

# Appendix 1



## Appeal Decision

## Penderfyniad ar Apêl

Inquiry held on 04-06/02/15

Ymchwiliad a gynhaliwyd ar 04-06/02/15

10/02/15

Site visit made on 10/02/15

Ymweliad safle a wnaed ar

Welnidogion Cymru an Inspector appointed by the Welsh Ministers

Arolygydd a benodir gan

Date: 9 March 2015

Dyddiad: 9 Mawrth 2015

35/A/14/2220730

Old Hall Road/Greenhill Avenue, Ewloe, CH5 3JH

Appeal Ref: APP/A68

Site address; Land of

The Dolwen Render

The Beaumaris

The Alwyn Render

The Alwyn Render II

3 Bed

The Alwyn Brick

Amended Alwyn, Brecon & Hone house types submitted 31<sup>st</sup> March 2013

Alwyn 5 bed submitted 10<sup>th</sup> April 2014

- 3) Prior to commencement of development a phasing plan for the timing of the construction and completion of the dwellings hereby approved shall be submitted to and approved in writing by the local planning authority.

carried out in the first planting and seeding seasons following the

**Procedural matter**

[REDACTED]

were given a further week to provide an amended version incorporating changes

Agricultural land

7. The Agricultural Land Classification Map indicates a substantial portion of the site as Grade 2 with the remainder being Grade 3. In considering the appeal site, the UDP

consider that it should be dismissed lightly. Whilst it had been suggested that the

Housing growth rate

which would cumulatively result in more than 15% growth over the plan period will need to be justified on the grounds of housing need. Such justification could include local housing need and/or an explanation of why the development needs to take place

5-year housing land supply

available or will become available to provide a 5-year supply of land for housing judged against the general objectives and the scale and location of development provided for in the development plan. For land to be regarded as genuinely available it must be a site included in a Joint Housing Land Availability Study (JHLAS).

20. The 2012 JHLAS with a base date of 1<sup>st</sup> April 2012 showed a 4.5 years supply based on the residual method. Whilst the Council had argued in favour of using the past completions method, the Inspector who reported to the Welsh Government on the JHLAS did not consider that a departure from the residual method was justified. Although objectors suggested that more recent figures would show an improvement,



18:00, respectively. The raw traffic count data submitted in response to my request confirms that the AM peak hour at the B5125/Wood Lane junction is 08:00-09:00. However, the data also shows that the PM peak hour at the same junction is 16:30-17:30, rather than 17:00-18:00. Nonetheless, the difference between the 16:30-17:30 flow and the 17:00-18:00 flow is within the likely normal daily variation and is not significant as to invalidate the conclusions drawn in the Statement

25. The trip rate assessment used in the Transport Statement is based on data from the TRICS trip rate estimation software which is generally accepted as the most appropriate means of assessing the likely trip generation from development sites. The subsequent assessment used the more robust 85<sup>th</sup> percentile estimates of trip

[REDACTED]

... development would not have a significant adverse impact on the living

[REDACTED]



approval to prevent flooding, hydraulic overloading of the public sewerage system,  
~~prevent collection and accumulation of surface water on the highway.~~

42. Off-site highway improvements should be completed in accordance with previously approved details in the interests of providing a safe and satisfactory means of access.

~~For the circumstances, the actual access and internal estate road details should also be~~

to be met over the remaining 5 years (equivalent to 4667 units per annum). Clearly a step change was required over the last 5 years, but a central premise of the Plan was that this was to be achieved. Any failure was to be identified in annual monitoring reports and addressed in reviews to the Plan or interim policies to release more land.

48. The actual completions to April 2013 were only 4,213 units such that 3,187 needed to be provided during the last 2 years or so of the Plan period. However, the 2013 forecast will be delivered over the 3 years to 31 March 2016. IHAS predicts that only 1480 units will be delivered at the end of the Plan period with 2016 leaving a substantial shortfall. IHAS also predicts that the necessary level of additional releases will not be met if the measures have been implemented and the Council has indicated that it does not intend to increase housing land supply in any way. Additional releases would be required to address the substantial shortfall. Sustainable urban extensions will need to be addressed in the early phases of the LDP but that will not clear the need to deliver additional housing.

Looking forward, the 5-year requirement amounts to 4667 units. This is equivalent to 933 per annum and almost double the 493 per annum that would have resulted from the UDPA delivering its requirement evenly across the Plan period. However, the 2013 forecast is 4667 units. IHAS predicts that only 1480 units will be delivered at the end of the Plan period with 2016 leaving a substantial shortfall. IHAS also predicts that the necessary level of additional releases will not be met if the measures have been implemented and the Council has indicated that it does not intend to increase housing land supply in any way. Additional releases would be required to address the substantial shortfall. Sustainable urban extensions will need to be addressed in the early phases of the LDP but that will not clear the need to deliver additional housing.

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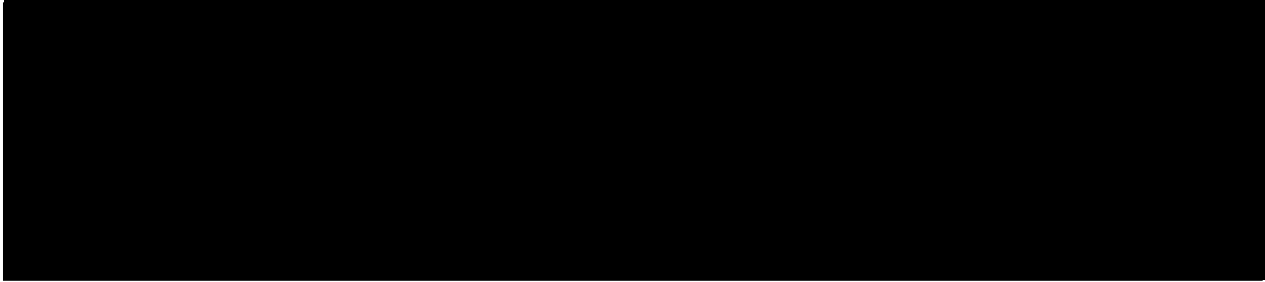
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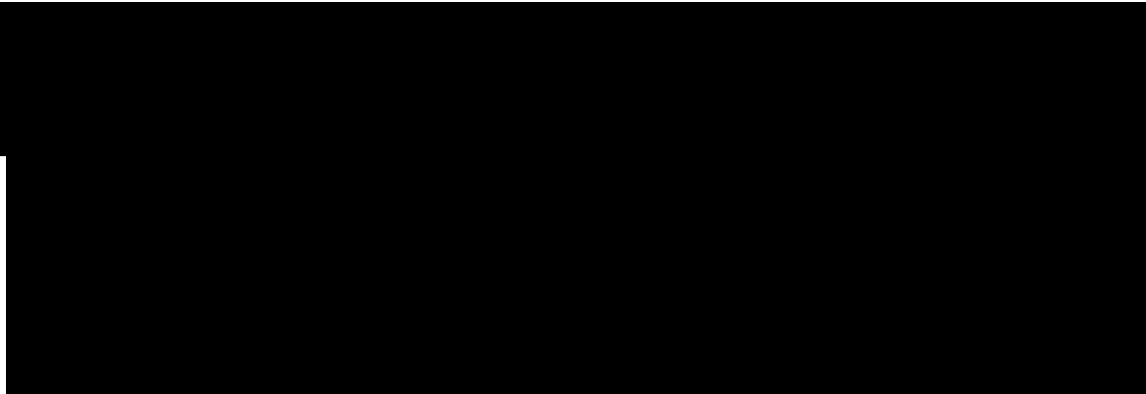
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**APPEARANCES**

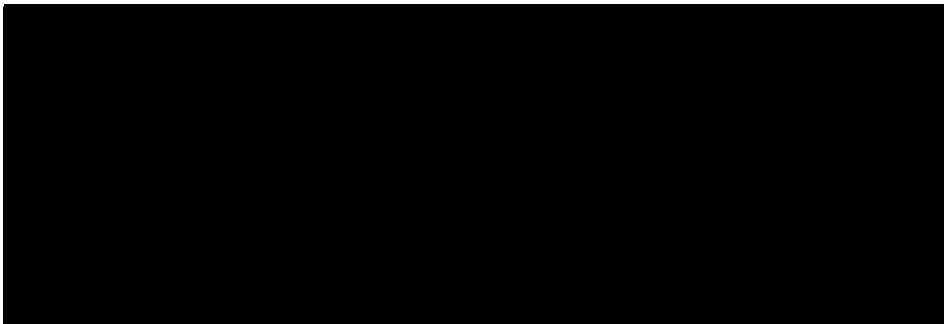
FOR THE LOCAL PLANNING AUTHORITY:



FOR THE APPELLANTS:



INTERESTED PERSONS:



**DOCUMENTS**

Document 1 [Redacted]

Document 2 Soften MRC v Secretary of State for the Environment Transport and the Regions [2002] EWHC Admin 119 [2002] P.L.C.R. 23

Document 3 GDF policy map for extraction from Proposals map [Redacted] Document 3

Document 4 Financial from Council Education Assess Office no. of pupils from Ewloe attending Welsh Medium Schools Document 4

Document 5 Draft conditions Document 5

Document 6 Full version of Agricultural Land Quality Report Document 6

Document 7 Planning Inspectorate's Good Practice Advice Note 16: Submitting planning obligations Document 7

Document [Redacted]

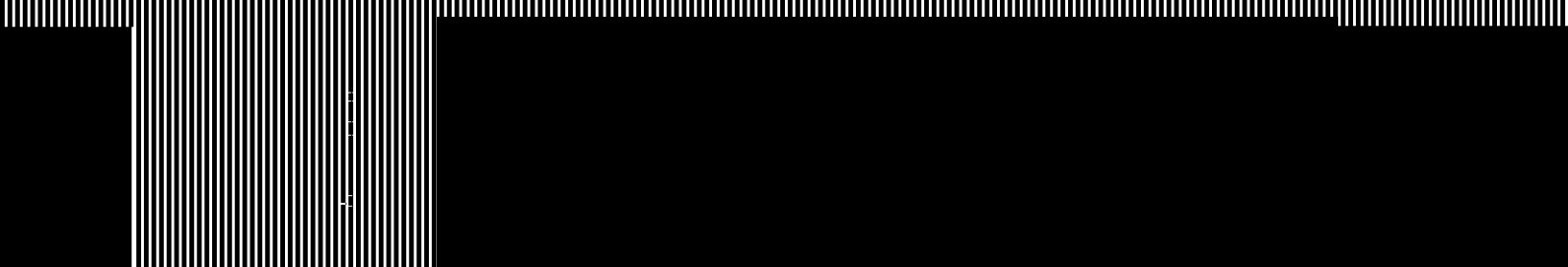
Document [Redacted]

Document 10 Full version of Transport Statement

Raw traffic count data Document 11

Sample Executed Unilateral Undertaking Document 12

Document 11 Petition and governing note



mitted documents

Documents 1 - 8 were submitted by the Council and the appellants submitted documents 9-12