



Katie H. Jones
Senior Planning Officer
Planning - Development Control
Planning, Environment & Economy
Flintshire County Council

Via Email

17 September 2020

Dear Ms Jones,

Re: Planning Application Ref: 061154 - Land at Plas Aney, Ruthin Road, Mold.

I refer to your email of 16 September consulting the Department for Environment, Energy & Rural Affairs on the above planning application. This response is made in accordance with:

Schedule 4 (s) of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012

Annex B of Technical Advice Note 6 2010

Planning Policy Wales - Edition 10 - 2018

Agricultural Land Classification (ALC):

A detailed ALC survey of the site was undertaken by the developers in June 2019 (*Ref: 1558/2 by Land Research Associates – 4th June 2019*) and submitted with this representation (*copy in attached email*). The results of the survey confirm the presence of 0.58ha of ALC Grade 2, 2.81ha Subgrade 3a, 0.45ha Subgrade 3b and 0.41ha of non-agricultural land on the site.

The Department has validated the June 2019 survey (*Ref: 1558/2*), and can confirm it has been undertaken in accordance with the 'Revised Guidelines and Criteria for Grading the Quality of Agricultural Land' (MAFF 1988). This survey is an accurate reflection of land quality on the site.

This confirms that the site, if approved, would involve the loss of 3.39ha of Best and Most Versatile (BMV) agricultural land (*0.58ha of ALC Grade 2 and 2.81ha Subgrade 3a*).

ALC Advice:

The ALC Survey Report (*Ref: 1558/2 by Land Research Associates – 4th June 2019*) can be accepted by your Authority as an accurate reflection of the land quality on the site.

Expression of View:

Having considered this proposal in light of the Welsh Government's Planning Policy Wales provision for the protection of BMV agricultural land (paragraphs 3.54 & 3.55); Schedule 4 of the 2012 Order; and, TAN 6 (Chapter 6 & Annex B5 & 6), the Department for Environment, Energy & Rural Affairs **objects to the proposal** in the long term national agricultural interest for the following reasons:

The Department considers that the potential loss of BMV agricultural land is significant and unjustified for the following reasons: -

- The Department considers the proposed development to have significant agricultural implications (TAN6, Annex B5). It is not allocated for development under the UDP or the proposed LDP. The allocation, if granted, would raise significant questions regarding the soundness of the proposed Flintshire LDP in terms of BMV agricultural land national planning policy application (PPW 3.54 and 3.55).
- The recent progress of developing the proposed LDP identifies sufficient land to deliver the required growth.
- The proposed LDP has considered the losses of BMV agricultural land in allocations for the whole plan, over the plan period (*LDP Background Paper 9 – Minimising the Loss of BMV Agricultural Land*). This site has not been considered for allocation and therefore has not been considered as part of that process.
- In recent years the Authority has permitted housing developments on lower grade land. A number of non-BMV sites have been put forward within the un-adopted LDP. Lower grade agricultural land is available and the planning statement conflicts with PPW and Policy RE1 of the UDP. Appeal Decision - APP/A6835/A/17/3171383 supports this view.
- The Applicant has not applied BMV agricultural land national planning policy (PPW 3.54 and 3.55) in justifying overriding need and application of the sequential test.
- This expression of view is consistent with the Department's response to the Pre-Application Consultation on this case (dated 4th September 2019).

Should your Authority consider that there is a case for granting planning permission despite this **objection**, the Department for Environment, Energy and Rural Affairs would **expect** the matter to be brought to its attention before a decision is made, and failing a satisfactory resolution of the issues involved, this Department may ask Welsh Government to consider the case further.

The view expressed does not bind any other part of Welsh Government commenting on the proposal.

I trust the above expression of view and associated remarks are clear and unambiguous. Please do not hesitate to contact if necessary

Yours sincerely



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