

Mostyn Estates Ltd

Chief Agent:
Edward D. Hiller, MRICS

Land Agent:
D R M Thomas, MRICS, FAAV

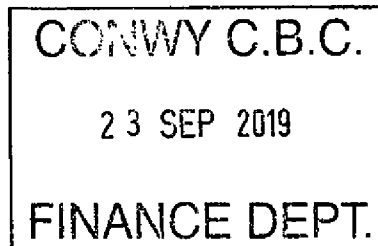
Your ref:

Our ref: EH/SS

MOSTYN COURT
2 MOSTYN STREET
LLANDUDNO
LL30 2PS



James Harland
Planning Policy Manager
Conwy County Borough Council
Bodlondeb
Conwy
LL32 8DU



20th September 2019

Dear Sirs

Re: Replacement Local Development Plan – Preferred Strategy 2018-2033

Please find enclosed responses to the consultation on the Replacement Local Development Plan – Preferred Strategy 2018-2033.

We reserve the right to make further representations if necessary.

Yours faithfully



Edward Hiller
Managing Director

Directors:
M.H.D. Madden, Chairman
E.D. Hiller, Managing
J.R.K. Price, Q.C.
R. Lane-Smith
Rt Hon. Lord Mostyn

Company Secretary:
Registered in England No.
VAT Reg. No.
Registered Office:

S. P. Nichol
204638
160 0008 31
Mostyn Court
2 Mostyn Street
Llandudno LL30 2PS

Retail and Commercial Centres (SP/16)

The majority of towns within Conwy serve a vital function within the tourism economy. The tourism economy is the most significant within Conwy County by some margin. Therefore, retail and commercial centres within the County should be supporting the needs of local communities and the tourism economy in equal measures. You need to refer to numerous tourism studies which demonstrate this.

(a) I do not dispute the retail hierarchy for centres.

(b) The Conwy Retail Study appears quite at odds to what is visible on the ground. I note that the Conwy Retail Capacity Study focusses on Conwy East, i.e. Abergele and Central, i.e. Colwyn Bay. Both these towns have significant numbers of empty retail units in town, so why not encourage these to be occupied prior to developing new stores? This is for the very good reason that the obvious convenience operators are medium sized supermarkets that are not currently prepared to take small units in congested towns with no onsite parking. However, in permitting those more extensive sites which will inevitably be on the outskirts of the town, the planning process only further accentuates the disadvantage of the town centre over elsewhere. I therefore return you to your principle policy about protecting the town centres.

To the West of the County the replacement plan highlights any latent needs to be satisfied by the "Lidl Scheme" in Llandudno Junction. The plan highlights a lapsed consent on the "brickworks site" and the suggestion that one replaces the other. However, I recall that the brickworks scheme, previously consented, was for approaching 100k sq ft and yet the other is significantly smaller. Does this imply that assessments have been revised? As a side note, both consents are on land that was previously or currently industrial use. I would argue strongly that there should be a presumption within the plan to protect existing industrial use and that a sequential test be required to justify alternatives.

For existing town centres, one of the most significant risks is presented by the uncertainties that existing patterns of occupation may change to the detriment of others. The consequences of this are a lack of investment into those town centres. The majority of policies within the local plan are protective of change within town centres, yet not from detrimental effects outside those urban settlements.

Town Centres (SP/1, SP/16)

The strategy relating to town centre uses appear to recognise the issues facing town centres, particularly where there is a focus on use class A1 retail. However, policies designed to encourage alternative uses should be both appropriate and measured in order that the objectives of ensuring a vibrant, viable and attractive town centre is the end result. Whilst leisure, entertainment and food and drink uses can benefit town centres, too greater concentration of a single alternative use across a town can cause consequential damage. On a practical level, an assessment should be made on how many coffee shops a town is able to support. Variety is a key element of any destination, though short-term economics might emphasise otherwise.

Hot and cold food take away should be carefully controlled. The consequences of the promotion of such uses, is evident spilling out of bins in the town centre along high streets and discarded alongside roads to and from urban settlements.

We reserve the right to make further representations to detail policy.

Economic Development (SP/1, SP/3, SP/16, SP/27)

Economic Development, traditionally, is viewed within the narrow confines of planning use classes B1, B2 and B8. This includes offices, traditional industrial and distribution, however, economic development encompasses a far broader range within Conwy County including tourism, retailing, farm diversification and production etc. Increasingly the lines are becoming blurred; farms sell direct to the public, breweries likewise, e-businesses have trade counters and distribution sheds are operated by retailers.

Connected technology means that the County becomes an ideal place for those who wish to work from home and with a better quality of living. As a consequence, the role of the traditional B1 is rapidly changing.

The consequences for existing urban settlements, business parks and other industrial areas is profound. I doubt if either the Planning Authority or ourselves are able to judge where such progress and changes will lead to by the year 2033.

However, it is incumbent upon the Local Authority to assess this as best they can. The economics of "employment land" have historically been such that they are "under pressure" from alternative uses. By nature they are often extensive, level and close to principle forms of communication. Such sites should be specifically protected from alternative uses, given the latent demand, and the new Plan should actively encourage further sites in and around town centres be brought forward for a range of business use. Brownfield should be used in preference for others, with a sequential test for more extensive sites.

We don't wish to comment on the quantum of land allocated for employment use but are concerned by the proposals for an allocation of 50% office and 50% other. This would appear to be an arbitrary figure put forward; at best aspirational. In the absence of considerable government financial support, new office development will continue to be generally unviable. The cost of raw materials continues to increase, and with further obligations (e.g. electric car charging points etc) placed on the developer, I do not see the viability gap rebalancing in the next ten years. Conversely, industrial and warehousing space is much more flexible in its capacity for use. The lower construction costs and reduced rate of obsolescence means the opportunities are greater for such economic development. The Council should amend their policy to 75% B2, B8 and 25% B1. This is a better aspiration and eminently more achievable.

Housing (S02)

A key role of the LDP is to guide the spatial distribution of development by allocating investment resources to support sustainable development in identified areas.

Development should be focused on locations where environmental, economic and social sustainability objectives can be achieved.

A planning system driven by the perspective of a single local authority can create difficulties within regional economies. Local authorities are not necessarily equal. Some are better off in terms of the wealth, income of residents and the provision of key services. An inconsistent approach can lead over/under development.

The LDP should deal with demands arising from population growth and change. However a plan that cannot be implemented is not a very useful plan. Tinkering around the edges of a previous LDP that failed to achieve its own housing objectives is unlikely to be successful if repeated.

The local authority has stated that the economic downturn had a significant effect on the failure of the existing LDP to deliver even 50% of the target number of houses over the plan period. Whilst this may be true in part, real consideration must be given to the inequitable treatment of different settlements regarding their requirement to provide affordable housing, as well as the overall percentage itself.

According to the LDP Review Report dated September 2017 a total of 277 affordable housing units have been delivered through the previous LDP in the county. This is 4.24% of the target housing figure of 6,520, and circa 8.9% of the total houses delivered.

It is clear is that setting unrealistic affordable housing targets contributed significantly to the County failing to build the number of houses the LDP required. Setting the percentage at a reasonable level that is the same on a county wide basis, would provide a much greater chance of meeting the housing delivery target, as well as ensuring an appropriate percentage of these were genuinely affordable.

Conwy County currently has an approximate need of 120 affordable housing units a year or 1,800 up to 2033. This, simply put, is unlikely to be achieved when we consider the target against the delivery of housing under the previous plan.

The LDP should focus on residential sites that:

- Are viable and deliverable within a reasonable time frame.
- That already have sufficient infrastructure in terms of transport, or that can be upgraded in cost effective and sustainable manner.
- That enhance the links between retail and employment centres, and promote the health of our town centres.
- That promote a natural extension of the existing built environment, and that are sensitive to areas of extensive cultural capital, such as monuments, buildings with significant heritage, and important natural landscapes.

- That promote sustainability and growth by complimenting existing areas with other land uses, such as retail town centres and industrial zones.
- That are of the appropriate density, relative to the landscape and existing built environment.

The replacement LDP is a real opportunity to deliver a vision of development that is sustainable, deliverable and that benefits businesses, residents and visitors. Mistakes from previous plans must be avoided as it undermines the ability to deliver what is intended.

Short Term (Holiday) Lettings (S02, S08)

The effect of short-term holiday lets needs to be appropriately considered within the LDP, as the effect on neighbourhoods and the wider area can be profound.

The proliferation of short-term holiday lets raises a number of significant issues. It reduces the stock available in the private rented sector as short term holiday lettings can be more lucrative. It also places regulated holiday accommodation such as hotels and B&B's at an unfair competitive disadvantage.

The LDP should consider how to best protect the interests of residents, businesses and tourists whilst also adapting to changing consumer tastes and demands. There are significant negative externalities associated with short term holiday lets, and consideration must be given to:

- the number of nights a property can be rented out for.
- licensing requirements.
- tax requirements.
- how rules are enforced
- the effect on the holiday accommodation zone.
- the impact on private sector rents.
- the effect on local employment in the tourism sector.

Tourism (SO8)

We have had considerable input into the local tourism strategy. This should form the basis of the tourism strategy across Llandudno in the planning period.

Should the replacement LDP show considerable variation in delivery, we reserve our position.

Agriculture and the Rural Economy (SO9, SO5, SO1, SO12 and SO14)

The impact of significant strategic sites on adjacent land holdings is ill thought out. Aside from the visual intrusion on neighbouring holdings, extensive residential development leads to a far more intensive use of footpaths across woods, land and farms. This access, whether lawful or unlawful, is far greater than that which the paths and by-ways were intended for. The most notable consequences are an increase cost in the ownership and management of land holdings.

A much more concerning prospect is that farmers are forced to alter the way they farm in the face of the onslaught of dog walkers etc. These farms become less and less viable as a consequence, which puts pressure on those farming communities which are often multi-generational and predominantly Welsh speaking. The replacement plan urgently needs to manage these issues and place a financial burden on those strategic sites, or face losing the very fabric of these agricultural communities.

Representations for Candidate Sites

1. Land at Bryniau nr Llandudno Hospital – Site Ref: 0108

- The land can be accessed from Maesdu Avenue, which is a high accessibility area within a significant transport corridor.
- The site is a natural extension of existing residential areas, infilling on land between Llanrhos and residential areas near Llandudno hospital.
- The site is a circa 15-minute walk from Llandudno town centre and there is a significant range of community and support facilities that are easily accessible.
- The site promotes an efficient use of land due to its excellent location near an important regional town.
- There are a mix of other land uses nearby, minimising transport demand.
- The size of the site enables a good number of houses to be built at an appropriate density.
- Residential development on the site is compatible with other, nearby land uses.
- The site is not vulnerable to tidal or fluvial flooding.

2. Land near Cromlech Road – Site Ref: 0105

- The site is relatively small, allowing for sensitive development to take place without alterations to existing transport infrastructure.
- The site can be accessed from Pyllau Road, reducing any additional demands on the road system through much of St Bueno's Road and Cromlech Road.
- Landscape constraints and access can all be effectively managed through simple design solutions.
- New residential buildings will compliment the existing built environment. The land proposed for development is a natural extension of the residential area which currently exists on Pyllau Road, Cromlech Road and St Bueno's Road.
- The site is not vulnerable to tidal or fluvial flooding.

3. Land at Bodafon Fields – Site Ref: 0102

- The land can be accessed from Nant-y-Gamar Road, which already has excellent links to the Parade, Mostyn Avenue and is a short walk from the centre of Craig-y-Don.
- It is a high accessibility area within a significant transport corridor.
- The site is a natural extension of existing residential areas, infilling on land between houses on Nant-y Gamar Road, in the West, and Bodafon School to the North.
- The site is a circa 15-minute walk from Llandudno town centre
- Promotes an efficient use of land due to its excellent location within an important regional town.
- A mix of other land uses are nearby, minimising transport demand.
- The size of the site enables a good number of houses to be built at an appropriate density.
- Residential development on the site is compatible with other, nearby land uses.
- The site is not vulnerable to tidal or fluvial flooding.

4. Land adjacent to Ysgol-y-Creuddyn – Site Ref: 0104

- The land can be accessed from Derwen Lane, which already has excellent links to Gloddaeth Lane and the Penrhyn Bay area.
- It is a high accessibility area immediately next to a significant area of residential accommodation.
- The site is a natural extension of the existing residential area in the west of Penrhyn Bay, located immediately across from a welsh speaking high school.
- The site is a short walk to the centre of Penrhyn Bay, and close to excellent transport links to both Llandudno and Colwyn Bay.
- Promotes an efficient use of land due to its excellent location within an important regional town.
- A mix of other land uses are nearby, minimising transport demand.
- The size of the site enables a good number of houses to be built at an appropriate density.
- Residential development on the site is compatible with other, nearby land uses.
- The site is not vulnerable to tidal or fluvial flooding.

5. Land on Crogfryn Lane – Site Ref: 0106

- The site is relatively small, allowing for sensitive development to take place without alterations to existing transport infrastructure.
- The site can be accessed by Gloddaeth Lane, a privately maintained road that is accessed from Crogfryn Lane. No works will be required to create an access point on an existing public road.
- Gloddaeth Lane currently provides access to 3 dwellings. The site is a natural extension to the existing housing accommodation in the immediate vicinity.
- There is excellent transport infrastructure nearby. Conway Road leads into Llandudno and Llandudno Junction while Bryn Lupus leads towards Llanrhos, Deganwy and Conwy.
- Residential development is compatible with other nearby land uses.
- The site is not vulnerable to tidal or fluvial flooding.

6. Land on Queens Road – Site Ref: 0107

- The land can be accessed from Queens Road, which is a high accessibility area within a significant transport corridor, close to the A470, one of the primary roads into Llandudno.
- The site is a natural extension of existing residential areas.
- The site is a circa 15-minute walk from Llandudno town centre and there are a significant range of community and support facilities that are easily accessible.
- Promotes an efficient use of land due to its excellent location near an important regional town.
- A mix of other land uses are nearby, minimising transport demand.
- The size of the site enables a good number of houses to be built at an appropriate density.
- Residential development on the site is compatible with other, nearby land uses.
- The site is not vulnerable to tidal or fluvial flooding.