M20.06

FLINTSHIRE LOCAL DEVELOPMENT PLAN 2015-2030 EXAMINATION

MATTER 20:

MONITORING FRAMEWORK

STATEMENT IN RESPONSE TO INSPECTORôS QUESTIONS

BY

GOODWIN PLANNING SERVICES LTD

OLD CHURCH HALL, OLD COACH ROAD,
KELSALL, CHESHIRE, CW6 0QJ

TEL: 01829 752851
FAX: -01829 752857
EMAIL: s.goodwin@goodwinplanning.com

OUR REF: SG-1324-ST6

MATTER

least 2 consecutive years, the action will be "*keep monitoring further* . This is unclear and vague and provides no mechanism for bringing forward sites to meet the identified shortfall other than a review as referred to above.

1.4 This is also reflected in the latest Housing Land Supply and Delivery Background Paper (10A) which states at 3.1.4 that "*the housing land supply will be regularly monitored following adoption via the Annual Housing Land Monitoring Exercise and the Plans Annual Monitoring Report (AMR). In practice, other housing sites will undoubtedly become available to boost the supply before the end of the plan period through planning permissions being granted and/or through the review of the LDP*".

1.5 Paragraph 5.59 of the Development Plans Manual advises that is extremely rare that all sites identified in a Plan will come forward in the timescale anticipated and that a Development Plan will not be effective if it cannot accommodate change in circumstances. It advises that sufficient flexibility needs to be built into the Plan to account for non-delivery and unforeseen issues. In our view, in the circumstances where there is a failure to meet the identified need (as there was in the UDP) a mechanism for bringing forward additional sites should be considered as part of the Plan rather than leaving it to planning appeal as resulted from the UDP. A mechanism whereby either a second phase of allocations is included or sites identified as contingency sites are included should therefore be considered. Without such an approach the Plan is insufficiently flexible to meet the guidelines set out in the Development Plans Manual and PPW and therefore fails test 1 in relation to soundness.

1.6 The Council's position is that, if the housing targets are not met then a plan review will be required. This was confirmed by Mr Roberts in his verbal response to a question raised by Mr Paul of J10 Planning in relation to Matter 3. Mr Paul indicated that it was not clear in the Plan what would happen if it fails to deliver in terms of housing supply. Mr Roberts answer was that "*the Plan itself tells him the*

. Mr Roberts indicated that the answer was a "*review of the*

. No other mechanism was put forward. If the Council's triggers (i.e. 2 continuous years of failing to have a 5 year housing land supply or 2 consecutive years of housing below the trajectory) occur it will therefore take at least 2 years of under delivery before the Council will even consider a review. A review of the Plan (even Short Form Review) is likely to take a considerable period of time as set out below.

1.7

1.12 For the current LDP, initial Topic Papers were published in February 2015. It has therefore taken over 6 years to even reach half way through the Examination.

1.13 We acknowledge that these were under different guidance but the guidance in place at the time in no way envisaged Development Plan preparation taking over 6 years and certainly not 11 years (which is over 2/3 of the period the Plan was intended to cover).

1.14 In the light of the limited time left on the plan period and the likely time to undertake a review a prioritised list of sites suitable for allocation to address any under-delivery should be included in the Plan now (either as contingency sites or phase 2 sites).

1.15 It is a logical solution to the particular case of Flintshire in the light of the limited time left for the plan period and the track record on timescales for the delivery of Development Plan Documents.

1.16 This would avoid a situation where delays in the review process lead to planning by appeal. Whilst it is not a specific requirement in the DPM there is nothing in the DPM that rules out such an approach.

1.17 Paragraph 8.16 of the DPM is clear that changes to adopted LDP's can only be made through plan revision. It is therefore crucial for the Plan to build in a mechanism (within the Plan itself) which would allow clear actions (such as bringing forward contingency sites or phase 2 sites) in the event that the targets set out in the monitoring framework are not being met. Without such mechanisms being built into the Plan it would be contrary to the Development Plans Manual and would fail the tests of soundness as follows:-

Test 1 – Failure to have regard to National Policy;
Test 2 – Failure to address key issues;
Test 2 – Failure to consider alternatives;
Test 3 – The Plan will be ineffective;