides. Therefore, any development proposal which would unacceptably harm areas of nature conservation, landscape, historic, archaeological or biodiversity importance will not be permitted. Recognising the importance of the Dee Estuary, this policy seeks to enhance the quality of the Dee Estuary Corridor whilst protecting the area from insensitive development and is consistent with the aims of the Dee Estuary Strategy.
- 15.29 Central to the approach to the Dee is the enhancement of the "estuary experience" through relatively soft developments such as the development of recreation areas, walking or cycling routes and environmental enhancement schemes which would increase access to and along the Dee. As part of this approach it will be important to provide landscape, historical and wildlife interpretation of the Dee Estuary.
- 15.30 Along the Dee Estuary Corridor there is significant potential to strengthen the integrity of the route by focusing complementary developments at key points which could increase the route's attractiveness to the public. Sites such as Wepre Riverside Park; Flint Point; the former Bettisfield Colliery; and the Point of Ayr are all sites where complementary facilities could be developed to enhance the experience of the entire Dee Estuary Corridor. Indeed such is the potential of the route that enhancement measures could be achieved cost effectively through the integration of countryside projects with derelict land and flood prevention schemes.

Other key policies:

- L6 The Undeveloped Coast
- WB2 Sites of International Importance

# Chapter 16

## Tourism

Relevant Strategic Aims	
m. Tourism	
Policy Objectives	Policy List
<p>a. LOCATION - to guide tourism development to locations which are accessible wherever practicable from main settlements by public transport or on foot</p> <p>b. HARMONY - to promote tourism developments which have minimal detrimental impact on the natural and built environment and on local communities</p> <p>c. RURAL DIVERSIFICATION - to promote diversification through small scale rural tourism</p> <p>d. ENHANCEMENT - to bring about the improved quality and reduced environmental impacts of certain forms of holiday accommodation by permitting minor extensions</p>	<p>T1 Tourist Attractions</p> <p>T2 Serviced Tourist Accommodation</p> <p>T3 Self-Catering Tourist Accommodation</p> <p>T4 New Static Caravans and Chalet Holiday Sites</p> <p>T5 Extension of Existing Static Caravan and Chalet Holiday Sites</p> <p>T6 Touring Caravan Sites</p> <p>T7 Tent Camping Sites</p> <p>T8 Holiday Occupancy Conditions</p> <p>T9 Small Scale Tourism Based Farm Diversification</p> <p>T10 Greenfield Valley</p>
Indicators of Policy Performance	Targets
<p>82. Applications for holiday accommodation granted permission/refused</p> <p>83. Number and proportion of second homes</p> <p>84. Amount, type and location of tourist development</p> <p>85. Employment generation / contribution to local economy</p> <p>86. Trip generation by type of transport</p> <p>87. Improvements to static caravan sites</p> <p>88. Tourist accommodation surveys</p> <p>89. % brownfield land/buildings developed</p> <p>90. Number of applications to remove/vary occupancy conditions</p> <p>91. Visitor numbers</p>	

## 16 Tourism

### Introduction

16.1 Tourism is principally concerned with attractions and accommodation catering for people from outside the Plan area to visit Flintshire. Tourism has been a growing sector of the UK economy in recent years reflecting a growth in mobility, personal incomes and leisure time. It has also been the subject of significant changes over recent decades as people have moved away from the traditional seaside holiday in favour of new forms of tourist attractions, accommodation and activities. It can generate considerable benefits for the local economy, bringing money into an area, providing jobs and playing a key role in rural development and urban regeneration. However, it can also have negative impacts in terms of traffic congestion, harm to sensitive natural environments and the amenity of residents. It is therefore essential that there is a positive policy framework in the Plan to encourage tourism development which embraces the principles of sustainability.

### National Planning Policy

16.2 The Welsh Government's objectives for tourism are:

- to encourage sustainable tourism in Wales, promoting local prosperity and supporting community well-being and involvement, while protecting and giving value to natural heritage and culture; and
- to manage the tourism sector in ways which minimise environmental impact.

16.3 Planning Policy Wales seeks to ensure that planning authorities provide the framework for well located, good quality tourist facilities. Areas and facilities provided in both urban and rural areas should be sensitive to the needs of the users, attractive, well designed, well maintained, protected from crime and vandalism, safe and accessible by people whose mobility is restricted and by a variety of sustainable means of travel, particularly walking, cycling and public transport. In rural areas the Welsh Government stresses that the scale and nature of such developments must be sensitive to the local environment.

16.4 In line with general principles, encouragement is given to the use of previously used land and existing buildings. Planning Policy Wales also sets out in section 11.2 a number of other functions to be performed by UDPs, which are summarised below:

- indicate the way in which previously developed land or disused land and water will be considered for tourism uses, particularly in relation to urban regeneration;
- contain clear policies for the provision, protection and enhancement of tourist facilities;
- set out policies to avoid or resolve conflict between different pursuits;
- encourage the diversification of farm enterprises and other parts of the rural economy into appropriate tourist uses, subject to adequate safeguards for the character and appearance of the countryside, particularly its landscape, biodiversity and local amenity value.

16.5 Further advice is contained in para 4 of Planning Guidance (Wales) TAN 13 which states 'Development plans may provide guidance on opportunities for larger scale or innovative projects, appropriate facilities for the countryside or designated areas and the provision of facilities in historic towns and seaside resorts.'



## Flintshire Context

16.6 Tourism is possibly an area of the local economy which is underdeveloped in Flintshire as it is often overlooked by visitors on their way west to the more well known attractions of Snowdonia and the North Wales seaside towns. However the tourist attractions of Flintshire are ideal for short breaks, a stop off en-route, or a day out. They include the Clwydian Hills Area of Outstanding Natural Beauty, the traditional seaside resort of Talacre Beach, the Greenfield Valley Heritage Park and Wepre Park along with traditional market towns such as Mold.

16.7 The most recent tourist accommodation survey for N.E. Wales was in 1995, which identified a total of 28,361 bedspaces for Flintshire of which 22,361 bedspaces were accounted for by static caravans. The Scarborough Tourism Economic Activity Model (STEAM) has been adopted by North Wales Authorities and has estimated a total tourism expenditure within Flintshire of £107m in 2001 and some 2.4m tourist visits. Approximately 2,000 full time equivalent jobs are estimated to be supported by the tourism industry in Flintshire.

16.8 The Council's Flintshire Regeneration Strategy 2009-2020 and the Flintshire Tourism Strategy 2008 - 2013 out to realise the potential of tourism within the County through:

- development of Flintshire's untapped assets;
- determining and promoting a specific image for Flintshire;
- marketing specific packages; and
- ensuring visitors to neighbouring attractions and drive through tourists, know about the County and the quality and range of its tourism opportunities.

16.9 It is essential that the Plan adopts a sustainable approach to tourism development so that the needs of visitors to the area are satisfied in a manner which provides a positive impetus for the protection and enhancement of these natural and historic resources. This is particularly important as the attraction for tourists is often based upon the quality of the natural, built and cultural environment.

16.10 Guiding development towards existing settlements will contribute a number of significant benefits: the protection of areas of natural beauty; the dispersion of the economic benefits of tourism development across the Plan area; and the reduction of the need to travel by car, minimising the take up of greenfield sites. This will also have the added advantage of making tourism facilities available to cater for the needs of the local community. The re-use of brownfield land and buildings both in urban and rural areas accessible from the main settlements by public transport or alternative means of transport will be preferred.

16.11 Given the tendency for holidays and short breaks being taken throughout the year, tourism proposals which extend the holiday season or provide wet weather facilities would make an important contribution to tourism in the County. This could take the form of new purpose-built attractions or improvements to existing tourism facilities.

16.12 There is potential to integrate tourism with environmental improvements such as improved access to the countryside, the diversification of agriculture and rural areas, cultural and heritage based initiatives as well as outdoor based and specialist activities. The Plan provides support and guidance for small rural tourist enterprises as changes in the agricultural industry require that priority is given to diversification of the rural economy to provide rural job opportunities.

## Policies

### T1 Tourist Attractions

Development of new or extensions to existing tourist attractions will be permitted within defined settlement boundaries utilising vacant, redundant or underused land and buildings where practicable, or outside defined settlement limits, where it is essential to have a rural location, in the form of:

- a. the expansion of existing tourist attractions; or
- b. the conversion of existing buildings; or
- c. the construction of new buildings where the proposal is dependant upon a geographically restricted natural or historic resource or activity and no suitable existing buildings are available;

provided that in all cases the development:

- i. would be appropriate in terms of scale, type and character to its location and setting;
- ii. would not unacceptably harm the natural or historic built resources of the area;
- iii. would improve awareness and understanding of Welsh Language and Culture where possible;
- iv. would cater for the needs of local visitors in addition to tourists;
- v. where appropriate is accessible by a choice of modes of travel, particularly by foot, cycle or public transport ; and
- vi. would not have a significant adverse impact on features or areas of landscape, nature conservation or historic value.

16.13 This policy seeks to guide new tourism development towards existing settlements and promote the re-use of existing land and buildings which are vacant, underused or derelict. Elsewhere, the policy generally limits tourism development to conversions of existing buildings and extensions of existing tourist attractions. Development "related to a geographically restricted resource" would be that in connection with features of the natural or historic environment or outdoor activity and might include visitor or interpretation centres or development associated with outdoor activities. All proposals outside existing settlements will need to establish why a rural location is necessary.

16.14 The policy seeks to ensure that tourist attractions are sensitive to their surroundings in terms of the environment, local culture and the needs of local people. Tourism development must meet the needs of visitors to the area without compromising the natural and cultural assets on which the industry is based or adversely affecting the amenity of local residents. Facilities should also cater, wherever possible, for the leisure needs of the local community. This aim will be assisted by seeking to ensure that tourism developments are accessible by means of travel other than the car.

## T2 Serviced Tourist Accommodation

Development of new or extensions to existing hotels and other serviced tourist accommodation will be permitted within settlements. Outside defined settlement boundaries development will be permitted in the form of:

- a. the extension of an existing viable hotel or other serviced tourist accommodation;
- b. the conversion of existing buildings whereby:
  - i. the building is structurally sound and capable of conversion without extensive rebuilding, extension or alteration tantamount to the erection of a new building;
  - ii. any traditional historic or architectural features of merit are retained; and
  - iii. any curtilage included to provide amenity space or associated parking or other facilities should not harm the character and appearance of the area;

provided that in all cases the development:

- a. would be appropriate in terms of scale, type and character to its location and setting;
- b. would not have a significant adverse impact on the amenity of nearby residents, other users of nearby land/ property or the community in general;
- c. where appropriate, is accessible by a choice of modes of travel, particularly by foot, cycle or public transport; and
- d. would not have a significant adverse impact on features or areas of landscape, nature conservation or historic value.

16.15 This policy seeks to improve the provision, range and quality of serviced tourist accommodation in appropriate locations in the Plan area by facilitating such development within settlements and outside settlement boundaries through the conversion of existing buildings or extension of existing establishments. The policy will provide the basis to enable the expansion and improvement of existing hotels and guest houses in terms of additional bedspaces or improved facilities such as conference / business facilities and leisure facilities. Such an approach supports the economy of local villages and towns; reduces the development of greenfield sites; and uses existing built resources. The policy also reduces the need to travel by ensuring that new developments are accessible by means of travel other than the car.

16.16 Forms of serviced tourist accommodation vary from large high quality hotels to farm bed & breakfast accommodation. The type and scale of facility will depend on the character of the building, site and locality in terms of visual impact, and impact on amenity in terms of noise, activity and hours of operation. These considerations will apply to both new proposals and the extension of existing establishments. Proposals involving listed buildings or conservation areas or in sensitive landscapes such as historic parks and gardens or the AONB will be the subject of close scrutiny, having regard to policies in the natural and built environment chapters.

### T3 Self-Catering Tourist Accommodation

New self-catering tourist accommodation will be permitted within defined settlements. Outside defined settlement boundaries development will be permitted in the form of:

- a. extension to existing tourist accommodation facilities; or
- b. the conversion of existing buildings whereby:
  - i. the building is structurally sound and capable of conversion without extensive rebuilding, extension or alteration tantamount to the erection of a new dwelling;
  - ii. any traditional historic or architectural features of merit are retained; and
  - iii. any curtilage included to provide amenity space or associated parking or other facilities should not harm the character and appearance of the area;

provided that in all cases the development must:

- a. be appropriate in terms of scale, type and character to the building and site and its location and setting;
- b. not have a significant adverse impact on the amenity of nearby residents, other users of nearby land/property or the community in general;
- c. where appropriate, be accessible by a choice of modes of travel, particularly by foot, cycle or public transport; and
- d. not have significant adverse impact on features or areas of landscape, nature conservation or historic value.

16.17 This policy seeks to improve the provision and range of permanent, quality tourist accommodation whilst not increasing the pressure on existing housing stock in rural areas. It is difficult to define the extent of 'small scale' extension to existing tourist facilities as this will depend on the characteristics of the existing buildings, site, surroundings and the proposed extension.

16.18 Where rural buildings are reused as tourist accommodation they could then easily serve as permanent residences. Government planning guidance only allows for the establishment of new homes in the open countryside in a very limited number of situations. Therefore this policy provides tight guidelines for the reuse of buildings as tourist accommodation. Circumstances may arise when the Council will grant planning permission for the conversion of buildings in rural areas into holiday accommodation where the proposals would not be acceptable for permanent residential use, for instance due to lesser standards of parking or facilities provided. In such circumstances holiday occupancy conditions will be imposed on new tourist accommodation to prevent the use of the building as a permanent residence. Existing buildings should be of sufficient size to be converted for the intended use without the need for extension or significant alteration and any features of architectural or historic merit should be retained as part of the conversion scheme. To avoid detrimentally affecting the character of the building any further extension to the building will be prevented through the removal of permitted development rights in certain circumstances.

#### T4 New Static Caravans and Chalet Holiday Sites

In the Talacre, Gronant and Gwespyr area, development of new static holiday caravan or chalet sites will not be permitted in the area depicted on the proposals map. Elsewhere development of new static holiday caravan or chalet sites will be permitted where:

- a. the scale of the proposal together with the number, siting and layout of units, circulation roads and service buildings is appropriate to the characteristics of the site and locality;
- b. the scheme incorporates substantial internal and structural landscaping;
- c. the proposal would not have a significant adverse impact on features or areas of landscape, nature conservation or historic value;
- d. where appropriate, the site is easily accessible from the local highway network and is accessible by a choice of modes of travel, particularly by foot, cycle or public transport; and
- e. the proposal would not have a significant adverse impact on the amenity of nearby residents, other users of nearby land/property or the community in general;

16.19 In addition to the need to improve the quality of the area's caravan and chalet accommodation the impact of caravan or chalet sites on the landscape must also be considered. The majority of existing sites and demand for sites is greatest in areas of higher scenic value, where there is limited capacity to accommodate further development without a significant detrimental effect on the appearance of the landscape. It is considered that the open character of the coast and the sand dune system around Talacre, Gronant and Gwespyr are important features which have already been extensively affected by caravan site development and the policy does not allow for new caravan sites in this area.

16.20 The scale of the proposal will depend on whether the number, siting and layout of units is appropriate given the characteristics of the site and its surroundings. It is relevant to note that paragraph 16.23 applies to both policy T4 New Static Caravans and Chalet Holiday Sites and policy T5 Extension of Existing Static Caravan and Chalet Holiday Sites.

Other key policies:

- D1 Design Quality, Location and Layout
- D2 Design
- D3 Landscaping
- GEN4 Green Barrier

T5 Extension of Existing Static Caravan and Chalet Holiday Sites

The modest extension of existing sites will be permitted only where:

- a. any increase in the number of standings or units is marginal;
- b. the proposal involves only a modest physical extension of the site area;
- c. the scheme incorporates substantial internal and structural landscaping, demonstrates significant improvement to the environment of the site and a reduction of its impact on the surrounding landscape;
- d. the proposal involves improved on-site facilities; and
- e. the proposal would not have a significant adverse impact on the amenity of nearby residents, other users of nearby land/property or the community in general.

The replacement of static holiday caravans by chalet development and the general upgrading and remodelling of existing parks will be permitted where the proposals improve the overall quality of the accommodation and the appearance of the site.

16.21 The policy allows for the modest expansion of existing caravan and chalet parks provided that there are significant landscape improvements and environmental improvements together with improved on site facilities. Normally the improved siting and layout of units, together with improved internal circulation, parking areas and landscaping would result in the same number or slightly less units being accommodated. However, it is recognised that there may be limited instances where such improvements could result in an increase in the number of units or standings. Provided that the increase is marginal i.e. no greater than 10%, and the increased number of units does not unacceptably harm the appearance of the site then this will be acceptable. The extension of the area should also be modest i.e. approximately 10%, although this will depend on the suitability of utilising any existing boundary or screening, or identifying a logical new boundary, subject to any boundary being landscaped in an appropriate manner. Landscape improvements may also be necessary to other existing boundaries in order to reduce the visual impact of sites. The objective of any landscaping scheme will be to bring about the integration of the development and the site with the wider landscape. The Council will require design and access information commensurate with the scale and type of development proposed to accompany all applications that are subject of this policy.

16.22 Particular attention will be given to proposals for modest extensions along the coast, given the flat and open character of the coast, the prominence of developments and the difficulty in devising landscaping schemes which are appropriate for a coastal location yet able to provide satisfactorily screening. Whilst not allowing 'new' developments along the coast, it is recognised that significant improvements to the appearance and quality of existing sites are unlikely, without the flexibility and opportunity for additional investment made possible by allowing minor extensions.

16.23 Policies T4 and T5 above concern only the use of land for static caravans and other non permanent structures occupied for holiday purposes. They do not apply to the residential use of such structures, in respect of which policies are contained in the

housing chapter. Guidance on model standards which should be applied to the design and layout of static caravan sites, and of the facilities and amenities they should contain, is given in Welsh Office Circular 23/89. Planning conditions may be applied to permitted static caravan or chalet sites to limit the use to particular times of year and to holiday occupancy. In addition to planning permission caravan sites generally require a site licence from the local authority.

Other key policies:

- D1 Design Quality, Location and Layout
- D2 Design
- D3 Landscaping
- GEN4 Green Barrier

## T6 Touring Caravan Sites

New touring caravan sites will only be permitted where:

- a. the proposal would not have a significant adverse impact on the amenity of nearby residents, other users of nearby land/property or the community in general;
- b. the scale of the proposal, together with the number, siting and layout of pitches and circulation roads, is appropriate to the characteristics of the site and locality;
- c. the proposal would not have a significant adverse impact on features or areas of landscape, nature conservation or historic value;
- d. the scheme incorporates substantial internal and structural landscaping;
- e. it is in close proximity to and can be easily accessed from the local highway network;
- f. it is used for touring caravan purposes and any touring caravans are removed from the site for periods when not in use; and
- g. any essential service buildings that are needed can be provided within existing buildings or appropriately sited and designed small new buildings.

The extension of existing sites will be permitted only where:

- a. any increase in the number of pitches is marginal;
- b. any physical extension of the site is modest;
- c. the scheme incorporates substantial internal and external structural landscaping, demonstrates significant improvement to the environment of the site and a reduction of its impact on the surrounding landscape;
- d. the proposal involves improved on-site facilities;
- e. the proposal would not have a significant adverse impact on the amenity of nearby residents, other users of nearby land/property or the community in general; and
- f. any touring caravans are removed when not in use.

16.24 This policy is concerned with the use of land for touring caravan sites and is not directed at residential or gypsy / new age traveller caravan provision. It seeks to encourage proposals for touring caravan sites but only where they minimise the effect on the surrounding area, either utilising existing screening or through new landscaping measures as part of the proposal. Service or reception facilities should ideally be incorporated in existing buildings or through appropriately sited and well designed small new buildings. Any new sites should be located in close proximity to the local highway network and the roads should be suitable for use by vehicles towing caravans or by

motorhomes. Proposals for new touring caravan sites within the coastal strip will be the subject of close scrutiny to ensure that the open character and appearance of the coastal landscape will not be harmed. The provisions of policy L6 The Coast will be particularly relevant.

16.25 Sites should be used for touring purposes only and planning permissions may contain appropriate conditions to ensure that caravans are removed when not in use to prevent the outside storage of caravans.

16.26 Guidance on model standards which should be applied to the design and layout of touring caravan sites and the facilities and amenities they should contain is given in Welsh Office Circular 32/83. In addition to planning permission caravan sites generally require a licence from the local authority.

16.27 The policy allows for the modest extension of existing touring caravan sites. Any increase in the number of pitches or site area should be no greater than 10%. Increasing the site area will depend upon the suitability of utilising any existing boundary or screening or identifying a logical new boundary that will be appropriately landscaped. Particular attention will be given to proposals to extend existing sites in the coastal area, given its flat and open character, the prominence of developments and the difficulty of devising landscaping schemes that are appropriate for a coastal location yet provide satisfactory screening. As set out in policy D1 all applications should be accompanied by design information commensurate with the scale and type of development proposed.

## T7 Tent Camping Sites

New tent camping sites or the extension of existing sites will only be permitted where:

- a. the proposal occupies an inconspicuous or well screened site and / or can be assimilated into the landscape through landscaping measures;
- b. any essential service buildings can be provided within existing buildings or appropriately sited and designed small new buildings; and
- c. it would not have a significant adverse impact on features or areas of landscape, nature conservation or historic value.

16.28 Although camp site proposals can often accommodate both touring caravans and tents, tent camping is considered separately as such proposals will generally have a lesser impact on the environment and have less exacting access requirements. The Council wish to encourage such provision and tent camping sites may be appropriate in the AONB or along the coast, particularly as part of farm diversification measures or in association with outdoor activities.

16.29 Often, proposals will involve a mix of tent pitches and touring caravan pitches and it will be necessary for planning applications to identify whether these areas are separate (and the numbers of pitches in each) or whether there will be any areas with shared use to allow for flexibility in terms of the operation of the site. Proposals involving a mix of touring caravans and tents will normally be assessed against policy T6 Touring Caravan Sites, given that touring caravans generally have a greater impact on the environment than tents.

16.30 The use of land for tent camping for less than 28 days per year does not require planning permission under the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Other key policies:

- RE4 Small Scale Rural Enterprise
- RE5 Small Scale Farm Diversification

## T8 Holiday Occupancy Conditions

Planning permission granted for self serviced tourist accommodation, including converted buildings, caravans and chalets will be accompanied by planning conditions to:

- a. restrict occupancy to holiday use; or
- b. restrict occupancy to certain periods of the year.

16.31 The Plan seeks to increase the quantity and diversity of holiday accommodation available in Flintshire. It is also necessary to have regard to the growing demand for holidays throughout the year and the economic benefits to be gained from extending the traditional summer vacation period. Of concern is that holiday accommodation might otherwise be used as permanent housing given that many of the standards which may apply to holiday accommodation, such as the amount of private open space, are below what is acceptable for permanent residential accommodation.

16.32 The Plan seeks to prevent permanent occupation of unsuitable or substandard accommodation such as caravans, having regard also to the pressure of tourism accommodation on local services. In such cases seasonal occupancy conditions will be imposed on new tourist accommodation, restricting the use of holiday accommodation as a permanent residence. In the case of permanent buildings, the use of accommodation for holiday use only, rather than permanent residential use, often has a lower impact on the surrounding area and puts less pressure on local services such as schools and health care. However, if the occupants were using the building as a base to go to work, or their children were being educated locally, there would be a strong case to argue that the holiday occupancy condition applied to the accommodation was not being complied with and the Council might then proceed with enforcement action.

16.33 In order for the Council to be able to effectively enforce such planning conditions it may be appropriate for the applicant to set out how the accommodation or pitches will be restricted to holiday use. Agreement with the Council on how the development can be monitored without intrusive checks on occupants will be helpful.

### Other Key Policies

- T3 Self Catering Tourist Accommodation
- T4 New Static Caravans and Chalet Holiday Sites
- T5 Extensions of Existing Static Caravan and Chalet Holiday Sites

## T9 Small Scale Tourism Based Farm Diversification

Farm based tourism proposals will be permitted in accordance with policy RE5.

16.34 In order to ensure long term survival, many farm holdings are embarking on farm diversification schemes as a way of supplementing farm income. In terms of tourism this can take many forms such as providing serviced or self catering accommodation, food related commercial activities, outdoor activities or arts and crafts. Appropriate guidance on tourism based farm diversification is set out in policy RE5 'Small Scale Farm Diversification' in the Rural Enterprise and Agriculture chapter.

Other key policies:

- RE5 Small Scale Farm Diversification
- S5 Small Scale Shopping Outside Settlements

## T10 Greenfield Valley



Development proposals within or adjoining the Greenfield Valley, as designated on the proposals map, will be permitted where they do not detract from the tourism potential of the Valley or harm areas or features of landscape, nature conservation or historic value.

16.35 The Greenfield Valley is a highly accessible location which makes a considerable contribution to the cultural resources of the area. It is a significant tourist attraction based principally on the historic interpretation of the Valley. The County Council will therefore favourably consider any proposals which support its continued development as a visitor destination and do not harm the landscape, nature conservation and historic features which contribute to its special character. Other development proposals may be permitted in or adjacent to the Valley provided that they do not harm its special character and features.

16.36 The Council is particularly concerned to improve the linkages between the Greenfield Valley and the historic market town of Holywell.

Other Key Policies:

HSG2B Former Holywell Textile Mill

# Chapter 17

## Community Facilities

Relevant Strategic Aims	
b. Social and welfare	
Policy Objectives	Policy List
a. ACCESS TO FACILITIES - to ensure that all Flintshire residents have access to a high quality range of health, education, social and welfare facilities, close to where they live b. MEETING NEED - to allocate appropriate sites for the development of community facilities where a need has been identified c. SAFEGUARDING FACILITIES - to ensure that, wherever possible, existing community facilities are retained d SERVICE INFRASTRUCTURE - to ensure that sufficient capacity exists to service all new development without detriment to the local environment or quality of life	CF1 Retention of Existing Facilities CF2 Development of New Facilities CF3 New Primary School CF4 New Health Clinic CF5 New Community Centres CF6 Service Provision CF7 Development by Utilities
Indicators of Policy Performance	Targets
<i>92. No. of leisure/community facilities lost to other uses</i>	

## 17 Community Facilities

### Introduction

13.20 The adequate provision of schools, health clinics, libraries, village halls, community centres and other social and welfare facilities in accessible, walkable locations can ensure that people throughout the Plan area are able to participate fully in the life of their local communities, without the need to travel long distances at private expense.

### National Planning Policy

13.21 The provision of suitable and accessible community facilities is a key element of the Welsh Government's commitment to sustainable facilities. Para 4.4.2 of Planning Policy Wales clearly states that planning policies and proposals should "promote access to employment, shopping, education, health, community, leisure and sports facilities and open green space, maximising opportunities for community development and social welfare".

### Flintshire Context

13.22 The policies in this chapter seek both to ensure that, where there is an identified local need, existing resources are not lost and that appropriate proposals for new community schemes are supported. Furthermore, where there is a shortfall in a particular type of facility, or where significant new housing or employment allocations have been made, specific sites have been safeguarded for future provision. Policies have also been included to ensure that any other substantial new development arising during the Plan period is adequately served.

13.23 However, the chapter does not only cover social, educational and health facilities. Pressure for further development inevitably leads to a demand for new and improved gas, water and electricity supplies. Policies are therefore included to give guidance on the Council's expectations in respect of the provision of physical infrastructure. In addition to ensuring that new development does not undermine the social and physical capacity of the Plan area, it is intended that these policies will help statutory undertakers, service providers and other bodies to co-ordinate their investment.

### Policies

#### CF1 Retention of Existing Facilities

The demolition or change of use of community facilities for other purposes will be permitted only if:

- a. there is no longer a demand for the existing facility; and
- b. suitable alternative provision exists or can be provided as part of the proposed development.

13.24 It is important that viable community facilities particularly in rural areas are not lost as a result of commercial or other pressures. However, where the Council are satisfied that the facilities are no longer meeting a significant local need, or suitable alternative provision is available elsewhere in the locality, then appropriate re-use of the site or buildings will be permitted.

#### Other key policies:

- S11 Retention of Local Facilities

## CF2 Development of New Facilities

The development of new education, health and community facilities will be permitted on suitable sites within settlement boundaries. Outside settlement boundaries such developments will be permitted only:

- a. through the conversion of existing buildings; or
- b. by extension to an existing facility; or
- c. on land with a previous built use.

The following sites are specifically allocated under this policy:

- i. Land for a cemetery extension at Greenfield;
- ii. Land for a cemetery extension at Treuddyn;
- iii. Land for a village hall and all weather playing surface at Lixwm;
- iv. Land for a medical centre at Jubilee Road, Buckley.

13.25 The Council wishes to encourage the development of new social and community facilities, but is anxious to ensure that any new development is located close to where people live and work, and does not place unnecessary demands on undeveloped land.

Other key policies:

- AC1 Facilities for the Disabled

## CF3 New Primary School

A site for the development of a new primary school will be safeguarded at Croes Atti, Flint as part of a mixed use development site.

13.26 The development of 637 new houses at Croes Atti on the edge of Flint will generate new demand for school places. It is anticipated that there is sufficient capacity at local schools to meet this demand at senior level, but that there will be a need in the longer term to create additional facilities for primary school children.

13.27 The site which has been identified is located within safe walking distance of all the proposed new residential developments and lies adjacent to areas safeguarded for shopping, recreation and community facilities.

13.28 The precise layout and design of the new school, together with details regarding its programming and implementation, forms part of a comprehensive development brief for this mixed use development site carried forward from the North Flintshire Local Plan.

## CF4 New Health Clinic

A site for a health clinic will be safeguarded at Croes Atti, Flint as part of a mixed use development site.

13.29 A site has been identified within the mixed use development at Croes Atti, Flint to be safeguarded for the future development of a health clinic. The site which has been identified is located within safe walking distance of all the proposed new residential developments, and lies adjacent to areas safeguarded for shopping, recreation and community facilities. Further details are contained within the comprehensive development brief/masterplan for the Croes Atti site.

## CF5 New Community Centres

Sites for the development of new community centres will be safeguarded at:

- a. Croes Atti, Flint, as part of a mixed use development site;
- b. Strand Park, Holywell, as identified on the Holywell inset plan; and

c. Wood Lane, Ewloe, as identified on the Ewloe inset plan.

13.30 The mixed use site at Croes Atti on the edge of Flint will lead to a significant population growth in this area. The integration of a new community centre at the heart of the development will provide residents with a highly accessible facility.

17.12 The allocation of a site in Holywell will involve the conversion of a disused school recreation area into a site for community facilities such as a community centre, car parking and children's play area.

17.13 A site has been identified at Wood Lane, Ewloe, as shown on the Ewloe inset plan for a community centre to serve both the Wood Lane and St David's Park Area.

#### CF6 Service Provision

Development will be permitted only if the necessary utility services are available or can be provided without placing unacceptable pressure on existing capacity. Where new or improved facilities are necessary to enable development to take place, planning consents may incorporate phasing mechanisms to ensure that development only proceeds in line with infrastructure improvements.

17.14 It is essential that all new development is capable of being served with adequate water, gas, electricity and drainage without placing undue pressure on existing supplies. Applicants will be expected to demonstrate that they can meet all their service requirements without detriment to the natural and built environment, or the amenity of other land users.

17.15 There are known capacity problems in terms of sewerage and water treatment infrastructure in several towns in the County including Mold, Connah's Quay and surrounding villages. There will need to be investment in new or improved infrastructure before development can proceed, beyond existing infrastructure capacity. In such cases, development may need to be phased in line with the investment programmes of the statutory undertakers.

#### CF7 Development by Utilities

Proposals by utility companies for the development of infrastructure will be permitted only where:

- a. it would not impose any significant development restrictions on surrounding land;
- b. in the open countryside, only if there are no suitable alternative sites either within a settlement boundary or on allocated land; and
- c. development is designed as far as possible to minimise adverse impacts on the local character of an area and the built and natural environment.

17.16 All new development creates additional demand for service infrastructure. It is therefore essential that the Plan does not prevent the appropriate development of new or extended capacity. However, some utilities require large scale structures and plant which can have a significant impact on the built and natural environment, and may place constraints on other current or future land use activities within its vicinity.

17.17 Therefore, when proposing either new or expanded provision, applicants will be expected to demonstrate that there is no possibility of utilising any spare capacity which may already exist, and that every step has been taken to minimise the immediate or long term impacts of their schemes. Wherever possible new development should be located in or on the edge of settlements. If, however, there is no option but to locate facilities in the open countryside then additional measures will be required to ensure that the rural character of the area is not detrimentally affected.

# Chapter 18

## Minerals

Relevant Strategic Aims	
h. Resources	
Policy Objectives	Policy List
a. SUPPORTING THE ECONOMY - to enable the sustainable extraction of mineral resources to meet the needs of the local, regional and national economy b. IMPACT OF EXTRACTION - to protect sensitive areas from inappropriate minerals development and to mitigate the impact of minerals development on the environment c. SAFEGUARDING RESOURCES - to protect mineral resources from sterilisation and to ensure the appropriate use of minerals d. RESTORATION - to ensure sites used for minerals purposes are restored to the highest possible standards	MIN1 Guiding Minerals Development MIN2 Minerals Development MIN3 Controlling Minerals Operations MIN4 Restoration and Aftercare MIN5 Dormant, Inactive and Interim Development Order Sites MIN6 Review of Mineral Permissions MIN7 Exploration for Minerals MIN8 Protection of Mineral Interests MIN9 Borrow Pits MIN10 Mineral Buffer Zones
Indicators of Policy Performance	Targets
93. <i>Status of minerals land banks and extraction of permitted reserves</i>	

## 18 Minerals

### Introduction

13.31 Minerals as a resource are important elements of the development plan, and the sustainable development debate. To develop a sustainable economy and lifestyle, sustainable development requires that resources are used prudently. Whilst the development plan cannot, in itself, meet all the challenges which this debate presents, it can seek to influence patterns of land use, and by limiting the detrimental impacts of new development on the wider environment it can help to ensure that the people of Flintshire enjoy a safe and healthy quality of life.

13.32 Minerals are important national resources and their exploitation makes an essential contribution to the nation's prosperity. Whilst the extraction of minerals can be environmentally disruptive, they can only be worked where they are found. Minerals extraction presents significant challenges to planning authorities, which seek to promote economic development while maintaining the quality of the local environment. Policies within the development plan aim to strike a balance between all of these needs seeking to mitigate the impacts of minerals development and to prevent development in those sensitive locations where mineral extraction and associated activities would have an unacceptable impact.

### National Planning Policy

13.33 Minerals Planning Policy (Wales) produced in December 2000 together with the Aggregates TAN (2004) sets the policy framework for all minerals policies contained within Welsh Unitary Development Plans. As such, when determining applications for minerals development it will be important to consider the national policies in association with the development plan.

13.34 Specifically MPPW requires that:

- UDP's should be reviewed every five years to undertake assessments:
  - i. Of minerals resources within the authority area and of reserves with planning permission;
  - ii. Of local, regional, and national distribution and production of each mineral and its significance within the authority area;
- That UDP's should relate policies and proposals to identifiable areas of land;
- That UDP's include policies which provide a policy guidance for minerals worked within the authority area.

13.35 Minerals Planning Policy (Wales) emphasises the role of the Minerals Planning Authority should be to ".....ensure the proper balance is struck between that fundamental requirement, the need to ensure a prudent use of finite resources, and the protection of existing amenity and the environment. Any effect on local communities and the environment must be minimised and therefore ameliorated to an acceptable standard. In certain areas, mineral extraction may not be acceptable". The five key principles of MPPW are as follows:

1. Provide mineral resources to meet society's needs and to safeguard resources from sterilisation.
2. Protect areas of importance to natural or built heritage.
3. Limit the environmental impact of mineral extraction.
4. Achieve high standard restoration and beneficial after-use.

5. Encourage efficient and appropriate use of minerals and the re-use and recycling of suitable materials.

18.6 The North Wales Regional Aggregates Working Party Annual Report in 2003 indicated the supply and demand of aggregates for the construction industry. On the basis of previous estimates of mineral demand and rates of extraction it is considered that North Wales benefits from a significant reserve of aggregate and sand and gravel reserves. Indeed North East Wales (including Flintshire) benefits from a landbank of 33 years for limestone and 14 years for sand and gravel (at 2003 base date). It is evident that the mineral reserves in North Wales are extensive and are very likely to meet future mineral demands beyond the life of the Unitary Development Plan especially when considering new mineral permissions in neighbouring authorities.

18.7 It is considered that the landbank for the region and the sub-region is sufficient to meet future need. As such the Flintshire UDP does not identify the need for new minerals extraction within the Plan period and neither does it propose to make allocations for any new minerals extraction. Any future proposals for minerals extraction will be determined against the Plan's policies and, when available, the Regional Technical Statement, which will provide a steer for the region in meeting future mineral needs without compromising environmental assets such as the Clwydian Range Area of Outstanding Natural Beauty and the environmental capacity of the County.

## Policies

### MIN1 Guiding Minerals Development

Proposals for the winning, working, processing and/or recovery of minerals will be assessed against the need for new mineral workings and the ability of existing sites to meet demand. Preference will be given to the use of secondary and recycled materials and mineral waste.

Where there is a clear and demonstrable need for primary materials preference will be given to:

- a. the deepening of existing mineral workings; and
- b. the lateral extension of mineral workings.

18.8 Minerals are vital to the economy of the United Kingdom and to Flintshire. It is important that the planning system facilitates the minerals extraction and processing industries to ensure the continued supply of minerals to the marketplace whilst safeguarding high quality mineral resources from use as lower grade material. The Minerals Planning Authority will seek to ensure that mineral resources are extracted and utilised in a sustainable way in order to make an appropriate contribution to the needs of society.

18.9 Given the extensive landbank for aggregates, further extensions to existing sites or new extraction sites will not be permitted save in rare and exceptional circumstances. Such a situation could arise where, for example, the supply of an aggregate of a particular specification is clearly demonstrated or where operators are prepared to unilaterally surrender the consents relating to existing permitted reserves through planning agreements or Prohibition Orders. To ensure minerals are used appropriately it will be necessary for proposals to demonstrate that there is a need for the mineral to be extracted. This is a key consideration and proposals which fail to demonstrate need will be refused. To demonstrate need developers should consider the local, regional and national economies, the existing supply of minerals, and the ability of existing supplies to meet current and projected market demand. Where a demand is identified it will be necessary for developers to demonstrate the need for land-won materials instead of secondary and recycled resources. There are limitations to the use of recycled waste materials and the Council recognises that it will not be appropriate for all proposals to



consider this potential, for example in those proposals where a high quality mineral is required.

18.10 Because of the long term nature of mineral workings it is sometimes more sustainable and environmentally acceptable to permit the deepening or lateral extension of an existing mineral working than to permit a new mineral development. The UDP takes a sequential approach to proposals for new mineral development with preference being given firstly to the use of secondary and recycled materials; secondly to the deepening of existing workings, provided it does not have an unacceptable adverse impact on groundwater or other environmental interests; thirdly to the lateral extension to existing workings, provided the extension does not have an unacceptable adverse impact on existing communities and on other landscape, historic and environmental interests; and lastly to the development of new mineral workings.

18.11 In using the sequential approach it will be necessary to assess the impact of each of the preferred options in accordance with the entire minerals policy suite (particularly MIN 2) and the rest of the development plan to ensure the development is of an acceptable standard, the development is appropriately located, and the adverse impacts of the development are mitigated and minimised.

Other key Policies:

- GEN5 Environmental Assessment

#### MIN2 Minerals Development

Proposals for the winning, working, processing and/or recovery of minerals will be assessed with regard to the following criteria:

- a. the development will not have a significant adverse impact upon the following interests of importance:
  - i. the River Dee Estuary;
  - ii. Holywell Common and Halkyn Mountain;
  - iii. sites of international, national, regional or local environmental, nature conservation, landscape and/or heritage importance.
- b. Minerals development should not take place in the Clwydian Range AONB save in exceptional circumstances, subject to the most rigorous examination and demonstrated to be in the public interest;
- c. the amenity of local people is not significantly affected;
- d. the economic viability of the area is not compromised;
- e. visual intrusion arising from site working, creation of overburden mounds or the presence of plant and machinery;
- f. the impact of mineral operations on land stability;
- g. satisfactory management and disposal of mineral waste and
- h. the cumulative effects of mineral operations, involving operational or consented sites, in the locality.

18.12 This policy seeks to locate minerals development away from sensitive locations to protect the community and the environment. Minerals development should not take place in the AONB save in exceptional circumstances. All minerals development proposals must be subject to the most rigorous examination and demonstrated to be in the public interest before being allowed to proceed. Consideration will be given to the factors outlined in para 21 of MPPW in assessing proposals. Minerals proposals adjacent to or close to the AONB that might affect its setting will be carefully assessed to determine whether the environmental and amenity impact is acceptable. In exceptional instances where permission is granted the Planning Authority will seek to ensure the highest standards of development and operations are abided to by the operator.

18.13 The visual intrusion of minerals development will be assessed in terms of the effects arising from site working, amendments to landform and any associated plant and machinery. Where ground instability is likely to be an issue, a land stability report will be required, setting out the issues relevant to the locality and how they will be overcome. Developers will be required to establish how mineral waste arising from extraction will be managed and disposed of. An assessment of the cumulative impacts of additional proposals will be required having regard to both operational and consented sites in the vicinity. This should seek to identify whether the proposed mitigation measures are sufficient to address the identified impacts and whether additional measures are required. Minerals development will be expected to meet all of the policy requirements as laid out above. If this is done then it will be necessary for the detail of the application to meet the requirements of MIN3.

Other key policies:

- GEN5 Environmental Assessment
- L1 Landscape Character
- L2 Area of Outstanding Natural Beauty
- WB2 Sites of International Importance
- WB3 Statutory Sites of National Importance
- WB4 Local Sites of Wildlife and Geological Importance
- WB5 Undesignated Wildlife Habitats

#### MIN3 Controlling Minerals Operations

Provided the criteria of Policies MIN1 and MIN2 are met, then mineral workings will be permitted where:

- a. the additional traffic burden can be accommodated by the existing highway network without significant adverse impact;
- b. the movements of vehicles to and from the site do not cause unacceptable harm to the living conditions of nearby residents;
- c. blasting operations do not cause unacceptable harm to the surrounding area by reason of vibration;
- d. noise from the winning, working, processing and/or recovery of minerals will not cause significant disturbance to noise sensitive locations;
- e. dust, smoke and fumes from processing operations and handling operations will not have an adverse impact on sensitive locations and on the surrounding vegetation; and
- f. it would not result in significant adverse impact on land drainage, groundwater resources or water supplies.

18.14 The Mineral Planning Authority is charged with the task of monitoring mineral permissions in the County to ensure the operations of the mineral working are compliant with conditional permissions; conditions are drafted to ensure that the impact of minerals operators is minimised as far as possible. It is important therefore that developers ensure that proposals meet the above operations criteria. To assess the impact of the traffic generated by the development the Minerals Planning Authority will expect developers to submit details of the anticipated number of vehicle movements and the proposed routes of these vehicles. Noise sensitive locations include residential dwellings and gardens, places of worship, educational establishments, hospitals or similar institutions and livestock farms. Sensitive locations are defined in the Town & Country Planning (EIA) (England and Wales) Regs 1991 and include amongst others, areas of

special scientific interest, scheduled ancient monuments, AONB's and European Sites.

Other key policies:

- GEN5 Environmental Assessment
- AC13 Access and Traffic Impact
- MIN10 Mineral Buffer Zones
- EWP12 Pollution
- EWP13 Nuisance

#### MIN4 Restoration and Aftercare

The Minerals Planning Authority requires that all minerals development proposals be accompanied by a scheme of restoration and aftercare. Such a scheme will set out the short and long term maintenance and improvement of the site. The scheme should address and make full reference to the following criteria:

- a. the undertaking of works which will limit the impact of the mineral workings operations on the surrounding environment;
- b. a timetable detailing the progressive restoration of the site to the highest most practicable standards;
- c. the proposed afteruse and;
- d. the final landform design taking into consideration the surrounding topography and landscape character.

18.15 The restoration of a mineral workings site is a key consideration for the Minerals Planning Authority and applications which lack the necessary detail (as specified in the policy above) will not receive planning permission. Applicants will be encouraged to restore sites with the intention of maximising their use for nature conservation and for informal recreation purposes (i.e. boating lakes, footpaths etc).

Other Key Policy

- IMP1 Planning Conditions and Obligations

#### MIN5 Dormant, Inactive and Interim Development Order Sites

The Minerals Planning Authority will seek to ensure that all dormant, inactive and interim development order minerals sites meet modern planning standards both in their operations and in the restoration of a site.

18.16 Within Flintshire there are many sites which currently hold permission for the extraction of minerals. Some of these permissions date back prior to World War Two (pre-1939). For the Minerals Planning Authority, historic permissions pose a significant problem since they contain grossly inadequate conditions to control their development. Historic permissions may well omit conditions relating to, for example, blasting; the movement of vehicles servicing the site; the restoration of the site; and/or the reuse of the site. Where modern standards are omitted the Minerals Planning Authority will seek to achieve a better standard of development which meets the aims and objectives of this Plan and which complies with its policies. The Council has confirmed prohibition orders

on 18 dormant sites and there are only two dormant sites remaining at Grange, Pantasaph and Mount Pool, Buckley.

#### MIN6 Review of Mineral Permissions

The Minerals Planning Authority will undertake an annual assessment of all dormant mineral sites and sites that have not been worked for 10 years to identify their potential contribution to the landbank and the likelihood of their reopening. Where appropriate, prohibition orders will be served under s.102 of the Town and Country Planning Act 1990.

18.17 Unfortunately in the past the MPA has granted permission for minerals extraction but the expansion of settlements, the growth of new settlements and the recognised importance of other interests, forces the MPA to reconsider some of those permissions. Minerals Planning Authorities have the authority to review existing planning permissions and to modify or revoke planning consent. In such instances where the MPA prejudices the asset value of a minerals site it will be liable to pay compensation to the sites owners. While this route is a costly one it may be necessary to undertake these proceedings where the reopening and resumption of operations presents a real threat to the communities of Flintshire.

#### MIN7 Exploration for Minerals

The Minerals Planning Authority will permit exploration works for a temporary period as long as they do not have a significant adverse impact on the environment and the site is fully restored to its former state.

18.18 Proposals for trial excavations, boreholes or any other exploratory development will normally be permitted for a temporary period provided the development does not pose a threat to the environment. Where the pollution of water courses, groundwater or other water resources is a possibility it will be necessary for the Minerals Planning Authority to consult with the Environment Agency prior to permitting the development. Normally it will be expected that permission will be granted for a temporary period of three months, and extensions beyond this period must be negotiated with the Minerals Planning Authority and fully justified by the developer.

#### MIN8 Protection of Mineral Interests

To ensure that known mineral resources are safeguarded for future use, Mineral Safeguarding Areas (MSA's) have been identified and are shown on the proposals map.

Any non-mineral development within a MSA will require evidence as to what extent it may sterilise or restrict the working of mineral resources. Where the evidence is not forthcoming or demonstrates that there will be an unacceptable impact on mineral resources the application will be refused. However, where it is considered that the proposed development is of overriding importance, consideration will be given to the principle of pre-extraction of the minerals.

18.19 Within the County there are significant deposits of important mineral resources. It is important that these mineral resources are safeguarded to ensure their availability in the future. Developments proposed within identified Mineral Safeguarding Areas will be assessed to ensure they do not sterilise mineral resources either by developing over identified deposits or by restricting future mineral extraction. Within the Minerals Safeguarding Area consultation between the Minerals Planning Authority, the minerals

industry and others will be undertaken before certain non-mineral planning applications made within the area are determined.

18.20 Policy MIN8 seeks to ensure that all mineral interests are adequately safeguarded from unnecessary sterilisation and loss. Whilst the Proposals Map only identifies Minerals Safeguarding Areas for hard rock and sand and gravel deposits, this policy will also apply to the protection of energy minerals. The exploitation of energy minerals such as coal is unlikely to be a significant issue for this Plan period but may have considerable future importance for Flintshire. Areas such as Point of Ayr and the site of the Point of Ayr Colliery are perhaps the best examples of where it will be necessary to consider the protection of deep coal seams from unnecessary development and subsequent sterilisation.

Other Key Policies:

- WB2 Sites of International Importance

#### MIN9 Borrow Pits

Proposals for the development of borrow pits will be permitted provided that:

- a. there are demonstrable environmental benefits to be gained; and
- b. they can be developed in accordance with mineral planning policies.

18.21 Borrow Pits are temporary mineral workings developed to supply a particular construction project. Borrow pits can offer significant environmental benefits over mineral supply from existing reserves. They should be located near to the project and preferably supply material direct without the use of public roads. There need to be clear environmental benefits from the use of a borrow pit and restoration should be to a high standard.

#### MIN10 Mineral Buffer Zones

Mineral Buffer Zones are identified on the Proposals Maps based on a minimum distance of 100m for sand and gravel workings (and others where no blasting is permitted) and 200m for hard rock quarries. Development within Minerals Buffer Zones for new mineral extraction or sensitive development will not be permitted.

18.22 The principle of Buffer Zones was established in Minerals Planning Policy Wales in order to protect land uses or developments that are most sensitive to the impact of mineral operations by establishing a separation distance between potentially conflicting land uses. Sensitive development is any building occupied by people on a regular basis and includes housing areas, hostels, meeting places schools and hospitals, where an acceptable standard of amenity should be expected. Buffer zones will also help to prevent the sterilisation of mineral resources. As such, developments proposed within the Buffer Zones are also likely to be assessed under Policy MIN8 if they fall within the Mineral Safeguarding Area.

18.23 The extent of the Buffer Zones has been defined based on the minimum distances specified in MTAN1. They provide a clear indication of the areas within which there is likely to be conflict between minerals and other forms of development. Within the Buffer Zone, there should be no new mineral extraction or sensitive development. However other developments which are less sensitive to impact from mineral operations, for example industry, offices and some ancillary development related to the mineral working, may be acceptable within the Buffer Zone.

# Chapter 19

## Energy, Waste and Pollution

Relevant Strategic Aims	
g. Energy, i. Pollution, j. Waste	
Policy Objectives	Policy List
<p>a. ENERGY CONSERVATION - to promote a reduction in the use of energy resources</p> <p>b. RENEWABLE ENERGY - to safeguard valuable finite resources through the use of sustainable sources of energy</p> <p>c. POLLUTION - to protect and improve the quality of air, land and water</p> <p>d. WASTE REDUCTION - to encourage a reduction in the amount of waste generated and support schemes which reuse and recycle waste materials</p> <p>e. WASTE DISPOSAL- to encourage waste disposal methods which have a minimal environmental impact</p> <p>f. WATER - to encourage the sustainable management and use of water resources</p> <p>g. WATER INUNDATION - to protect communities from the risk of flooding, to prevent inappropriate development which would be at unacceptable risk of flooding, and to ensure that development does not increase the risk of flooding elsewhere. To, wherever appropriate, guide development away from floodplains, and minimise and mitigate the impacts of flooding through appropriate design.</p>	<p>EWP1 Sustainable Energy Generation</p> <p>EWP2 Energy Efficiency in New Development</p> <p>EWP3 Renewable Energy in New Development</p> <p>EWP4 Wind Turbine Development</p> <p>EWP5 Other Forms of Renewable Energy Generation</p> <p>EWP6 Areas of Search for New Waste Management Facilities</p> <p>EWP7 Managing Waste Sustainably</p> <p>EWP8 Control of Waste Development and Operations</p> <p>EWP9 New Development and Waste Management Facilities</p> <p>EWP10 Re-using Development Waste</p> <p>EWP11 Development On or Adjacent To Landfill Sites</p> <p>EWP12 Pollution</p> <p>EWP13 Nuisance</p> <p>EWP14 Derelict and Contaminated Land</p> <p>EWP15 Development of Unstable Land</p> <p>EWP16 Water Resources</p> <p>EWP17 Flood Risk</p>
Indicators of Policy Performance	Targets
<p>94. % waste arisings recycled (top end hierarchy)</p> <p>95. Levels of noxious particulates (NO2) as defined in AQM</p> <p>96. Applications for development in floodrisk areas</p> <p>97. Development that results in energy generated from renewable sources</p> <p>98. Area of contaminated land regenerated/redeveloped</p> <p>99. % of new buildings achieving high energy conservation ratings</p>	<p>TARGET 9: No highly vulnerable development within areas of flood risk where there is an unacceptable risk of flooding</p>

## 19 Energy, Waste and Pollution

### Introduction

19.1 Energy, waste and pollution are important elements of the development plan, and key to the sustainable development debate. To develop a sustainable economy and lifestyle, sustainable development requires that resources are used prudently. Whilst the development plan cannot, in itself, meet all the challenges which this debate presents, it can seek to influence patterns of land use, and by limiting the detrimental impacts of new development on the wider environment it can help to ensure that the people of Flintshire enjoy a safe and healthy quality of life.

19.2 Energy - Society is critically dependant upon a readily available supply of energy, the production and consumption of which have significant impacts on the environment. This chapter contains policies designed both to encourage energy conservation by supporting proposals which incorporate energy efficient layouts and designs and to encourage the development of renewable energy generation. The use of renewable energy, as opposed to conventional sources of power, will help offset the use of finite resources and will limit the release of damaging greenhouse gases into the atmosphere. Consequently the Plan strongly encourages the generation of energy from renewable sources where its location and operation is environmentally acceptable.

19.3 Pollution - Pollution of the Environment as defined in the 1995 Environment Act is, "the release (into land, air, water or any other environmental medium) from any process, of substances which are capable of causing harm to man or any other living organisms supported by the environment". Targets for pollution levels are and will continue to be set internationally through, for example, Earth Summit Agreements and European Community Directives. In considering pollution, the Plan seeks to follow the precautionary approach; that is, not allowing development where it remains unclear whether there will be significant impacts upon the environment. However, policies are restricted only to situations where pollution would impinge upon the current and future use of land. Firstly, the Plan seeks to discourage new development near existing sources of pollution in the interests of public health, safety and amenity. Secondly, it seeks to control the development of new uses which are likely to generate additional pollution. Nationally, agencies such as the Environment Agency and the Health and Safety Executive apply standards which are set by Government legislation. The Council will consult and co-operate with these bodies in implementing the policies of the Plan and in carrying out its own enforcement of pollution standards.

19.4 Waste - Every household and business in Flintshire produces waste materials, the majority of which are disposed of in landfill sites. European and national government policies are seeking to divert waste away from landfill. Government advice advocates a sustainable approach to waste management, in which the waste hierarchy together with other principles such as Best Practical Environmental Option, the Proximity Principle, and Life Cycle Analysis determines how waste is treated and/or is disposed of. In short the Plan will seek to ensure that waste is managed to maximise its value as a resource and to offset the use of new finite resources. There will be a continued need for landfill and as such it will be important for planning policies to ensure landfill sites and other waste developments are located in appropriate locations where the adverse impacts of these developments can be minimised. However, while policies will seek to ensure that Flintshire has sufficient capacity to deal with its own waste, policies will discourage any additional facilities to cater for waste from elsewhere. The exception to this approach will be for those waste facilities which will manage waste as part of North Wales' bid to increase regional self-sufficiency in dealing with the waste it produces.

19.5 Water - The aquatic environment is a significant and diverse resource, and the planning system has an important role to play in its protection. Water is easily affected by

land use activities, either through impacts on groundwater storage and supply, or more directly through pollution and water abstraction. The nature, scale and location of new development will have varying effects on coastal waters, rivers, canals, lakes, ponds, streams and underground water. The Plan will seek to prevent development which threatens these valuable natural assets unless appropriate measures are taken to mitigate any of the detrimental consequences associated with the development.

### National Planning Policy - Energy

19.6 The objective of the UK Government's energy policy is to ensure a secure, diverse and sustainable supply of energy at competitive prices consistent with wider economic policies, the promotion of energy efficiency and health and safety and the full and proper protection of the local and global environment. The Welsh Government's aim is to secure the strongest economic development policies to underpin growth and prosperity in Wales and recognise in this the importance of clean energy, both as an economic driver and to take forward the Welsh Government's commitment to sustainable development.

19.7 The Welsh Government advises that all local planning authorities should facilitate the development of all forms of renewable energy and energy efficiency and conservation measures where they are environmentally and socially acceptable.

19.8 Local Planning authorities are advised to:

- undertake an assessment of the potential of all renewable energy resources and renewable and low carbon energy opportunities within their area and include appropriate policies in development plans (para 12.9.2);

19.9 Consideration has been given to the more detailed advice contained in TAN 8: Renewable Energy. Within this context, planning policy at all levels is required to facilitate the achievement of the Welsh Government's specific renewable electricity production targets for Wales of 4 terawatt hours per annum by 2010 and 7 terawatt hours per annum by 2020.

### Policies - Energy

#### EWP1 Sustainable Energy Generation

There will be a presumption in favour of renewable energy schemes subject to them meeting the other relevant requirements of the Plan.

19.10 The generation of clean and sustainable energy is critical to addressing global warming and minimising the long term impact of climate change upon the global and local environment. The objectives of the emerging Energy Policy for Wales are to reduce energy consumption and to facilitate the expansion of renewable energy. Ultimately such objectives will be to reduce the need for finite resources, reduce greenhouse gas emissions and to encourage the development of a low carbon energy economy.

19.11 This policy seeks to encourage the development of renewable sources of energy to meet national targets for reducing the release of greenhouse gas emissions (40% by 2020) and for expanding renewable energy to offset the use of fossil fuels (15% by 2020). As such, proposals for fossil fuel based energy systems will be discouraged.

#### EWP2 Energy Efficiency in New Development

In all new development the Council must be satisfied that sufficient steps have been taken in the siting, aspect, form and design of new buildings to minimise the wasteful consumption of energy and resources both in the construction and use of buildings.

19.12 Key to reducing energy consumption and protecting the global environment from damaging greenhouse gas emissions is energy conservation. TAN 12 Design advocates



energy efficient site layouts and building designs for all new buildings, to conserve energy and to offset the burning of fossil fuels, while PPW sets out the Welsh Government's aspiration to move towards sustainable and zero carbon buildings. Energy conservation through design offers great potential for major savings in energy. These savings can be passed on directly to the community through lower heating bills. There are also great benefits that could be reaped for the environment since the reduction in the demand for energy could allow the closure of conventional power stations. To realise the potential of energy conservation the Council will seek to ensure developers demonstrate sufficient consideration has been given to issues such as: the siting, density and orientation of buildings; microclimate improvements; the re-use of materials in construction; low energy construction methods; high standards of insulation; opportunities for passive solar heating; and the use of low energy lighting. The Council will update an existing local planning guidance note on energy efficiency and renewable energy.

19.13 This policy is in addition to the existing requirements of Part L of the Building Regulations but does not seek to duplicate or supersede them. Building Regulations set mandatory standards for design and construction of buildings, which include aspects of health, safety and environment, and are updated regularly to reflect changes in required standards and development in technology. The planning system has an important and complementary role in improving the sustainability of developments and minimising their environmental impact through positively promoting energy efficient design. This may encompass site-specific aspects that may not be addressed by Building Regulations, for example siting with respect to micro-climate, design for passive and active solar heating, orientation with respect to sunlight, and shelter from prevailing winds, as well as encouraging the use of more sustainable construction materials with low embodied energy.

### EWP3 Renewable Energy in New Development

All major new residential and non-residential developments will be required to incorporate renewable energy production equipment on site to reduce predicted carbon emissions by a minimum of 10% except where:

- a. it would not be viable given the type of development, its location and design;
- b. it would have an adverse effect on amenity which would outweigh the benefits of the technology; or
- c. it is not possible to incorporate renewable energy production to achieve the full 10%.

In all other cases the Council will encourage the use of renewable energy in all types of development.

19.14 Major new buildings and developments offer significant potential to incorporate renewable energy technologies such as passive solar design, solar water heating, photovoltaic cells, wind turbines, combined heat and power schemes and community heating schemes. Such technologies should be integrated at the design stage of a project as this is far more effective than trying to add them on at a later stage and also reduces the costs involved. The inclusion of renewable energy technologies could take the form of a community scheme or be integral to individual dwellings or buildings, depending on the development proposed.

19.15 The UK Government set out a target of 10% for the generation of the UK's electricity from renewable energy sources by 2010, with this percentage expected to be increased in future. This policy aims to support this target, in line with increased

concerns about the impact of CO2 emissions and recent national planning policy. The use of renewable sources of energy for both residential and non-residential developments can offer diversity and a stable supply of energy, as well as reduce harmful emissions, and is an important part of the 'energy hierarchy'. The incorporation of measures to reduce CO2 emissions by 10% is widely recognised as the '10% rule'. Statutory design statements are now required for the majority of planning applications as a tool for ensuring that the sustainability implications of new developments are expressly outlined with planning proposals. The Council will therefore require a design statement which incorporates the measures by which the policy target will/can be assessed. It should be noted that the 10% figure relates to total energy demand from the development, both 'regulated' emissions (those covered by Part L of the Building Regulations) and 'unregulated' emissions (such as energy used for cooking, appliances, and lighting).

19.16 It is recognised that some renewable energy technologies can have negative as well as positive environmental impacts and not all technologies are suitable for all sites and developments. The Council will therefore assess the energy benefits of the proposal with regard to the degree of detrimental impact on amenity.

19.17 The definition of 'major developments' in relation to the 10% rule is generally accepted as the definition of major development as found in the Town and Country Planning (General Development Procedure) Order 1995, (as amended). In terms of non residential development this defines major development as that exceeding 1,000 sq m and in terms of residential development as sites of 10 or more dwellings.

19.18 Alongside the production of renewable energy, the design and layout of new development should reduce energy demand and maximise energy efficiency. The accepted method of calculating energy saving is by measuring carbon emissions. The basis for the 10% calculation is the energy consumption of the proposed building per square metre multiplied by the floorspace of the development. An updated Local Planning Guidance Note relating to renewable energy will expand on the requirements of this policy.

19.19 This policy will be applied in addition to recently introduced national standards for sustainable buildings as set out in PPW and TAN22. There is now a national requirement for applications for 5 or more dwellings received on or after 1 September 2009 to meet Code for Sustainable Homes Level 3 and obtain 6 credits under issue Ene1 - Dwelling Emission Rate, and applications for 1 or more dwellings received on or after 1 September 2010 to meet these standards. Similarly, applications received on or after 1st September 2009 for non-residential development which will either have a floorspace of 1,000 square metres or more, or will be carried out on a site having an area of one hectare or more, are to meet the Building Research Establishment Environmental Assessment Method (BREEAM) 'Very Good' standard and achieve the mandatory credits for 'Excellent' under issue Ene1 - Reduction of CO2 Emissions. These national requirements can potentially be met without utilising any renewable energy generation and hence this policy is complementary to them. It should be noted that the more energy efficient a development is designed to be, the less generating capacity will be required to satisfy the 10% target.

#### EWP4 Wind Turbine Development

Proposals for individual wind turbines, wind clusters or wind farms, will be required to meet the following criteria:

- a. the development is not sited within, nor would have a significant adverse impact on, a sensitive area of national or regional environmental, landscape or heritage importance;

- b. the development, in conjunction with other wind turbine developments, will not have a detrimental cumulative impact upon the landscape;
- c. the impact of the development upon agriculture, forestry, recreation and other land uses is minimised to permit existing uses to continue unhindered;
- d. the turbines will be appropriately designed so as to avoid, or mitigate against, unacceptable environmental impacts, including noise, light reflection, shadow flicker and impact on wildlife;
- e. sufficient steps are taken to avoid or, where possible, to mitigate electromagnetic interference to any existing transmitting or receiving systems;
- f. where the development of associated ancillary buildings is required the structures are sensitively designed to enhance the character and quality of the locality; and;
- g. adequate provision has been made in the scheme for the restoration and aftercare of the site on the cessation of use.

19.20 Wind turbines utilise the natural movements of the atmosphere to generate cheap and clean electricity. This method of energy generation is sustainable and presents an infinite supply of energy for Flintshire's population, its businesses and ultimately to the benefit of its economy. The Council will make every effort to ensure that proposals are sensitive to the needs of the local community and that the local community benefits from such developments, e.g. commuted sum payments to support community schemes.

19.21 This policy seeks to encourage wind turbine development while protecting designated areas and other sites, features and species of acknowledged nature conservation interest. It will be important then that developers satisfy all the requirements of the policy to ensure well designed sensitive development in appropriate locations. It is also likely that wind turbine proposals will be required to be accompanied by an environmental statement.

Other key policies:

- GEN5 Environmental Assessment

#### EWP5 Other Forms of Renewable Energy Generation

Proposals for renewable energy generation by means other than wind turbines will be required to meet the following criteria:

- a. the proposed development, including scale, siting, design and materials, should not have an unacceptable effect on its surroundings in terms of landscape, visual amenity, nature conservation or heritage importance;
- b. the impact of the development upon agricultural land will be minimised with appropriate installations sited within existing complexes and on existing hard surfacing;
- c. in sensitive areas where above ground connections have unacceptable adverse effect on the landscape, connection lines and pipes are located underground; and;
- d. the development will utilise the existing transport network and will not have an adverse impact on the local road network, and traffic will be restricted to operating during appropriate hours of the day.

19.22 This policy seeks to stimulate the development of renewable energy sources, such as biomass, water, geothermal and solar wherever appropriate. Planning Policy Wales defines renewable energy as "those sources of energy, other than fossil fuels or nuclear fuel, which are continuously and sustainably available in our environment."

19.23 The siting of renewable energy generation schemes is a particularly significant consideration as the more environmentally sensitive locations are often the most economically viable. In all cases development will be permitted only if the Council are satisfied that sufficient care has been taken to minimise visual intrusion through appropriate siting and design.

19.24 The County Council will have regard to Planning Policy Wales and Technical Advice Note 8 "Renewable Energy" in the consideration of schemes for renewable generation. For larger scale developments, or developments with a significant effect on the environment, an environmental statement may be required under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, as amended. Where a statement is not required it will still be necessary to submit a detailed study of issues such as noise or visual impact with the planning application.

19.25 In those circumstances where the impact of the proposals on the local environment is uncertain and where the Council considers it necessary to evaluate the effect of such proposals over a longer period, the Council may grant a temporary permission.

Other key policies:

- GEN5 Environmental Assessment

#### National Planning Policy - Waste

19.26 The Local Planning Authority is also the Waste Planning Authority for Flintshire and is responsible for undertaking statutory objectives stemming ultimately from the 1975 European Waste Framework Directive. These objectives are as follows: to ensure waste is recovered or disposed of without endangering human health, harming the environment, causing nuisance through noise or odours, or adversely affecting the countryside or places of special interest; to make provision for the establishment of an integrated and adequate network of waste management facilities; to ensure waste is managed at the nearest appropriate facility to its source; to encourage waste prevention and minimization, and reduction in the harmfulness of waste; and to encourage the recovery of waste by recycling, reuse or other processes with a view to extracting secondary raw materials and the use of waste as a source of energy.

19.27 The National Waste Management Strategy, Wise about Waste, Planning Policy Wales, Technical Advice Note 21: Waste, and the North Wales Regional Waste Plan all impose requirements on the Waste Planning Authority to consider and develop the following: identification of sites for waste facilities or areas where such facilities may be suitable; a sustainable approach to waste management; consideration of waste management proposals against the Waste Hierarchy; the proximity principle; Best Practical Environmental Option; and regional self sufficiency.

19.28 TAN 21: Waste is based upon fundamental principles of sustainable waste management and requires that the land use planning system should: provide a planning framework enabling adequate provision to be made for waste resource management facilities to meet the needs of society for the reuse, recovery and disposal of waste; help meet the needs of business and encourage competitiveness; encourage sensitive waste management, enhance the overall quality of the environment and avoid risks to human health and safety; have regard to the need to protect areas of designated landscape and nature conservation value from inappropriate development; have regard to the need to protect the amenity of the community and of neighbouring land uses and users affected by existing or proposed waste management facilities; minimize adverse environmental impacts arising from the handling, transport and disposal of waste; consider what new facilities may be needed, in the light of waste arisings (current and projected); ensure that opportunities for incorporating reuse/recycling facilities in new developments are properly considered.

#### Policies - Waste

## EWP6 Areas of Search for New Waste Management Facilities

Proposals for new waste management facilities should ideally be located within the following locations: Ewloe Barn Industrial Estate, Parry's Quarry & Pinfold Lane Quarry, Alltami; Springhill Quarry, Bagillt; Mount Pleasant Road (North), Buckley; Former Power Station, Connah's Quay; Crumps Yard, Dock Road, Connah's Quay; Land to the East of Shotton Paper, Deeside Industrial Park; Land adjacent Green Waste Composting Site, Greenfield Business Park; Adjacent Mostyn Docks, Mostyn; Parc Bychan Quarry, Rhosesmor; River Lane, Saltney; Prince William Avenue, Sandycroft; and Deeside Development Zone.

Where a proposal is made for the development of a site within any of the locations identified, as listed above, then permission will be granted subject to that proposal meeting other relevant plan policies, particularly EWP7 & EWP8.

19.29 The North Wales Regional Waste Plan (NWRWP) 1st Review contains the best available waste data and projections for North Wales, and its findings form a significant evidence base for the implementation of the waste policies in the UDP. The waste arisings of Flintshire in 1998/99 amounted to some 560,000 tonnes which was equivalent to 25% of all waste arisings in North Wales and was greater than that of any other authority area in the region. The NWRWP 1st Review reports that in 2004/5 the total waste arisings for North Wales were 2.9 million tonnes and indicates that waste arisings will rise to 3 million tonnes by 2012/2013. However, the NWRWP 1st Review does not provide specific waste arising data for individual local authorities but it is likely that Flintshire, being a semi-urban authority with significant internationally and nationally important manufacturing facilities, will remain a major generator of waste in North Wales.

19.30 The Regional Waste Plan and the NWRWP 1st Review have not identified with any certainty the most appropriate strategic option for managing future waste arisings and as a consequence it is not possible to predict with reasonable accuracy the number and types of waste management facilities required in Flintshire. However, based on the regional forecast of capacity required and the generic landtake figures given for individual types of waste management facility the Council considers that Policy EWP6 provides for sufficient land to meet the likely future needs over the Plan period. The NWRWP and 1st Review have established that the existing regional capacity is incapable of dealing with current waste arisings and that significant new capacity is required.

19.31 This policy seeks to guide development to locations which have the potential to accommodate waste management facilities. The locations quoted within the policy include working and disused mineral excavation sites; low quality employment allocations; and the Deeside Development Zone. The locations have been the subject of examination and are considered to have characteristics which are suitable to accommodate a waste management facility. The locations specified are not formal allocations for waste management developments but are intended as preferred areas of search (in planning terms) for such facilities. It will be incumbent upon any applicant seeking the development of a waste use within any of the locations specified to undertake assessments to justify the location's suitability.

19.32 For the purposes of this policy the term 'waste management facilities' is a generic term which refers to all waste uses from civic amenity sites and waste transfer stations, to composting sites (including windrow composting) and industrial complexes specially designed to treat waste such as Mechanical Biological Treatment Plants, Energy from Waste Plants and Landfill Sites. Applications will be assessed on a case by case basis and it will be an important consideration to ensure that proposals are sensitive to the needs of the locality. As such all proposals for new waste facilities should be accompanied by a statement justifying the proposal. In relation to large proposals (one hectare or more in application size) and major developments such as landfill sites an

assessment will be required which evaluates whether the site is the best option for the use proposed. In all such instances the applicant should have regard to the list of locations in the policy, and should be considerate of other sites within the County not identified here.

19.33 It is not anticipated that all of the areas of search identified will be required and the Plan has deliberately identified more sites than required in order to ensure sufficient flexibility in bringing about the development of an integrated and adequate waste management infrastructure capable of treating future waste arisings. This approach is consistent with the NWRWP 1st Review which has identified substantial overprovision as a reasonable 'safety margin'. The Council is confident on the basis of the information contained in the NWRWP 1st Review that the sites identified in this policy contain sufficient provision.

19.34 It is recognised that several of the areas of search for waste management facilities have the potential to harm Natura 2000 sites. Detailed development proposals on such sites will be rigorously assessed as to their impacts on international nature conservation designations and are likely to require Appropriate Assessment.

Other key policies:

- WB2 Sites of International Importance

#### EWP7 Managing Waste Sustainably

Proposals for new waste management facilities will be rigorously tested to ensure that:

- a. the facilities proposed are required to meet an identified need within the Regional Waste Plan;
- b. facilities seek to treat and/or dispose of waste as close to the generation source as practically possible;
- d. the proposal considers the potential to transport waste by means other than road; and;
- e. facilities should treat and/or dispose of waste using the best practical environmental option.

19.35 Sustainable waste management presents a major opportunity for the economy to minimise costs, to maximise the re-use of resources and to enhance the quality of the environment. It will be important that proposals for new waste management facilities seek to use waste appropriately, ensuring that the full potential of waste resources is optimised in an efficient and environmentally acceptable way.

19.36 A key consideration for all proposals will be the waste hierarchy. The waste hierarchy is a sequential test that can be applied to proposals for the treatment, processing and/or disposal of waste to ensure it is used in the most efficient and practical way possible. For example, the waste hierarchy encourages the reuse and recycling of waste materials, followed by less preferred options such as incineration with energy recovery. The very last option in the waste hierarchy is landfill. Disposal to landfill will not be permitted unless all other options have first been considered.

19.37 Proposals for new waste facilities, disposal sites etc. will be expected to have full regard to the waste hierarchy to demonstrate that waste is to be used in the most efficient and environmentally acceptable way. In determining applications the Council will assess schemes to ensure they represent the best practical environmental option (BPEO). Schemes seeking to dispose of waste through incineration will not be permitted unless they are accompanied with proposals for energy generation.

19.38 In locating new waste management facilities significant weight will be given to the 'proximity principle' and the need to locate facilities close to the source of waste generation.

19.39 The principal texts which will influence waste management within Flintshire are the Flintshire Municipal Waste Plan (FMWP) currently being prepared by the Council and the North Wales Regional Waste Plan (1st Review). The UDP will seek to facilitate both municipal waste arisings (i.e. household wastes) together with other waste arisings (i.e. predominantly commercial and industrial) by guiding development to locations as specified in EWP6 in such a way that is sensitive to the needs of residential amenity and the environment.

#### EWP 8 Control of Waste Development and Operations

Proposals for new waste management facilities will be permitted provided the following criteria are met:

- a. the development does not either directly or indirectly have a significant adverse impact on recognised features of the landscape, sites of nature conservation value, and/or sites/localities of historic archaeological and/or architectural importance;
- b. the development does not detrimentally affect the health and amenity of neighbouring land users;
- d. measures are included within the proposals to mitigate any adverse impacts including appropriate landscaping and screening, and the safeguarding or repositioning of public rights of way;
- e. a detailed scheme of restoration is submitted together with a proposal for an appropriate and beneficial after-use;
- f. The development does not have a significant adverse impact on water courses, air and soil quality and on flora and fauna; and
- g. The development and any associated traffic does not result in unacceptable disturbance to local communities, through noise, smell, vibration, smoke or air pollution.

19.40 Waste management and the operation of waste disposal sites can have significant impacts on the use or enjoyment of land. This policy is designed to control the location of proposals for waste incinerators, landfill sites, or facilities for waste transfer, materials recycling and reprocessing. The first priority in managing waste should be to reduce the quantities produced or alternatively to encourage ways of recycling and re-use at source where they are economically feasible. Only waste that cannot be managed through such means should be dealt with centrally, or disposed of through incineration (with energy recovery) or landfill.

19.41 In facilitating the development of an integrated network of waste installations and disposal facilities the Council will encourage the application of the 'proximity principle', under which waste should be disposed of close to the point of production, thereby minimising the impacts of associated transport. The ultimate aim will be to achieve regional self-sufficiency.

19.42 In such circumstances great care should be taken to ensure that any processes do not have a detrimental impact on quality of life or the environment, and that any affected land can be fully restored once the operation ceases. Adequate measures will be taken to avoid, reduce or remedy as far as practicable, pollution from effluent, leachate or landfill gas. In particular, where provision is made for the extraction of landfill gas from waste disposal sites, the design of the scheme must ensure that the presence of gas pipes and collection points does not prejudice the restoration and after-use of the site.

Other key policies:

- GEN5 Environmental Assessment

#### EWP 9 New Development and Waste Management Facilities

Applications involving the development of two or more hectares of land will be required to make provision for appropriate waste management facilities.

19.43 Reusing and recycling waste materials has many environmental advantages over traditional methods of disposal. Apart from the reduced risk of pollution from leachate, landfill gas or incinerator emissions, there can be significant energy savings in waste recycling.

19.44 This policy aims to encourage the provision of new recycling and composting facilities, particularly in locations which are used by large numbers of people on a daily basis. To this end all major retail premises, leisure facilities such as cinemas and sports centres, and large new housing developments should make provision for well designed and accessible recycling and/or composting points. Large town centre car parks may also be appropriate locations.

19.45 It is essential that all new facilities are designed to minimise vandalism, risk of injury, litter and general disturbance. Planning applications should include full details of associated landscaping, which should be designed to mitigate the visual and aural impact of the site on the surrounding area.

#### EWP10 Reusing Development Waste

Planning permission will not be granted for major development proposals unless it has been demonstrated that consideration has been given to waste prevention or minimisation, and wastes likely to arise from all stages of development can be managed sustainably.

19.46 This policy seeks to reduce the waste generation on major development sites which involve the creation of 2,500 square metres (gross) of industrial or commercial floor-space; the change of use or the carrying out of operational development on more than one hectare of land; or planning application sites in excess of one hectare. All such proposals will be the subject of a waste arisings assessment to: a) establish the nature and amount of wastes likely to be produced at all stages of the development from site preparation through site operation to, where appropriate, site restoration; b) ensure that those wastes can be managed in accordance with the principles of sustainability throughout the lifetime of the development; and c) where appropriate, ensure that a development incorporates elements of onsite building wastes, for example the use of stone, concrete and brick wastes in building foundations, car parks and footpaths.

#### EWP11 Development On or Adjacent To Landfill Sites

Proposals on sites that are on or adjacent to either active or former landfill sites will normally be allowed if they comply with the following requirements:

- an appropriate investigation must be undertaken to determine the actual or potential presence of landfill gases, leachates and/or other pollutants on the land to be developed;
- preparatory groundworks and suitable remedial and/or precautionary measures are approved prior to the primary development beginning; and
- if the development of the site is for a vulnerable use, including residential use, then it must be demonstrated that the landfill site is inert, safe and no longer gassing.



19.47 This policy is intended to ensure that any landfill gas problems on a site are investigated and taken into account when development proposals are being considered. If landfill gas is or may become a problem on the site to be developed, suitable remedial or precautionary measures would need to be implemented before the development begins. It is essential that appropriate professional advice is sought.

19.48 The Council, as the local planning authority, may ask for relevant additional information about landfill gas either when an application for planning consent is being considered, or later by the imposition of an appropriate condition on the relevant planning permission.

19.49 Under the Town and Country Planning General Development Order 1988 (as amended), the local planning authority is required to consult Waste Disposal Authorities (now Waste Regulation Authorities) on development within 250 metres of a landfill site, either active or closed within the last 30 years. Particular attention will be paid to developments affecting such sites.

### National Planning Policy - Pollution

19.50 The Welsh Government's objectives (para 13.1.2 Planning Policy Wales) are to:

- maximise environmental protection for people, natural and cultural resources, property and infrastructure; and
- prevent or manage pollution and promote good environmental practice.

19.51 UDP's are important vehicles for the promotion of environmental protection and should enable consideration of the effects which proposed developments may have on air or water quality and the effects which air or water quality may have on proposed developments. Para 13.11.1 of PPW states "Local authorities should ..... work closely with pollution control authorities in the preparation of these plans...". Para 13.11.2 identifies the following factors:

- plans should include strategic policies on the location of potentially polluting developments and should set out criteria by which applications will be determined;
- plans may set out policies and proposals to ensure that incompatible uses of land are separated, in order to avoid potential conflict;
- plans should make realistic provision for the types of industry or facility that may be detrimental to amenity or conservation interests, or a potential source of pollution, ensuring resilience to climate change.

### Policies - Pollution

#### EWP 12 Pollution

New development which is sensitive to pollution or hazard either directly or indirectly will be permitted only in areas where existing activities pose no potential risk of such impacts.

New development which would create an additional risk of pollution or hazard will be permitted only where:

- a. it would not create or increase risk to the general public outside the boundaries of the site; and
- b. it would not impose significant restrictions on the use or development of surrounding land.

Conditions will be imposed upon the development to ensure that on cessation of the use, reclamation and re-use of the site takes place including appropriate measures to deal with any contamination which exists on the site.

19.52 The overall aim of the Plan is to minimise pollution. Whilst the processes and substances used in any particular development are controlled and enforced by other agencies, the planning system can play an important role in ensuring that polluting or hazardous development does not affect or restrict other uses of land, either now or in the future. Certain types of development, such as schools, hospitals and housing, may be particularly sensitive to environmental hazards and this policy seeks to protect these from such risks in two ways.

19.53 Firstly, it seeks to minimise the conflicts between existing sources of pollution or hazard, and other interests. As a precaution, sensitive developments will be resisted in the vicinity of affected areas. For example, development will not be allowed in locations where it would result in the need for a higher standard of pollution control.

19.54 Secondly it seeks to ensure that any new potentially polluting or hazardous activities are sensitively located, and that full consideration is given to the protection both of existing land users, and potential future users of the site. It is likely therefore that only a limited number of locations will be considered appropriate for the siting of such development. The advice of the Health and Safety Executive will be sought where appropriate on the matters relating to hazardous activities.

19.55 To ensure that the planning and pollution control regimes are implemented in a complementary fashion the Council will pay regard to the expert advice of the Environment Agency, which, in addition to the Council, has particular responsibility for enforcement of standards of pollution control. In considering the acceptability of a proposal the Council will, where appropriate, require the submission of an environmental statement.

19.56 Where permission is granted it will be subject to conditions which protect neighbouring uses and allow the restoration to an appropriate after-use in a manner which includes all the necessary and appropriate measures to overcome contamination. This must be carried out prior to the re-occupation of the site.

#### National Planning Policy - Noise and Light

19.57 UDP policies should be designed to ensure, as far as is practicable, that noise sensitive developments such as hospitals, schools and housing must be designed in such a way as to limit noise levels within and around those developments. Such development should be located away from existing sources of significant noise or programmed development. Policies should also be designed to ensure, as far as possible, that potentially noisy developments are located in areas where noise will not be such an important consideration or where its impact can be minimised. Local planning authorities should also adopt policies for lighting, including the control of light pollution, in UDP's.

#### Policies - Noise and Light

##### EWP 13 Nuisance

Development which is sensitive to noise, vibration, odour, dust or light pollution and which is proposed near to existing sources of nuisance, such as railways, roads, airfields or industrial activities, will be permitted only if the developer is able to demonstrate that sufficient measures will be taken to mitigate any potential adverse effects.

Proposals which are likely to cause an increase in noise, vibration, odour, dust or light pollution will be permitted only if the developer has demonstrated that there

will be no detrimental impact on users outside the boundary of the site, who may be sensitive to such nuisance.

19.58 Nuisance from noise, vibration, smell and dust is a common cause of complaint. It can have a detrimental impact on quality of life, and can cause damage both to the built and natural environment. The most common sources of nuisance are major industrial sites, mineral extraction sites and roads, but they may also include more modest developments such as food outlets or sports and recreation facilities.

19.59 Whilst it is not possible to eliminate sources of nuisance completely, this policy seeks to ensure that, wherever practicable, nuisance sensitive development is separated from bad neighbour activities. However, there will be certain circumstances in which developers may be able to take appropriate steps to mitigate any detrimental impacts. Hours of operation can be limited, landscape and other physical barriers can be installed, and technology can be introduced to ensure that quality of life is not undermined. All such measures will be secured through planning conditions and obligations which should be implemented as an integral part of any development.

19.60 Lighting can cause a significant intrusion into its surroundings, particularly in the open countryside. Poorly situated and badly designed lights are responsible for 'sky glow' and can affect the amenity of surrounding areas. The potential pollution from glare and light spillage should be minimised in the design of new development and lighting details of schemes with external lighting should be submitted as part of the planning application. Added benefits from improved lighting schemes will be the reduction in crime and risk of crime.

#### National Planning Policy - Contaminated Land

19.61 Local planning authorities should take into account the nature, scale and extent of contamination which may pose risk to health. Para 13.6.1 of PPW states "Land contamination must be considered in the preparation of UDP's to ensure that:

- new development is not undertaken without an understanding of the risks, including those associated with the previous land use, mine and landfill gas emissions, and rising groundwater from abandoned mines;
- development does not take place without appropriate remediation;
- consideration is given to the potential impacts which remediation of land contamination might have upon the natural and historic environments".

19.62 Para 13.6.3 of PPW states "Plans may indicate that the local planning authority will need to be satisfied that any actual or potential contamination can reasonably be overcome. Policies for the rehabilitation and development of existing polluted land and derelict sites should also be included".

#### Policies - Contaminated Land

##### EWP 14 Derelict and Contaminated Land

The reclamation and re-use of derelict and contaminated land will be permitted if:

- a. appropriate measures are taken to deal with any contamination which exists on the site:
  - i. ensuring that no residual risk remains on site for future receptors; and
  - ii. minimising as far as possible the off site disposal of contaminated waste material; and
- b. measures can be taken to identify and safeguard any significant nature conservation and historic interests which exist on the site.

19.63 Derelict land can be both unattractive and a disincentive to investment. However, Planning Policy Wales states that preference should be given to the reclamation of derelict and waste land, thereby saving valuable greenfield sites, bringing facilities closer together, reducing the need to travel, and helping to overcome blight.

19.64 However, much derelict land bears a legacy of contamination, responsibility for determining the extent of which lies with the developer, not the local planning authority. Before determining planning applications for sites which are known, or strongly suspected to be affected by land contamination, the Council will require the developer to carry out a site investigation to: assess the nature and degree of the problem; identify specific remedial measures to deal with any hazard; and to safeguard future development and neighbouring uses. Planning conditions will specify all the necessary and appropriate measures to overcome contamination and these must be carried out prior to the occupation of the site.

19.65 Nature conservation may be a particular concern on derelict sites as many areas of waste land, despite their often degraded appearance, have significant nature conservation interest. Before determining planning applications for sites which are known to have significant nature conservation interest, an environmental audit must be carried out to identify any nature conservation interest in the site, and explaining how provision could be made for its retention and enhancement. The replacement of existing features of wildlife value through mitigation measures elsewhere will only be permitted if in-situ retention is not possible, and where relocation is technically feasible and ecologically acceptable. If this requirement is not satisfied, and there are no overriding considerations, the planning application may be refused on nature conservation grounds alone. Sites may also be of historic or archaeological importance and their value should be assessed before reclamation is permitted.

#### National Planning Policy - Unstable Land

19.66 Para 13.8.2 of PPW states "Local planning authorities should therefore take into account in plan preparation the nature, scale and extent of ground instability which may pose direct risks to life and health, buildings and structures, or present indirect hazards associated with ground movement such as the possible migration of landfill or mine gas". Para 13.8.4 states "Plans may indicate that the local planning authority will need to be satisfied that a site is stable or that any actual or potential instability can be reasonably overcome".

#### Policies - Unstable Land

##### EWP 15 Development of Unstable Land

The development of land subject to instability will only be permitted where it can be demonstrated that appropriate measures have been or will be taken to ensure long term safety.

New development which would create a risk of land instability will not be permitted unless:

- i. steps are taken to negate the risk of instability; and
- ii. it would not put adjacent land users and the general public at risk.

19.67 The plan seeks to prevent development being permitted on sites which are at risk from instability due to mining, landfill, landslides, erosion, or other subsidence.

19.68 Responsibility for determining the extent and effects of instability lies with the developer not the local planning authority and where required this information should be submitted with the application. Where necessary planning conditions will require measures to overcome instability, and these must be fulfilled as part of the development.

19.69 All applications will be determined on the basis of the information available to the local planning authority and this does not mean that the site is free from instability.

### National Planning Policy - Water Resources

19.70 Planning Policy Wales advises that local planning authorities should promote increased efficiency and manage the demand for water resources. Specifically, PPW requires the Plan to:

- consider water related issues from an early stage when identifying land for development and redevelopment;
- locate new development and plan its implementation in such a way that allows for sustainable provision of water services;
- encourage the appropriate water efficient technologies within the design of new development;
- minimise the impact of new development on water resources, on water quality, on nature conservation and on groundwater.

### Policies - Water Resources

#### EWP 16 Water Resources

Development which would enhance the existing water treatment and supply infrastructure will be permitted where it would not have an unacceptable adverse impact on local amenity, landscape, nature conservation or heritage interests.

All other development affecting water resources will only be permitted where the development meets the following criteria:

- a. it would not have a significant direct or indirect adverse impact on the capacity and flow of groundwater, surface water, or coastal water systems;
- b. it would not pose an unacceptable risk to the quality of groundwater, surface water, or coastal water;
- c. it would have access to adequate water supply, sewerage and sewage treatment facilities which either already exist, or will be provided in time to serve the development, without detriment to existing abstractions, water quality, fisheries, amenity or nature conservation; and
- d. it is demonstrated that sufficient steps have been taken in the design of new buildings to minimise the wasteful consumption of water resources by incorporating suitable water efficiency and conservation measures.

19.71 The responsibility for the aquatic environment lies with the Environment Agency Wales (EA). The EA has a statutory role to secure the proper use of water resources in Wales and the quality of fresh, marine surface and underground water. Developers should contact the EA in relation to development proposals which have the potential to adversely affect the flow and/or quality of water to avoid potential delay and/or refusal of a planning application.

19.72 Global warming is likely to have a significant impact on Wales' climate. Already the impacts have been felt, with longer periods of warm dry weather with less frequent rainfall and more intense rainfall events. The likelihood of declining rainfall during the summer months is a significant issue and will place greater pressure on existing water supplies, particularly during long dry summers. To ensure security for the future water supply the development plan should consider proposals in light of the existing hydrological system, and future potential changes. When considering the impacts on hydrology of new development proposals, special attention should be given to the flows within existing water channels and the nature conservation value of these systems.

19.73 In short, proposals for new development which place pressure on the capacity of the existing water supply and the water and sewerage treatment infrastructure will only be permitted provided the necessary infrastructure is in place, or will be provided to serve them. The increasing pressure on the infrastructure and on nature is an important consideration and new development will be expected to demonstrate that adequate consideration is given to the conservation of water resources and the protection of water quality.

19.74 Proposals seeking to enhance and increase the capacity of the water and sewerage infrastructure, including those of a small scale serving individual buildings, are likely to be permitted provided they do not conflict with other environmental, landscape or other amenity policies.

19.75 Sewage should, wherever possible, be disposed of via an adequate public sewerage / sewage treatment facility. Development will not be permitted where the sewage effluent flow generated by the development is likely to be above the capacity of the relevant sewage treatment facility. The installation of private facilities (e.g. septic tanks and cesspits) will not normally be permitted where public facilities are available. When such installation are acceptable in unsewered areas, ground conditions must be suitable and there must be sufficient land to provide an adequate subsoil drainage system. Discharges from private installations will normally require a formal consent from the Environment Agency.

19.76 The responsibility for public sewage treatment systems rests with Dwr Cymru Welsh Water (DCWW) who should be contacted by prospective developers to arrange for a connection to existing services or to provide new infrastructure. Separate consent is also needed from DCWW to discharge to the public sewage system. The Council will consult the water and sewage undertaker in appropriate cases in order to be satisfied that adequate provision exists or can be made available to support a particular development.

Other key policies:

- CF8 Service Provision
- CF9 Development by Utilities

#### National Planning Policy - Flood Risk

19.77 Planning Policy Wales states in para 13.3.1 "In preparing their development plans local planning authorities should consult with adjacent authorities and the Environment Agency and ensure that, as well as not being at risk itself, development does not increase the risk of flooding elsewhere.... When drawing up policies and proposals for their area local planning authorities must acknowledge that government resources for flood and coastal defence projects are directed at protecting 'existing' developments and are not available to provide defences in anticipation of future development." Para 13.3.2 states "In areas of flood plain currently unobstructed, where water flows in times of flood, built development should be wholly exceptional and limited to essential transport and utilities infrastructure... Local planning authorities should recognise that it will be inappropriate to locate certain types of development such as schools, hospitals, residential development and emergency services within some areas defined as being of high flood hazard. In such areas, local planning authorities should ensure that only appropriate land allocations are made during the preparation of development plans".

Policies - Flood Risk

EWP 17 Flood Risk

Development which would seek to reduce the impact and frequency of flood risk to areas at risk of flooding will be generally supported provided:

- a) the design and character of the works is appropriate to the locality;
- b) the works do not adversely impact on interests of acknowledged nature conservation and recreation importance; and
- c) the works do not increase flood risk elsewhere

Other development within areas at risk of flooding will only be permitted where the Council considers that the development is justified and is satisfied that:

- a) the consequences of a flooding event can be effectively managed
- b) it would not increase the risk of flooding elsewhere
- c) appropriate alleviation or mitigation measures have been incorporated into the proposal and will be available for the lifetime of the development;
- d) it would not have any adverse effects on the integrity of tidal and fluvial flood defences.

19.78 Global warming has clear implications for Wales' weather system and also increases the potential for extreme flooding events. TAN15: Development and Flood Risk (2004) has been adopted by the Welsh Government in recognition of the growing problem of flooding. When formulating proposals and/or submitting planning applications for development applicants should take account of the detailed advice and guidance in TAN15 . The Council, in consultation with the Environment Agency, will resist development in areas at risk from flooding, unless it can be demonstrated that the proposed use is both suitable to and justified in the locality. For the purposes of EWP17, an area at risk of flooding is a zone C, C1, C2 flood risk area in TAN15. In such circumstances the proposal should make provision for flood protection and mitigation, or compensation as part of the development proposal which will last for the lifetime of the development; ensure there is no significant adverse impact on any vulnerable users; demonstrate that there will be no significant adverse impact on hydrological systems, including effects on capacity of, or flows within existing water channel and the nature conservation interests of these systems.

19.79 The use of sustainable drainage systems (SuDS) can make a significant contribution to reducing the potential for flooding and reducing the scale of flood events. Where practicable, the use of SuDS should be considered in all new development proposals, but particularly within and adjacent to areas which have an existing or potential flooding problem. The use of SuDS will also be appropriate in environmentally sensitive locations in terms of bringing about environmental and amenity enhancements. The Council intends to update its existing Local Planning Guidance Note on SuDS in the form of SPG.

19.80 Within 'problem areas' or areas likely to pose a risk to existing built up areas all developments which involve the installation of impermeable surfaces should be required to incorporate appropriate sustainable designs. Specifically designs could include permeable hard surfaces (e.g. car parking); soakways; temporary storage areas (e.g. ponds); and/or swales which allow storage, local conveyance and infiltration. Where appropriate, proposals for new buildings should also ensure that their design mitigates the impact of flooding; through flood proofing of building exteriors and interiors. Such measures could make a significant contribution to the sustainable management of water within Flintshire, saving many communities from being inundated, flood proofing new communities and businesses, and also helping wildlife and the local environment by increasing groundwater storage, raising the water table and providing watercourses with more sustained supplies of water throughout the year.

# Chapter 20

## Implementation

Relevant Strategic Aims	
All strategic and functional aims are relevant	
Policy Objectives	Policy List
a. PARTNERSHIP - to coordinate the development and use of land in partnership with other responsible bodies b. OBLIGATIONS - to ensure that developers make proper provision for the wider effects of development on the community c. MONITORING - to monitor the Plan's performance using a series of targets and indicators d. SUPPLEMENTARY GUIDANCE - to provide further guidance in interpreting and implementing the policies and proposals in the Plan	IMP1 Planning Conditions and Planning Obligations
Indicators of Policy Performance	Targets
100. No. of S106 agreements signed 101. No. of enforcement cases 102. SPG produced and adopted by the Council	



## 20 Implementation

### Introduction

20.1 The primary functions of the Flintshire Unitary Development Plan relate to the initiation and co-ordination of the development and use of land in the County. The true value and purpose of the strategy and aims of the Plan will only be realised through positive, consistent and effective implementation of the Plan's policies and proposals.

20.2 Successful implementation cannot be achieved in isolation, however, and the Council will continue to seek to work in partnership with other organisations and bodies who have a shared responsibility for making and influencing decisions that affect land use. In carrying out its planning functions, the Council currently works with many agencies such as the Environment Agency, Countryside Council for Wales, and the Welsh Government, and the development of the Local Strategic Partnership through the Community Strategy, offers the opportunity to build on such relationships and partnership working. The Council has also taken account of the needs and aspirations of the people of Flintshire in formulating its proposals, and will continue to take these into account in implementing, monitoring and reviewing the Plan.

20.3 The UDP proposes a series of targets for the Plan which are derived from specific objectives which translate the Plan's strategy into the respective policy sections. These offer a sound basis on which to monitor the Plan's performance and, if achieved, will give a firm indication of the relative success of the strategy. In this way the UDP will become more of a dynamic document, responsive to change, capable of speedy review when necessary, and fit for purpose in a plan-led system.

20.4 Developers too have a role and responsibility for the successful implementation of the Plan in relation to the potential impacts that development can have on the supporting infrastructure, services and amenities, including community facilities, where the need for these arises directly as a result of the proposed development. These are material considerations in determining planning applications, and it is the firm view of the Council that developers and landowners should make the appropriate and necessary provision for these. Development of land often increases the burden on existing infrastructure which has insufficient capacity to accommodate significant new development, and can also often worsen conditions for existing users of the services and infrastructure.

20.5 The following implementation policy and statements seek to embrace a range of implementation factors and include requirements for conditions and developer contributions and obligations, enforcement of policies and methods of monitoring, and the production of supplementary planning guidance.

### Conditions, Developer Contributions and Planning Obligations

#### IMP1 Planning Conditions and Planning Obligations

Where appropriate the Council will impose conditions on planning permissions and seek to negotiate planning obligations with developers to secure the best use of land, the necessary costs and provision of infrastructure, facilities and community needs arising from the development where it is not possible to achieve this through planning conditions.

20.6 The policy seeks to clarify the Council's procedure on imposing conditions on planning permissions and seeking planning benefits through planning agreements, negotiated with developers under Section 106 of the Town and Country Planning Act 1990, and through enhanced proposals in the Planning and Compensation Act 1991.

*“The proper use of conditions can improve the quality of development control and enhance public confidence in the planning system.” (Welsh Office circular 35/95)*

20.7 In reaching decisions on individual land allocations or planning applications, the Council must take account of all material considerations including the capacity of the infrastructure necessary to support the proposed development. If development takes place without adequate provision, existing facilities are placed under an increased burden to the detriment of the wider community and public resources. Planning agreements may be used in these circumstances in addition to conditions on a planning permission, for matters which would be inappropriate as conditions.

20.8 Appendix 1 highlights examples of appropriate provisions which could be sought through conditions and/or entering into planning obligations with developers, though this list is not exhaustive and where appropriate, other provisions may be sought.

20.9 Obligations will require developers to provide infrastructure which is either needed to allow the development to commence or is directly related to the use of land after its completion. The Council will aim to secure the provision of facilities or contributions where they are fair, necessary and appropriate, to meet the needs of the occupiers and users of the development and the local community. In these circumstances it may be reasonable for developers to provide affordable housing and to meet the full costs of community, educational and recreational facilities required as a direct result of the development, together with contributions for ongoing maintenance costs and/or the transfer of land to Council ownership, or where the development creates the need for extra facilities such as access roads or open spaces. Improvements to existing facilities may also be sought, or contributions may be sought for off-site provision.

20.10 Planning obligations must be reasonably necessary to the granting of planning permission and must be relevant to planning and directly related to the development being permitted. Such agreements cannot be used to make a proposed development acceptable where it would be otherwise unacceptable on planning grounds. The obligations contained within the agreement must also be reasonable in scale and nature.

## Enforcement of Planning Legislation

### Implementation Statement 2 Compliance and Enforcement

The Council will seek to monitor planning compliance and use its enforcement powers to control unauthorised development and use of land and buildings, to ensure that development is carried out in accordance with planning legislation.

20.11 The policies and proposals contained in the UDP are in the main implemented through the development control process. The Council will therefore expect applications for planning permission to comply with the policies and provisions of the Plan and relevant supplementary planning guidance, and development is carried out in accordance with the conditions imposed on planning permissions. The Council will seek to be as proactive as possible in monitoring compliance with these conditions.

20.12 In order for the development control system to work effectively however, and for the community to have confidence in it, it is necessary from time to time to ensure that breaches of planning legislation are properly enforced. It is the Council's policy to pursue effective and appropriate enforcement action to remedy the undesirable effects of unauthorised development and activities, and to deter those who would otherwise seek to undermine the operation of the planning system.

## Monitoring

### Implementation Statement 3 Monitoring the Plan

The Council will continuously monitor the effectiveness of policies and proposals in the Plan and will respond to changing economic, social, environmental and legislative circumstances in order to review and update the Plan.

20.13 It is important that the policies and proposals in the UDP are regularly monitored and reviewed in order to gauge their effectiveness as they are implemented. Regular monitoring will indicate whether or not the Plan's aims are being met, and will ensure that it remains the most appropriate and locally accepted response to current issues of environmental, social and economic importance.

20.14 A series of indicators and targets relating to the strategic and policy-specific aims of the Plan have been devised and are included with each section of the Plan. The targets are repeated here and will enable monitoring of the policies and proposals in the UDP and provide information on whether its aims are being met.

20.15 Further details of the monitoring arrangements will be produced as supplementary planning guidance which will outline the process and rationale behind the indicators and targets as well as the data sources and systems to be used, and linkages to aims and targets in other corporate strategies.

20.16 The Council will prepare an annual monitoring report on the implementation of the UDP which will examine the performance of the Plan in relation to its targets and indicators, and will include suggested action where targets are not being achieved. In addition, the Council will continue to develop and produce a series of technical reports on key areas such as housing land availability, employment land availability, planning application statistics, and information on the use of policies in determining applications.

20.17 The Council will also continuously monitor and where necessary, update its sustainability appraisal of the UDP and its policies as part of the monitoring arrangements, to ensure that the strategic aims of the plan remain relevant and sustainable. The Council will also undertake monitoring of the Plan's policies under EMAS (Eco-Management and Audit System).

Target 1	No loss of green barrier land to development
Target 2	No development in open countryside contrary to policy
Target 3	Minimise the loss or damage through development to sites of international, national or County geology/wildlife/nature conservation importance
Target 4	Minimise the loss or damage through development to designated sites and buildings of international, national or County heritage importance and ensure adequate recording before any change
Target 5	Adopt a Parking Management Strategy
Target 6	Achieve a minimum of 30 dwellings/ha on all allocated sites
Target 7	Achieve 30% affordable housing on all large housing sites
Target 8	85% of new retail floorspace located in and around town, district and local centres
Target 9	No highly vulnerable development within areas of flood risk where there is an unacceptable risk of flooding.

#### Supplementary Planning Guidance

##### Implementation Statement 4 Supplementary Planning Guidance

The Council will prepare Supplementary Planning Guidance to support the UDP, which will include detailed guidance concerning major developments, individual

sites, development issues, and particular types of development. All development proposals will take account of SPG where relevant, which will be a material consideration in determining planning applications.

20.18 In order to provide further guidance in interpreting and implementing the policies and proposals in the UDP, the Council will produce a series of Supplementary Planning Guidance (SPG) covering a range of topics of both strategic and local significance. Where appropriate they will be cross referenced to specific policies in the Plan.

20.19 It is intended that the guidance will be the subject of consultation and formal adoption, and whilst not having the same status as the adopted Plan, will nevertheless become material considerations in determining planning applications. SPG will be particularly useful where planning circumstances change and when a full review of the Plan is not necessary. SPG will be kept consistent with the UDP and will be monitored, revised or revoked where necessary. Appendix 2 shows a suggested list of SPG to be updated or produced anew.

## Appendix 1: Types of Developer Obligations

TYPE OF OBLIGATION	EXAMPLES
Facilities to Support Development	<ul style="list-style-type: none"> <li>• Education facilities - new schools or additional classrooms</li> <li>• Affordable Housing</li> <li>• Public (open) space including maintenance</li> <li>• Play space/sports facilities</li> <li>• Community facilities e.g. libraries, health centres, leisure</li> <li>• Public art</li> <li>• Childcare/creche/nursery</li> <li>• Access for disabled people</li> <li>• Crime prevention</li> <li>• Waste recycling facilities</li> </ul>
Highway/Physical Infrastructure	<ul style="list-style-type: none"> <li>• Highways - improvements to network, site access, provision of access roads, public transport</li> <li>• Drainage/sewerage/flood defence</li> <li>• Operational parking off site</li> <li>• Improved public parking</li> <li>• Traffic signals</li> <li>• Provision of public transport</li> <li>• Travel Plans</li> <li>• Cycle and pedestrian facilities, footpaths</li> </ul>
Meeting external costs	<ul style="list-style-type: none"> <li>• Physical measures to alleviate impact e.g. traffic management, landscaping, noise insulation</li> <li>• Habitat creation/management</li> </ul>
Enhancing the built environment and conservation	<ul style="list-style-type: none"> <li>• Restoration of listed buildings</li> <li>• Restoration of buildings of local importance</li> <li>• Archaeology - preservation/ improved facilities at Scheduled Ancient Monuments</li> <li>• Archaeology - retention/recording of features</li> <li>• Public access within development</li> </ul>
Enhancing and improving the environment/ecology	<ul style="list-style-type: none"> <li>• Public access to open space</li> <li>• Land reclamation</li> <li>• Retain feature/enhance nature conservation value</li> </ul>
Measures to offset loss of/impact on amenity/resource on site	<ul style="list-style-type: none"> <li>• Replacement/retention of recreational/environmental facilities for those lost on site e.g. playing field, nature conservation area, waste recycling</li> </ul>

## Appendix 2 Suggested Supplementary Planning Guidance

- Monitoring Scheme - To be prepared
- Planning Obligations - Update of LPG22 (2007)
- Affordable Housing - Update of LPG9 (2007)
- Design Guide for Flintshire - To be prepared
- Parking Strategy for Flintshire - In preparation
- Parking Standards - Update of LPG11 (2006)
- Walking Strategy for Flintshire - In preparation
- Outdoor Playing Space and New Development - Update of LPG13 (2006)
- New Housing in the Open Countryside - Update of LPG10 (2006)
- Standards for New Residential Development - To be prepared
- Conversion of Rural Buildings - Update of LPG5 (2006)
- Nature Conservation and Development - Update of LPG8 (2007)
- Biodiversity Action Plan - Prepared
- Countryside Strategy - Prepared - under review
- Dee Estuary Strategy - Prepared
- Telecommunications - Update of LPG18 (2007)
- Waste Disposal and Management - To be prepared (LPG14)
- Minerals Extraction - To be prepared (LPG17)
- Listed Buildings - Update of LPG6 (2006)
- Conservation Areas - Update of LPG7 (2006)
- Landscaping - Update of LPG3 (2006)
- Trees and Development - Update of LPG4 (2006)
- Planning Enforcement - 1994 - Requires updating
- Space around Dwellings - Update of LPG2 (2006)
- House Extensions and Alterations to Dwellings Update of LPG1 (2006)
- Advertisements - Update of LPG16 (2007)
- Shop-fronts – To be prepared (LPG15)
- Welsh Language Impact Assessment - To be prepared
- Archaeology – To be prepared
- Signage – To be prepared
- Access for All – Update of LPG12 (2006)
- Sustainable Drainage Systems (SUDS) – Update of LPG19 (2006)
- Energy Conservation and Renewable Energy for Householders and Small Businesses – Update of LPG20 (2007)
- Environmental Impact Assessments – Update of LPG21 (2007)

## GLOSSARY OF TERMS

### **a**

accessibility - the ease with which development or facilities can be reached by people wishing to use them.

acre - an area of land the equivalent of 0.4047 hectares or 4047 sq m (43563 sq ft).

advertisement - any word, letter, model, sign, placard, board, notice or device whether illuminated or not, intended as an advertisement will be likely to require advertisement consent.

affordable housing - housing for rent, purchase of shared equity schemes, which remains available below market prices in perpetuity for those sectors of the community which are unable to afford housing on the open market.

afteruse - the ultimate use which mineral or waste sites are either returned to or put to.

agenda 21 - the process established as a consequence of the Rio Earth Summit of 1990 with the objective of seeking action on sustainable development issues at the local level.

aggregates - mining and processing of local material to be used for fill or construction e.g. crushed rock, sand and gravel.

agricultural land classification - the process used by the Ministry of Agriculture, Fisheries and Food (MAFF) now the Department for Environment, Food and Rural Affairs (Defra) to determine the quality of agricultural land. Best and most versatile land, which is to be conserved as a national resource, is classified as grade 1, 2 and 3a.

agricultural workers dwelling - a dwelling for use by an agricultural (or forestry) worker, where it is essential for that person to live at their place of work which is usually subject to a condition or legal agreement limiting the occupancy of the dwelling.

agriculture - land used for dairy and livestock farming, horticulture, fruit growing, seed growing, breeding for fur or skins, grazing land, nurseries and woodland where that use is ancillary to the farming of land.

allocation - land identified, zoned or safeguarded for a particular use or type of development in a development plan.

amenity - the perceived quality of life in terms of the value attached to a place or space.

ancillary - uses of land and buildings which technically differ from the main use, but which are of lesser importance and are permitted by reason of their association with the primary use.

appraisal - the process of weighing up the plans strategy, policies and proposals against sustainability objectives to ensure that the Plan will work to bring about sustainable development.

appropriate assessment - an assessment required under the Habitats Directive and Regulations for any proposal likely to have a significant effect on a European Site, based only on scientific considerations in order to ascertain whether the proposal would adversely affect the Site's integrity.

area of outstanding natural beauty - an AONB is statutorily designated as being of national importance for its natural beauty which should be conserved and enhanced.

archaeology - the study of the past through the analysis of remains (see Scheduled Ancient Monument).

article 4 direction - the means by which a local planning authority, subject to the consent of the National Assembly for Wales, can restrict permitted development rights, often

used to protect the character and appearance of conservation areas by preventing the cumulative damaging impact of minor alterations to properties.

## **b**

backland development - development of land behind existing frontage properties, usually involving the subdivision of back gardens.

biodiversity - the variety of all living things which exist in a particular area or habitat.

Biodiversity Action Plan (BAP) - the requirement for local authorities to prepare a plan to conserve and enhance the biodiversity of an area.

brownfield (previously developed) land - a site which is available for development which has been previously developed.

buffer zone – an area defined around minerals sites in order to protect surrounding sensitive land uses and development from the effects of mineral operations.

## **c**

Cadw: Welsh Historic Monuments - the National Assembly for Wales executive agency has responsibility for protecting, conserving and promoting an appreciation of the historic environment of Wales.

CCW - the Countryside Council for Wales is the Assembly's statutory advisor on the sustaining natural beauty, wildlife and the opportunity for outdoor enjoyment in Wales and its inshore waters.

CHP - Combined heat and power schemes which utilise technology to recover energy, whether in the form of heat or power, from waste or other biomass sources.

change of use - certain changes in the use of land or buildings require planning permission as set out in the Use Classes Order 1987 (see Use Classes Order).

commercial development - development related to the buying and selling of goods and services, including the following uses: shops (A1); financial and professional services (A2); sale of food and drink (A3); offices (B1); hotels, boarding or guest houses and hostels (C1); assembly and leisure uses i.e. cinema, concert hall, bingo hall, or casino and dance hall (D2); other sui generis leisure uses i.e. theatre, amusement arcade or centre or a funfair; other sui generis retail uses e.g. launderette, dry cleaners, petrol filling station, sale of motor vehicles, taxi business, or business for hire of motor vehicles, markets and builders merchants.

commitments - sites where a planning permission exists, usually referred to in the context of housing and employment figures.

common land - land where the ownership has traditionally been the subject of 'rights of common' held by individuals known as 'commoners' over the same area, to use that land.

community strategy / plan - all local authorities are required to produce a community strategy to promote the economic, social and environmental well being of its area, and to contribute to the achievement of sustainable development.

community woodland - multi purpose woodlands developed and managed to provide opportunities for leisure, recreation and public access and to enhance the landscape and nature conservation.

commuted sum - the payment of a one off sum by a developer to a local authority to contribute towards the cost of providing a facility off site, such as car parking or open space, where it is impracticable to provide on site.



comparison shopping - shopping for higher value or durable goods such as furniture, clothing and electrical, where the customer makes comparisons between products and outlets.

completions - when a planning permission is fully implemented, usually referred to in recording and monitoring house building i.e. when a dwelling is fully constructed.

conservation area - an area designated for its special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

contaminated land - land which is polluted as a result of past industrial, chemical uses, waste disposal or naturally occurring radiation, which makes it unsuitable for development without appropriate remediation works to reduce or negate hazards to subsequent occupiers and users.

convenience shopping - shopping for lower value, perishable goods such as food and newspapers which are bought on a frequent basis.

conversions - when a new use is put to an existing building e.g. an agricultural building being converted for residential use.

crown land - land which is owned by the government.

curtilage - the definable area around a building by virtue of ownership, use and physical layout, within which land and structures associated with the building are contained e.g. the garden around a house (in relation to a listed building, any other building or structures within its curtilage are also deemed to be listed).

## **d**

demography - the study and analysis of population, usually involving statistical tools and modelling or forecasting techniques.

density - usually referred to in the context of the number of dwellings on a development site as dwellings per hectare (30 per ha / 12 per acre is recommended by the government as a minimum).

derelict land - land or buildings which have been previously developed but have been allowed to fall into disrepair and are no longer used or capable of use without remediation measures.

designation - the formal designation of an area defined by statute e.g. site of special scientific interest or a general term used for policies which can be plotted geographically on a proposals map e.g. green barrier, conservation area etc.

development - s55 of the Town & Country Planning Act 1990 defines development as 'The carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land'.

## **e**

ecology - the study of living things in relation to their environment or surroundings.

economic development - the process whereby a local authority works to strengthen and diversify the economy of a region or area, usually in the light of an economic development strategy.

enforcement - the means by which breaches of planning control, or a failure to comply with the conditions attached to a planning permission are regulated, either by negotiation, regularisation or legal action.

environment agency - the Environment Agency (Wales) is the body appointed by the National Assembly for Wales responsible for environmental regulation to ensure air, water and soil quality.

environmental appraisal - the process of identifying, quantifying, weighing up and reporting on the environmental impact of the policies and proposals of a development plan (now superseded by sustainability appraisal).

environmental capacity - the ability of a particular environment to sustain development without causing undue harm.

environmental impact assessment - the process by which information about the likely environmental effects of certain types of development (by virtue of size, type and nature) is collected assessed and taken into account in deciding whether planning permission should be granted.

environmental statement - the document which is produced following an environmental impact assessment and which accompanies the planning application.

environmentally sensitive area - a locally defined landscape area where grants are available to pursue agricultural practices which respect the local environment.

## **f**

farm diversification - the broadening of agricultural enterprises to take on new commercial activities in order to improve or at least maintain the viability of existing holdings.

fauna - the animals of an area or region.

Fields in Trust (FIT) – an independent UK wide organisation seeking to protect and improve outdoor sports and play spaces and facilities (formerly known as National Playing Fields Association).

finite resource - a resource which when used up is lost forever.

flexibility allowance - a practice applied to a Plan's housing provision to account for those elements of the housing supply which come forward at a slower rate than predicted or do not come forward at all as a result of ownership, physical, infrastructure or marketing problems.

floodplain - an area of low lying ground alongside a watercourse or sea which floods either naturally or by design.

flood risk - the likelihood of an existing or proposed development being flooded is usually based on assessment carried out the Environment Agency (see s105 surveys).

flora - the plants of an area or region.

footpath - a pedestrian route which is usually separate from the highway, in contrast with a footway which runs alongside a highway.

forecast - a statistical exercise to estimate the likely growth in, and changes in population and households as one of the factors taken into account in determining the level of housing needed over the Plan period.

foul water - water containing waste which is produced by a development and which requires treatment, in contrast to water which runs off the surface of developments e.g. hardstanding as and roofs, which should generally not require treatment.

freight - the movements of goods whether by road, rail, water or air.

full / detailed application - a planning application whereby no matters are reserved for subsequent approval.

**g**

global warming - the process, often referred to as climate change, whereby global weather patterns are changing and becoming more unpredictable along with long term sea level rises.

green barrier - a local or non - statutory policy designation identifying areas of open land, the character and appearance of which it is important to protect in order to prevent settlements merging and to protect open countryside, where normal planning policies do not provide sufficient protection.

green belt - a statutory policy seeking to protect the open character of countryside around built up areas for a period of at least 30 years before review.

greenfield - land which has not previously been built on.

green space - areas of land usually within or adjacent to urban areas which are protected by virtue of their amenity, recreation or nature conservation value.

groundwater - water held in aquifers which is used for drinking water, the quality of which should be protected.

**h**

habitat - a site or area inhabited by and supporting a particular plant or animal (often referred to in the context of protected species).

hazardous installation / substance - a building or process which contains or utilises substances which are explosive, toxic, flammable or carcinogenic and regulated by the Health & Safety Executive.

health checks - the assessment of a town centre against a wide variety of criteria in order to measure its vitality, attractiveness and viability.

hectare - an area of land the equivalent of 2.471 acres or 10,000 sq m (107642 sq ft).

historic park / garden / landscape - a non statutory Cadw designation involving parks, gardens and landscapes which should be protected by virtue of their historic or other interest.

households - the number of persons living within a dwelling as a single unit i.e. sharing domestic facilities and housekeeping arrangements (recent trends have shown increasing numbers of small or even single person households).

houses in multiple occupation (HMO's) - a house occupied by a number of unrelated persons who do not live together as a single household (bedsit type accommodation but with shared kitchen and bathroom facilities).

housing association - a non profit making organisation which provides housing on a rent, sale or shared equity basis at below market prices (often referred to as registered social landlords).

**i**

indigenous - native to a particular area, often referred to in terms of local building materials or plant species.

infill development - development of a vacant or gap site in a substantially developed frontage or group of dwellings.

infrastructure - the provision of roads, sewers, power, lighting and water supply at the most basic level but also the provision of services and facilities including education, health and community.

integrated transport - a comprehensive transport system where journeys are able to be carried out easily by and between different modes of transport.

Intermediate Area Status – An area designated by the Welsh Assembly Government, where assistance is available to support job-creating investment.

## j

joint housing land availability study - a yearly study of housing land supply co-ordinated by the Land Division of the Welsh Assembly Government, Department of Economy & Transport (WAG (DET)) and involving the Ipa, HBF, public utility providers and house builders, to monitor the take up of and future availability of housing land.

## l

landbank - a stock of land intended for a particular purpose (such as maintaining a 5 year supply of land for housing) or in the case of minerals the number of permissions for the winning and working of reserves often expressed in terms of the number of years supply.

landfill - the disposal of waste in holes in the ground e.g. former quarries.

large site – a term (having regard to the definition in the Joint Housing Land Availability Study) used to describe housing sites of 10 or more dwellings.

local housing need - within this plan the term Local Housing Need is used to describe the housing needs of two key groups. The first of these are “workers” who need to live within a particular locality such as farm, fisheries and forestry workers who currently live too far away as to be practical for their employment (eg animal husbandry). The second group are households lacking their own housing, or living in housing which is inadequate or unsuitable, who are financially unable to provide for their own needs in the housing market without assistance.

leakage - often referred to in the context of the amount of locally generated expenditure on retail goods and services outside of the county.

listed building - a building, or any other structure within its curtilage, of special architectural or historic interest which should be preserved, contained in a list compiled by Cadw. Consent is required for works affecting listed buildings or their settings, irrespective of the need for planning permission.

local nature reserve (LNR) - a site or area declared by the Ipa as making a valuable contribution to nature conservation, local wildlife or geological interest, providing opportunities for education and enjoyment by the local population.

local transport plan (LTP) - a plan which sets out the Council's transport strategy, priorities and implementation programme to improve the transport system of the County.

## m

material planning consideration - factors to be taken into account when determining planning applications, which fairly and reasonably relate to the proposal and which are planning issues such as social, economic and environmental.

migration - the permanent movement of residents between areas, Counties or Countries is a key factor in determining the provision of future housing.

mitigation - measures which will serve to alleviate or improve a situation, problem or impact.

mixed use development - a development comprising a mix of commercial, retail and residential uses, amongst others.

modes - different methods of transport such as car, cycle, bus, train boat etc.

## **n**

national cycle network (NCN) - a strategic cycle route for the UK co-ordinated by Sustrans utilising funding from the Millennium Commission and often referred to as the Millennium Cycle Route. A leg passes along the coast stretches of Conwy, Denbighshire and Flintshire.

national nature reserve (NNR) - an area of national or international importance for nature conservation and managed in accordance with a management agreement with landowners and occupiers.

National Playing Fields Association (NPFA) - a body whose aim is to acquire, protect and improve playing fields and other recreational space for the benefit of local communities (now known as 'Fields in Trust').

nature conservation - a general term applied to the protection and enhancement of the natural environment (both flora and fauna).

non-retail commercial development – development related to the buying and selling of goods and services, including all forms of commercial development (see glossary definition above) apart from A1 uses, as defined in the Use Classes Order 1987 as amended.

## **o**

obligations - a legal agreement (usually referred to as a section 106 agreement) between the lpa and a developer used to control matters of planning concern which cannot be achieved by conditions attached to planning permission.

open countryside - a term used to describe land lying outside of the settlement boundary of a town or village and not affected by any other allocation or designation for development.

outline application - a planning application for outline planning permission to establish only the principle of a particular development, with subsequent approval of reserved matters by the lpa, prior to development commencing.

over development - development which cannot be accommodated satisfactorily within a site and which would unacceptably impact on both occupiers or users of the development proposed and surrounding development or land uses.

over intensification - when a particular use or activity increases to the extent that it results in unacceptable impacts to highway, amenity, environmental or other interests.

## **p**

permitted development - development which does not require planning permission as specified by the General Permitted Development Order.

planning application - an application submitted to the lpa for permission to carry out development accompanied by a fee (where necessary).

planning condition - in granting planning permission it is often necessary for aspects to be controlled or undertaken in a certain manner, or where the subsequent approval of the lpa is necessary and these are set out in conditions attached to the decision certificate.

planning permission - where the lpa approves a development as set out in a decision certificate which may or may not set out planning conditions which the development will need to satisfy.

planning policy guidance - guidance produced by the National Assembly for Wales to inform lpa's and others in the preparation of development plans and consideration of planning applications, the key document being Planning Policy Wales.

plan, monitor, manage - an approach to the provision of housing in which the lpa plans for a particular level of housing provision, regularly monitors the supply and demand for housing and makes adjustments if necessary.

precautionary approach / principle - the assumption that a development or activity might be damaging to the environment unless it can be proven otherwise.

primary shopping streets - streets or frontages where there is a predominance of retail uses which it is considered desirable to retain.

projection - the analysis of previous trends as a basis for projecting future trends, e.g. population growth.

protected species - a species of animal or plant which is protected on the basis of either a UK or EU statutory basis for its rareness or particular importance.

proximity principle - usually referred to in terms of waste whereby waste should be disposed of or managed / recycled as close as possible to the point where the waste is generated in order to prevent waste being exported to other areas and to reduce transportation.

## **r**

Ramsar site - a wetland / coastal site of international importance (especially as a waterfowl habitat) designated by the Assembly under the European Ramsar Convention of Wetlands of International Importance.

recycling - the process of sorting waste by type so that it can be re-used for other purposes.

refurbishment - the process of investing in the physical fabric of a building to bring it up to scratch.

regeneration - the process of giving new life to an area by investing in refurbishment of existing buildings, new development and the provision of new infrastructure, sometimes referred to as urban renewal.

regional planning guidance (RPG) - planning guidance produced at a regional level on a voluntary collaborative basis by North Wales Planning Officers, to tackle issues of strategic importance which cannot be adequately addressed within single administrative areas.

regional transport plan – a plan prepared by Taith on behalf of the six local authorities in North Wales which will deliver improvements to the transport system over the next 25 years.

regionally important geomorphological site (RIGS) - local non - statutory sites which are considered to contain important geological or geomorphological features.

renewable resources - resources or energy which occurs from natural and continuous flows within the environment which cannot be exhausted and include, solar, wind, water and geothermal sources as well as plant material (biomass).

reserved matters - those matters which were not considered as part of an outline application must be considered as part of a subsequent reserved matters application and may include siting, design, external appearance, access and landscaping.

residual requirement - the additional houses required to be built in a Plan period having taken into account existing permissions, and any allowance for small sites or conversions of existing buildings.

restoration - the process of restoring a development or activity such as quarrying or landfill, following the end of its useful life, either back to its original state or to another use or appearance using sub soil, top soil and landscaping measures.

retail impact assessments - all applications for retail developments larger than 2,500 sq m gross floor space are required to be accompanied by a study to assess the sequential approach to site selection, the availability of alternative sites, the economic impact on town centres and accessibility by a range of means of travel.

ribbon development - linear development which continues the line of existing dwellings along a road into open countryside, with individual accesses off that road.

risk control measure – the identification of the level and nature of a risk, hazard or impact and the formulation of measures which can control it in an acceptable manner.

rounding off - development which forms a logical extension to a settlement, in keeping with its existing form and character. It should result in a logical and defensible boundary and not represent a significant incursion into open countryside.

## S

safeguarded - the protection of a site, area or characteristic, either in its present use or for a future use (e.g. Minerals Safeguarding Area).

scheduled ancient monument (SAM) - an archaeological site or feature of national importance which is included in a schedule prepared by Cadw. Irrespective of the need for planning permission, development which is likely to impact on a SAM will also require scheduled ancient monument consent from Cadw.

section 105 survey - surveys conducted by the Environment Agency (Wales) under the provisions of the Water Resources Act 1991 to determine areas at risk of flooding and the degree of risk which will inform development plan preparation and the determination of planning applications.

Section 106 agreement - a legal agreement between a Council, and applicant (and sometimes third parties) to ensure that certain actions, relevant to the development, are carried out satisfactorily, where these are not capable of being enforced through a planning condition.

secondary frontages - areas of a town centre, outside the primary shopping frontages, which feature a mix of commercial development where retail is not predominant.

secondary resources - any recycled material which can be used as a substitute for primary resources or aggregates.

sequential approach - a test applied primarily to retail development proposals but also to other forms of development to ensure that no suitable alternative sites exist within or on the edge of the town centre.

settlement boundary - a planning tool to define the extent of urban areas where in principle new development will be permitted subject to policies in the plan and material planning considerations. Not all groups of houses have a settlement boundary defined for them as they are considered to be of insufficient size and/or have insufficient capacity to accommodate future growth in a satisfactory manner.

settlement hierarchy - a classification of settlements based on an assessment of factors such as size, configuration, facilities and services which provides an indication of the level of growth to be accommodated over the Plan period.

shared equity - a mechanism operated by a Registered Social Landlord whereby occupants purchase a proportion of the property (up to an agreed maximum) and pay rent on the remainder in order to get a foot in the property market by selling the proportion owned back to the RSL.

site of nature conservation importance (SNCI) - a local non-statutory designation of local nature conservation importance, the most common of which is a wildlife site.

small sites - a term (having regard to the definition of a 'large site' in the Joint Housing Land Availability Study) used to describe housing sites of 9 dwellings or less.

SME's - the abbreviation given to small and medium enterprises which are seen as being key components of a sustainable local economy.

social housing - housing which is subsidised by a Registered Social Landlord (local authority, housing association, trust or other charitable body), either rented or shared ownership arrangement, often targeting particular social groups.

Special Area of Conservation (SAC) - an SSSI additionally designated under the European Directive on the Conservation of Natural Habitats and Wild Fauna and Flora, in order to maintain or restore priority natural habitats and species, which together with SPA's comprise the EU's 'Natura 2000' network of habitats of pan-European nature conservation importance.

Special Protection Area (SPA) - an SSSI additionally designated under the European Directive on the Conservation of Wild Birds, because of the need to protect threatened birds and their habitats.

supplementary planning guidance (SPG) - non statutory supplementary planning guidance produced by a lpa to supplement the policies and proposals in the UDP with the intention of being a material planning consideration in the determination of planning applications. May include design guides, topic based guidance or site planning briefs.

spatial - the expression of trends, policies or proposals as they appear on the ground e.g. identifying areas of restraint or growth.

site of special scientific interest (SSSI) - a protected area identified by Countryside Council for Wales as being of national importance in terms of wildlife, flora, fauna, geological or physiological features.

small towns and villages enterprise initiative (STVEI) – A WAG(DET) initiative intended to promote the sustainability and prosperity of small towns and villages in rural north Flintshire, mainly through supporting development by businesses or community organisations.

strategic environmental assessment – a process required by EU Directive to ensure that significant environmental effects arising from policies, plans and programmes are identified, assessed, mitigated, communicated to decision makers and monitored.

sui generis - those uses which do not fall within any Use Classes Order and are therefore described as sui generis - a class on its own e.g. car showrooms, petrol filling stations.

surface water run off - water which runs off a development e.g. from hardstandings or roofs.

sustainable development - development which meets the needs of present without compromising the ability of future generations to meet their own needs.

sustainable urban drainage system - providing drainage systems in a more environmentally friendly manner, by reducing the quantity of run off, slowing the speed of run off and filtering of water in order to help reduce flood risk and reduce pollutants affecting ground water quality.

sustainability appraisal - a process of systematically assessing a development plan against a variety of criteria to ensure that it will achieve sustainable development.

## **t**



take - up - usually referred to in the context of monitoring the rate at which land for housing, employment or other development is developed.

Taith – the joint board of the six authorities in North Wales working together to deliver substantial and significant improvements to public transport across the region.

technical advice note (TAN) - a document produced by the NAW to provide additional advice on key aspects of policy set out in Planning Policy Wales.

townscape - the combined mix of buildings, spaces and other features which together create a sense of place.

traffic calming - measures to slow down traffic such as speed reduction measures, surface treatment or road narrowing, most commonly applied in residential areas to improve safety for vehicles and other highway users, especially pedestrians.

traffic impact assessment (TIA) - an assessment required in order to inform consideration of a planning application where a development is likely to have a considerable impact on traffic flows. It will assess existing traffic flows and the capacity of the highway network to accommodate the development, with or without mitigation measures. In some cases a Transport Impact Assessment will be required which also considers accessibility of the development by different means of travel.

traffic management - measures to better manage the flow of vehicles whether at points of congestion or where road safety is poor and therefore making better use of the existing road space before improvements or new roads are considered.

Trans European road network (TERN) - a network of European highways of international importance linking ports with major cities, including the A55(T).

travel plan - a plan drawn up with the objective of reducing car based travel either in existing or proposed development in order to bring about economic, environmental and health benefits.

tree preservation order - a legal protection given to a tree which is considered to be of significant amenity value with the effect that permission or the lpa will be needed to lop, top or fell a tree.

trunk road - trunk roads and motorways are the responsibility of the National Assembly for Wales and are high quality roads carrying large quantities of long distance traffic between towns and cities.

## **U**

undeveloped coast – the undeveloped land and estuary to the north of the A548.

unitary development plan (UDP) - a statutory development plan is required to be prepared by all unitary local planning authorities, containing strategic Part 1 and detailed or local Part 2 policies together with proposals relating to the development and use of land. They replace the former system of structure and local plans.

use classes order - the Town and Country Planning Use Classes Order 1987 (amended) places the main uses of land into different categories based on the nature and characteristics of each. Generally speaking, planning permission will not be required for the change of use of land or a building within a class, but will be required between different classes.

## **V**

vernacular - where an area has a particular identifiable style of architecture, use of materials or features which gives it a unique sense of place.

viability - although applying to individual business or commercial activities, most commonly applied in the determination of the health of a town centre in terms of its ability to continue trading, to attract investment and to improve and adapt over time.

vitality - a measure of how busy or lively a town centre is at different times of the day in terms of being attractive to both businesses and shoppers.

## **W**

Welsh Assembly Government, Department of Economy & Transport (WAG (DET)) – The Assembly’s role is to provide, maintain and safeguard employment opportunities and to bring about regeneration schemes across Wales.

wildlife site - see site of non statutory nature conservation importance.

windfall site - a site which comes forward for development within the plan period but which is not allocated in a development plan (usually referred to in the context of residential development).