

Mr P Eyton-Jones  
Mathrafai  
Bodfari  
Denbeigh  
LL16 4BS

Eich cyf . Your ref:  
Ein cyf . Our ref: A-PP117-07-037  
Dyddiad . Date: 14 November 2006

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990: SECTION 77  
APPLICATION BY MORRIS CONSTRUCTION  
PROPOSED MIXED RESIDENTIAL DEVELOPMENT AT LEESWOOD VILLAGE,  
DINGLE ROAD, FLINTSHIRE**

1. Consideration has been given to the report of the Inspector, Clive Nield BSc, CEng, MICE, MCIWEM, who held a public local inquiry into your client's application for a mixed residential development on land adjoining Leeswood Village, Dingle, Flintshire.

2. On 5 October 2005 the National Assembly for Wales directed under Section 77 of the Town and Country Planning Act 1990 (the 1990 Act) that the application be referred to it rather than be determined by the local planning authority. On 17 October 2006 the Assembly resolved that a committee, to be known as Planning Decision Committee (2)2006/6 be established, in accordance with Standing Order 17 to discharge the functions of the Assembly under Section 77 of the 1990 Act, in respect of the application by your client. Accordingly, the Planning Decision Committee has considered the application and has resolved under Standing Order 17.16 to adopt this letter.

Parc Cathays  
Caerdydd  
CF10 3NQ

Cathays Park  
Cardiff  
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3. The Inspector's conclusions are set out at paragraphs 118 -143 of his report, a copy of which is enclosed, and those paragraphs are reproduced as an Annex to this letter. The Inspector recommended that planning permission be refused. The Planning Decision Committee agrees the Inspector's conclusions for the reasons given by him and accepts his recommendation.

4. The Planning Decision Committee agrees with the Inspector that the development would cause substantial harm to the character of Leeswood village and surrounding countryside and as such would be contrary to the development plan and emerging UDP policies which aim to protect the countryside against inappropriate housing development and against development which fails to protect the landscape and character of the countryside. While there are factors identified by the Inspector which support the proposal on grounds of sustainability, including its convenient position on the wider highway network and its limited impact on the natural environment, the Planning Decision Committee agrees that these are outweighed by the harm that would be caused to the character of the village and the surrounding countryside.

5. The Planning Decision Committee accepts that the proposal would provide useful benefits to the safety of Dingle Road and that there would also be other highway safety and other community benefits. The proposal would also provide for 30% of the houses to be affordable housing and the Planning Decision Committee considers that this is a significant factor favouring the development.

6. The contribution to the supply of housing land is also a factor favouring the development. The advice of Technical Advice Note (TAN)1 Joint Housing Land Availability Studies June 2006 is that the results of Joint Housing Land Availability Studies should be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5 year requirement it advises that the need to increase the supply should be given considerable weight when dealing with planning applications, provided that the development would otherwise comply with national planning policies. The Planning Decision Committee agree with the Inspector that the shortfall in the 5 year supply, 3 to 4 years possibly rising towards 5, is limited and accept that in this case the shortfall should not be attributed significant weight.

7. The Planning Decision Committee agrees with the Inspector that although the development is large in comparison with the size of Leeswood it does not go to the heart of the emerging UDP and accepts that, were there not clear cut objections to the proposal, described at paragraph 4 above, the particular circumstances of the case would not be such as to justify refusal solely on the grounds of prematurity.

8. Overall, the Planning Decision Committee considers that while there are considerable benefits associated with the proposal including highway improvements and the provision of affordable housing these would be substantially outweighed by the harm to the character of the area and conflict with national and local policies.

9. The Planning Decision Committee has had regard to a representation submitted after the inquiry closed but does not consider that any new evidence or new matter of fact was raised which would materially affect their decision on the application.

#### FORMAL DECISION

10. For the reasons given by him the Planning Decision Committee agrees with the Inspector's conclusions and accepts his recommendation. Therefore, the Planning Decision Committee hereby dismisses planning application reference 05/22/039833 dated 22 June 2005 made by your client Morris Construction and refuses to grant planning permission for a mixed residential development on land at land adjoining Leeswood Village, Dingle Road, Flintshire.

11. A copy of this letter has been sent to the Chief Planning Services Officer, Flintshire County Council and to those persons who appeared at the inquiry.

Yours faithfully

**Glyn Davies AM**

Chair, Planning Decision Committee (2)2006/6

Enc; Leaflets "H" and "HC"



