

# Hearing Statement – Flintshire Local Development Plan (LDP) 2015-2030 examination

In relation to: Matter 4 – Location of Development

for [REDACTED])

Emery Planning project number: 9108



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## 1. Introduction

- 1.1 This hearing statement is prepared by Emery Planning on behalf of [REDACTED] in relation to Matter 4 – Location of Development.
- 1.2 Emery Planning made representations on behalf of [REDACTED] to the Deposit Plan consultation, and before that previous consultations on the Local Development Plan (LDP). [REDACTED] representations specifically address the settlement boundary for Buckley as identified on the proposals map, and specifically the property known as Newlands, Drury New Road, Drury. We consider that the property should be included within the settlement boundary for Drury. We will address the proposed Green Barrier boundaries in our response to Matter 16.
- 1.3 Our responses to the issues and questions on this matter are set out below.

## 2. Response to Matter 4

**Key Issue: Is the spatial strategy coherent and based on a clear and robust preparation process? Are the spatial strategy and relevant strategic policies realistic, appropriate and logical in the light of relevant alternatives and are they based on robust and credible evidence?**

**d) Where is the methodology for the assessment of settlement boundaries described? Has it been applied consistently? Where are the results of the assessment set out?**

### General methodology

- 2.1 The 2017 Background Paper – Assessment of Candidate Sites against the Preferred Strategy (LDP-KSD-PS4) identified within the methodology section that small sites adjacent or close to existing Unitary Development Plan (UDP) settlement boundaries will be considered through a settlement boundary review as part of drawing up the Deposit Draft Plan.
- 2.2 The Candidate Alternative Sites Topic Paper (LDP-EBD-BP8) appears to represent the settlement boundary review. The report states at page 3:

*“The candidate sites have been filtered to remove small sites on the basis that they are less than 0.3ha in area and capable of accommodating 9 or less*

*residential units. The decision to not allocate such small sites ensures consistency with the definition of 'small' and large sites in the Joint Housing Land Availability Study process. Depending on the location of small sites they can be dealt with in two ways:*

- *Those small sites within settlements can be considered as 'windfall' sites through the*
- *development management (planning application process) having regards to the plan's policy framework;*
- *Those small sites adjacent to or in close proximity to existing UDP settlement boundaries have been considered in terms of a settlement boundary change."*

2.3 LDP-EBD-BP8 goes on to provide comments on individual sites in relation to the settlement boundaries. However, the paper does not provide any clear methodology for the assessments undertaken, such as how boundary features and built development on the ground has been accounted for. It is also not clear whether site visits have taken place, or whether there has been engagement on the methodology for the settlement boundary review with local stakeholders. For example, local stakeholders such as Ward Councillors may have views on where village boundaries lie, both physically and perceived.

2.4 It is also not clear how Green Barrier Review has been factored into the assessment of the settlement boundaries. For example, part of the justification for our client's site (Newlands, DRU006) refers to the Green Barrier Review, and claims that the Green Barrier *"has been reviewed and found to be necessary in this location as it seeks to prevent the coalescence of the two settlements"*. However, the Green Barrier review provides no specific mention of the site. The area assessed under GEN4 (17) merely provides a comment that *"The land on either side of Drury New Road is prominent and has a feeling of openness, despite the proximity of the two settlements."* However, this cannot be referring to Newlands and the adjacent properties to the north, as the land is not open. Reliance upon the Green Barrier Review for assessing small-scale boundary changes is therefore misplaced.

2.5 In summary, there does not appear to be any specific methodology applied for reviewing settlement boundaries, and the approach appears to be inconsistent with what can be seen on the ground, certainly insofar as that relates to our client's property at Newlands. We discuss our client's site in further detail below.

### Drury Settlement Boundary

- 2.6 The property known as Newlands is currently located outside of the settlement boundary in the adopted UDP, within the Green Barrier, and the LDP Deposit Draft proposes to continue these designations. Due to the specific characteristics of the property and its relationship to the village of Drury, the property should be included within the settlement boundary.
- 2.7 Newlands is located on the eastern side of Drury New Road, Drury. The site comprises the dwelling and its garden. The garden is screened by existing boundary treatments and is extremely well contained. The hedgerows surrounding the garden form the logical southern boundary of the village along Drury New Road.
- 2.8 A planning application for the erection of one dwelling (reference: 038321) was refused in December 2004 due to the site being located outside of the settlement boundaries. Our client has therefore sought a change to the settlement boundaries through the emerging LDP and has submitted representations at various stages of the process, including representations to the Candidate Site Submission process.
- 2.9 The site is assessed in the Candidate Alternative Sites Topic Paper (LDP-EBD-BP8). The site is identified as DRU006. The site assessment states:

*“Small Site - The site does not comply with the Preferred Strategy as it is divorced from the settlement. Newlands is one of two large detached dwellings set within a wedge of open countryside on eastern side of Drury New Road. The site is approx. 90m from the settlement boundary on the eastern side of Drury New Road and its inclusion within the settlement boundary would bring about the inclusion of intervening land which would result in ribbon development extending southwards along Drury New Road. The site is part of a green barrier between Buckley and Drury that has been reviewed and found to be necessary in this location as it seeks to prevent the coalescence of the two settlements. The creation of a pronounced ribbon of development would compromise the openness and integrity of the green barrier.”*

- 2.10 In response, the Council's assessment does not appear to reflect the reality on the ground. Newlands and the property known as Benbradagh to the north essentially adjoin the curtilage of commercial units associated with the adjacent garden centre / farm shop to the north, including the area of hardstanding used for storage which extends along Drury New Road. This is shown in the aerial image below:



**Figure 1** – Aerial image showing proposed settlement boundary

- 2.11 Our client's property is highlighted in red, and our proposed settlement boundary is edged in black.
- 2.12 The reference within the Topic Paper to the site being 90m from the settlement boundary is misleading. That is a measurement from the existing settlement boundary in the UDP, which should be reviewed as part of this process. There is permanent built development extending southwards from the village down to Newlands, with only a very small paddock between the area of commercial storage and Benbradagh. The relationship between Newlands / Benbradagh to the settlement will be apparent from a site visit. The reference to the 90m distance only serves to demonstrate that the Council has taken an approach of simply assessing how the site sites in comparison to the current UDP boundary, rather than objective assessment of how the site physically relates to the village on the ground.
- 2.13 Travelling south along Drury New Road there is no perception of leaving the village until one is beyond the garden of Newlands. Travelling north, any persons entering the village from the south

along Drury New Road would have the clear impression of it representing the start of the village, with the village name sign being located adjacent to the property.

- 2.14 Newlands therefore has the appearance of an integral part of the village, and this is clearly emphasised by the representations of Ward Councillor ( ), who made submissions to the Deposit version seeking the same amendment to the settlement boundary as sought by our client.
- 2.15 The assessment in LDP-EBD-BP8 then claims that including these properties within the settlement boundary would “bring about the inclusion of intervening land which would result in ribbon development extending southwards along Drury New Road”. Again, this is incorrect. The land north of Benbradagh is brownfield land in a commercial use, featuring buildings and hardstanding used for outside storage. In any event, Drury and Burntwood is identified as a Sustainable Settlement in the LDP and it is illogical to exclude a site from the settlement boundary on the basis that it may facilitate a level of small-scale development. To the contrary, development related to the scale, character and role of the settlement is directed to the Sustainable Settlement's under Policy STR2. Our client's site is a sustainable, greenfield site which adjoins the settlement boundary of a Sustainable Village. It is also a logical development site that could make a modest contribution to the delivery of much needed housing in a County, with no technical constraints to delivery.
- 2.16 Finally, as the site forms a logical part of the settlement as opposed to the wider countryside, it does not fulfil any role in preventing the coalescence of two settlements, or indeed any other Green Barrier purpose. We will address matters relating to the Green Barrier Review in our response to Matter 16.

## Conclusions

2.17 In relation to the proposed settlement boundaries, and in particular the proposed settlement boundary for Drury, the plan fails the following soundness tests:

### **Test 2: Is the plan appropriate?**

- The settlement boundaries are not supported by robust, proportionate and credible evidence.
- The rationale behind the settlement boundaries cannot be demonstrated. No clear methodology is followed.
- The proposed settlement boundary for Drury is not logical or reasonable having regard to actual circumstances on the ground.

2.18 A change to the proposed settlement boundary is required at Drury. Newlands adjoins and forms part of Drury, and should be included within the settlement boundary.