

This representation is submitted obehalf of Bartlett & Kitchen.

However, we can confirm that the land promoted also includes another landowner () and there is agreement between all 3 parties to act collaboratively in promoting their land.

The site extends to include the parcels edged red on the plan below.

It is located in a highly sustainable and accessible position directly adjacent to the Broughton settlement boundary (a Tier 2 settlement) and would offer an ideal residential extension close to the strategic employment centres of Broughton Retail Park, Airbus and Hawarden and Queensferry industrial estates.

Highway access is available off Mold Road (A5104).

The land has been assessed as being largely Grade 3b.

It comprises an area extending to 9.2 ha which is considered to be capable of delivering up to 230 units.

We would invite the Inspector to cons.3 e523 (vh3(e)004 3(e)00un10.6 (3 (vh3(e)06 (c)-9.8 (he)-1 (l)-8p)-9.

Matter 10: Implementing Sustainable Development Policies PC1, PC2, PC3, PC4, PC5, PC6, PC8, PC10

Key Issue:

Do the policies and proposals on this matter achieve the relevant objectives of the LDP in a sustainable manner consistent with national policy? Are they based on robust and credible evidence?

Are the policies and requirements clear, reasonable and sufficient?

No they don't: please refer to table below.

POLICY	FCC Approach	Result
PC1 Relationship of development to settlement boundaries	Evidence base has not made proper assessment of settlement boundaries and have ignored issues such as sequentially selecting sites based upon proper and thorough assessment of BMV, a proper Green Ba	

a) Has the special character of Mold been adequately considered in drawing up the settlement hierarchy/boundaries?

No comment

b) Is it clear how proposals in the open countryside will be treated, in particular that new building will generally be strictly controlled?

No comment

c) Is the requirement for electric charging points in non-residential development in Policy PC5 consistent with national guidance?

No comment

Matter 12 :New Housing Development Proposals (in Density and Mix) (HN1)

Key Issue:

Have relevant alternatives been c

The sites which will be discussed at the hearings are:

- x HN1.1 Well Street, Buckley
- x HN1.3 Highmere Drive, Connah's Quay
- x HN1.4 Northop Road, Flint
- x HN1.6 Land between Denbigh Rd & Gwernaffield Rd, Mold
- x HN1.7 Holywell Rd/Green Lane, Ewloe
- x HN1.8 Ash Lane, Hawarden
- x HN1.9 Wrexham Road, HCAC
- x HN1.10 Cae Isa, New Brighton

For each of these sites, the following will be considered:

a) Is it clear why the sites have been selected over other candidate and alternative sites?

None at all.

They include :

- x UDP rollover sites (HN1.1, HN1.3)
- x BMV land (HN1.3)

c) What are the various constraints affecting the sites? In the light of constraints, and other matters, where is it set out what the requirements are for each site? Is there sufficient clarity and certainty?

Please refer to site tables below.

No detail for sites is provided.

d) Having regard to constraints, where they exist, as well as the need to provide for affordable housing and infrastructure, are the sites viable?

Please refer to site tables below.

Limited to nil viability evidence has been provided in meeting PPW11 and DPM3 guidance.

e) Are the delivery mechanisms for each site clearly identified? Is the timing and/or phasing of each site clearly set out?

Please refer to site tables below.

The FCC trajectory

Site Ref	HN1.1
Name	Well Street (west), Buckley
Settlement	Buckley
Site area(ha)	5.3
Draft allocation	159
Actual number promoted	150
Developer	CAHA
Owner	WG
Planning Status	DMO and EIA screening 2020 PA has been lodged (awaiting validation)
UDP site	YES : roll 97.88 / .481v97.88 (t) 162 (3) for 162 units
Green Barrier BMV	NO NO : assum 97.6(d)-0.7(t)4.9(o)-9.6(b)-0.7(e)-6()TJETQq192.72 612.48 339.

Site Ref	HN1.3
Name	Highmere Drive, Connah's Quay
Settlement	Connah's Quay
Site area (ha)	5.2
Draft allocation	150
Actual number	

Site Ref	HN1.6
Name	Land off Denbigh Road and Gwernaffield Road, Mold
Settlement	Mold
Site area	

Site Ref	HN1.7
Name	Land off Holywell Road and Green Lane, Ewloe
Settlement	Ewloe
Site area(ha)	9.9
Draft allocation	298
Actual number promoted	No detail available – although masterplan layout might suggest 279 units
Developer	Anwyl : no evidence of agreement
Owner	Multiple owners – no evidence of collaboration/equalisation
Planning Status	No PA

Site Ref	HN1.8
Name	Ash Lane, Hawarden
Settlement	Hawarden / Mancot
Site area(ha)	10.9

Draft 6c81<9(a)-3.3(r

Site Ref	HN1.10
Name	Cae Isa, New Brighton
Settlement	New Brighton
Site area(ha)	
Draft allocation	105
Actual number promoted	92 – but this could be driven down further due to GCN, POS and SUDS solutions
Developer	Stewart Milne
Owner	
Planning Status	Refused PP (ref. 060220) and then Planning Appeal dismissed on 2 Feb 2021 (APP/A6835/A/20/3260460)
UDP site	NO
GreenBarrier	YES : former Green Barrier
BMV	YES :
Delivery	Some uncertainty due to dismissed appeal FCC002 assumes full delivery of 105 units with a start in 2021/22 and completion by 2024

Other constraints

No SOCG

Trajectory is suspect

No evidence of viability (sic. education sum, 40% affordable, open space, SUDS, playspace, ecology)

Great Crested Newt mitigation

Inadequate level of playspace

No safe route to school (questionable sustainability credentials)

SUDS compliance is uncertain and main drainage easement crosses the site

This all points towards the need to submit a new application and for the

Key Issue:

Will the housing proposed meet the needs of those in the County who have special requirements?
Are the assessments for specialist housing based on robust and credible evidence? Is it deliverable?

Are the policies for affordable housing and for houses in multiple occupation clear, reasonable and appropriate?

Please refer to J10 POLICY FRAMEWORK Conformity and Consistency Checklist and 10

Table 2 of the Council's Background Paper No 7 identifies the anticipated delivery of affordable housing across the draft allocations as follows:

Site	Total No. of Units
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NOTE : Northern Gateway (figures below assume 1,404 units, yet allocation is for 1,325)
Airfields : Praxis731 units

- x CPP+ Simple Life : 28398 units will be Simple Life)
- x Anwyl+

LHMA evidence on past trends (Table 5.4 page 55) suggests that the average delivery over the past 10 years (2008 to 2018) has been 95 no. affordable dwellings per annum – a total of 950 units. If we assume this were to continue for the remainder of the plan period (2018 to 2030) this would generate an additional 1,140 units; the draft housing allocations are expected to contribute 915 units. But even this rise

g) How will off-site or commuted sum contributions for affordable housing be secured and managed? What mechanis

m) Will the affordable housing policies ensure a balanced mix of house types, tenures and sizes, and is the required density level appropriate?

We fear that balance will not be achieved: see earlier comments above.

It is pure fantasy to expect that the target level of affordable dwellings in certain areas will be achieved and delivered by the market; the Council need to take a reality check because the RSL's will not be capable of delivering this volume and nor will open market housing developers be able to viably deliver higher than viable levels.

Fundamentally, landowners will not release their land with such inflated target rates/thresholds as the land value will drop through the floor and there will be no incentive to develop their land.

We are not suggesting here that no Affordable Housing can be provided, but the level sought must be proportionate and robustly justified. A level closer to 30% for somewhere like Mold would seem to better reflect past delivery rates across Flintshire

PLANNING POLICY FRAMEWORK ASSESSMENT

The following checklist table provides our assessment of National Planning Policy comprising the NDP Future Wales (February 2021) and PPW11 (February 2021) along with the procedural guidance published by WG (DPM3 – March 2020) and the recent WG paper entitled Building Better Places (“Placemaking and the Covid Recovery”) published in July 2020.

We have found that the eLDP has failed to follow DPM3 guidance and fails to reflect the policies of the NDP or PPW11, to such an extent that when one considers the tests of soundness you arrive at no other conclusion than to find this plan unsound.

PLANNING POLICY FRAMEWORK Conformity and Consistency Checklist	
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FUTURE WALES (NDP)	What the policy document says
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BUILDING BETTER PLACE (BBP)	What the policy document says	J10 Comment
Introduction	Plans should not roll forward unsustainable spatial strategies or be identical to neighbouring authorities' plans, rather they should actively embrace the placemaking agenda set out in PPW."	eLDP has "rolled forward" a number of failed UDP allocations and failed to question them or consider reasonable.6(n)(re)-3(asuC Q/C6.36.003 Tw 11

<p>Para 3.75 regarding new sites</p>	<p>The two avenues for including new sites post deposit stage are Focussed Changes (FCs) at submission or Matters Arising Changes (MACs) post submission proposed through the examination process</p>	<p>There is an opportunity to include new sites at this stage.</p>
<p>Para 3.76 regarding reserve sites</p>	<p>LPA should have a prioritised list of potential reserve sites which it considers could be substituted as alternatives and added to the plan, should additional sites be required following consideration of the plan through the formal hearing sessions.</p>	<p>FCC have not published any list of reserve sites and have no Plan B or contingency.</p>
<p>Para 6.58 regarding new sites</p>	<p>inclusion of a new or alternative site if it would be sound to do so</p>	<p>The Inspector is invited to include new sites at Buckley, Mold and Broughton</p>
<p>Para 5.49 regarding the relationship between jobs and homes</p> <p>Para 5.50</p>	<p>What is the relationship between the number of jobs generated and the economically active element of the projected population? Will a population provide sufficient homes so as not to import labour and hence increase in-commuting?.....</p> <p>This is a symbiotic relationship; it is important to evidence how the assumptions underpinning forecasting for jobs and homes broadly align, to reduce the risk of a housing shortage.</p>	

Para 5.62 Table 18
regarding components of
housing supply

rolled forward from a previous plan will
require careful justification for inclusion
in a revised plan, aligning with PPW.
There will need to be a subs.3(.)-1u3bian*

BT /CS1w2M 0 scnn, t id plan,in a rev

<p>Para 5.107 Table 18 regarding affordable targets</p>	<p>high it is unlikely that those levels will be delivered and may impact on the delivery of sites and elongate the development management process. The targets chosen must be realistic and align with the evidence base and the assumptions within it.</p>	<p>FCC's assessment of viability is flawed as it assumes rates of affordable delivery that outstrip those of neighbouring areas (CWAC 30%, Wrexham 0 to 30%, Shropshire 10%).</p>
<p>Para 5.109 regarding infrastructure costs and impact upon site viability</p>	<p>Where there are costs associated with infrastructure requirements, for example, access improvements or the provision of affordable housing, these should be factored into a viability assessment.</p>	<p>Significant utility infrastructure has been identified on a number of key sites, yet no evidence is available to show that any viability has been produced to demonstrate deliverability is proven.</p>
<p>Para 5.111 regarding infrastructure partners</p>		<p>Identifies parties such as WG (LOAS – re. BMV); Local Health Boards (need for primary health care facilities), Welsh Water, NRW, etc all of whom should be engaged as early as possible to consider capacity and compliance – yet many have not been engaged at all or if so only at the 11th hour following Deposit and at the point of Submission.</p>
<p>Para 5.119 regarding when investment will happen</p>	<p>New development must bring with it the timely provision of infrastructure. The development plan strategy should identify the phasing of development throughout the plan period, linked directly to the delivery of infrastructure. Evidence needs to be in place to demonstrate how infrastructure supports the housing trajectory.</p>	<p>We can see no evidence of this link and consideration of the strategic and non-strategic housing sites and Promoters do not appear to have factored into account infrastructure either in terms of timing</p>

PPW11	What the policy document says	J10 Comment
Para 1.18 : sustainable development	Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise	Key aim is to achieve sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable.
Para 1.26 : LDP's	Evidence is needed to support LDP policies which is tested through the Examination procedure.	The eLDP evidence base is poor 93(s)-5.3(w)-5.4(hi)-2.3(ch i)-2.2(s)-5.3

3.54 : new settlements

New settlements should only be proposed where such development would offer significant environmental, social, cultural and economic advantages over the further expansion or regeneration of existing settlements and the potential delivery of a large number of homes is supported by all the facilities, jobs and services that people need in order to create a Sustainable Place. They need to be self-contained and not dormitory towns for overspill from larger urban areas and, before occupation, should be linked to high frequency public transport and include essential social infrastructure including primary and secondary schools, health care provision, retail and employment opportunities. This is necessary to ensure new

	<p>policy mechanisms, such as settlement boundaries, would not be sufficiently robust. The essential difference between them is that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas green wedge policies should be reviewed as part of the development plan review process.</p>	
<p>Para 3.68 : green wedge</p>	<p>Green wedges are local designations which essentially have the same purpose as Green Belts. They may be used to provide a buffer between the settlement edge and statutory designations and safeguard important views into and out of the area. Green wedges should be proposed and be subject to review as part of the LDP process.</p>	<p>The site located off Ruthin Road, Mold does not offer or serve the purposes of being designated as such.</p> <p>It has not been robustly reviewed as part of the eLDP and the review is flawed and unfit.</p>
<p>Para 3.70 : green wedge</p>	<p>greenwedge boundaries should be chosen carefully using physical features and boundaries to include only that land which it is necessary to keep open in the longer term.</p>	<p>There is no justifiable need to keep the site located off Ruthin Road, Mold as open – it serves no purpose in protecting either statutory designations or providing a buffer.</p>
<p>Para 4.1.15 Para 4.1.31 Para 4.1.32 Para 4.1.37 : sustainable transport</p>		<p>FCC have patently failed to address this in identifying certain housing allocations (sic. STR3B and HN1.6), whilst at the same time ignoring and discounting reasonable alternatives.</p>
<p>Para 4.2.10 : deliverability, trajectory and flexibility allowance</p>	<p>The supply of land to meet the housing requirement proposed in a development plan must be deliverable. To achieve this, development plans must include a supply of land which delivers the identified housing requirement figure and makes a locally appropriate additional flexibility allowance for sites not coming forward during the plan period. The ability to deliver requirements must be demonstrated through a housing trajectory. The trajectory should be prepared as part of the development plan process and form part of the plan. The trajectory will illustrate the expected rate of housing delivery for both market and affordable housing for the plan</p>	

<p>Para 4.2.19 : deliverability</p>	<p>As part of demonstrating the deliverability of housing sites, financial viability must be assessed prior to their inclusion as allocations in a development plan. At the 'Candidate Site' stage of development plan preparation land owners/developers must carry out an initial site viability assessment and provide evidence to demonstrate the financial deliverability of their sites. At the 'Deposit' stage, there must be a high level planwide viability appraisal undertaken to give certainty that the development plan and its policies can be delivered in principle, taking into account affordable housing targets, infrastructure and other policy</p> <p>CE < μ] CE u v š • X / v] š } } v</p> <p>are key to the delivery of the plan's strategy a site specific viability appraisal must be undertaken through the consideration of more detailed costs, constraints and specific requirements. Planning authorities must consider how they will define a 'key site' at an early stage in the planmaking process. Planning authorities must also consider whether specific interventions from the public and/or private sector, such as regeneration strategies or funding, will be required to help deliver the housing supply.</p>	<p>No financial viability is evidenced in support of the housing allocation sites.</p>
<p>Para 4.2.20 : affordable levy and viability</p>	<p>Where new housing is to be proposed, development plans must include policies</p>	



SOUNDNESS ASSESSMENT

The following checklist table provides our assessment on the soundness of the LDP following the Para 6.26 (Table 27) tests of soundness approach set out in DPM3. We find that the eLDP must, in its current state with its associated evidence base, be found to be unsound. The Inspector is invited to concur with this and recommend FCC withdraw their plan. The only potential way of avoiding this is for FCC to agree with our overall findings, particularly in respect of the way they have approached BMV, Green Barrier, reasonable alternatives and increasing housing land supply, and identify the sites we have identified at Mold, Buckley and Broughton.

SOUNDNESS TEST : Checklist	J10Response
TEST 1 : Does the plan ?(is it clear that the LDP is consistent with other plans?)	
Does it have regard to national policy PPW / NDF and in general conformity with the NDP?	No
Does it have regard to the Well-being Goals?	No comment