SUBMISSION STATEMENT

in respect of

on behalf of

Bartlett / Kitchen (ID 1235343)

Matter s 2, 3, 4 and 5

March 2021

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Matter 2: Plan Strategy

Key issues, vision, objectives

Key Issue:

The relevant (and reasonable) alternatives have been discounted without any due diligence and have been ignored in favour of sites with doubtful sustainability and deliverability credentials.

The plan has failed to follow the guidance in DPM3 or reflect the policies within NDP or PPW11 when it comes to making sure the plan is based upon a robust and credible evidence base.

The plan has failed to adhere and follow procedural plan making guidance (sic. in existing evidence base retrospectively).

The plan has failed to produce sound evidence base (sic. Green Wedge Review, Plan Viability and site allocation viability/deliverability).

The plan has failed to follow the principles of sustainable placemaking, sustainable growth locations, or site selection procedures (sic. ignoring BMV).

The plan has failed to consider relevant or reasonable alternatives.

Please refer to J10 POLICY FRAMEWORK Conformity and Consistency Checklist and J10 SOUNDNESS Checklist for more detail

The main cross-boundary issues include the delivery of viable levels of affordable housing and the Green Wedge boundary with Cheshire West.

The viability study underpinning affordable housing has been shared with Wrexham, but whilst Wrexham have revisited their original study as part of their Examination and subsequently aligned their affordable housing targets / aspirations Flintshire have failed to learn from this and made no changes.

No fundamental or robust Green Wedge Review has been undertaken despite the UDP Inspectors recommendation and despite what PPW11 states about undertaking such a review.

NDP Policy 19 states that plans must take account of cross-border relationships and issues. Additionally, Policy 23 identifies the need to ensure cross-border transport connections are strengthened in promoting the North Wales Metro; yet this isn't identified in the eLDP.

No, it fails to recognise the needs of older and more vulnerable people in providing for their residential needs.

There is just one mention in the text to Policy STR11 and the policy makes passing reference to making provision for specific housing needs, yet the plan fails to set out what this need might be and how it can be delivered.

No comment at this stage as they are best addressed under the appropriate Examination sessions.

The plan defers to what PPW might say, but there is not a single mention of BMV in the entire plan, which runs contrary to NDP Policy 1, the advice in BBP on “staying local” (pg 14) and PPW11 (Para 3.59).

The fact is that the debate about BMV is isolated and lost without addressing eth wider issue of Green Wedge Review, landscape character and sustainability. Whilst Matter 16 will

This might not, ordinarily, be an issue of soundness and prevent a plan from being adopted and indeed we note from the WG response in Nov 2019 they said as much, however, the fact is there are

Site Ref	STR3A
Name	Northern Gateway
Settlement	Garden City, Deeside
Site area (ha)	72.4
Draft allocation	1,325 (1,140 in plan period and 140 post 2030)
Actual number promoted	1,140
Developer	CPPLC / Keepmoat / CAHA
Owner	Goodman & Pochin + Praxis
Planning Status	056540 submitted 01/02/2017, approved 02/03/2018, 058990 submitted 18/09/2018, approved 25/10/2018, 059514 submitted 30/01/2019, resolve to approve subject to signing Legal Agreement. Target date was 05/04/2019 No update is provided by the Council or Promoters
UDP site	Yes – HSG2A for 650 dwellings (25% affordable)
Green Barrier	NO
BMV	YES : Grade 2 but no reports are available
LDP Trajectory	At between 120 and 150 units per year the rate of delivery is overly ambitious
Actual Trajectory	We would halve the claimed trajectory given its location and com j65 trajecto

Site Ref	STR3B
Name	Warren Hall
Settlement	Higher Kinnerton / Broughton – but it's actually freestanding Warren Hall

	Aeronautical constraints – only 22% of the land is capable of 2-storey development which reduces development / building efficiency significantly This is not “mapped,” but the impact is significant. Spine road and infrastructure will be required – how can B1 and B2 be promoted here ? Market assessment is wrong – there is no office market; Warren Hall was promoted originally to satisfy Moneysupermarket and others – this never transpired and indeed all those linked with the site moved elsewhere and/ contracted – additionally, the market has itself changed and there is plenty of surplus and more mature ready to occupy stock available elsewhere Hotel/leisure use that is suggested is an out of town use and contrary to policy

There is no surety over it delivering its target either within this plan period or the next we would recommend its 4(it)-34.815 5 (e)5.2(ex)]TJ 0 Tc (t)Tj 34.815 0 15bper. <</MCID 7 >>BDC21n467 0 /BDC21

The rationale is unclear, as the spatial distribution has clearly ignored the UDP Inspectors recommendations and furthermore has also failed to take into account the DPM3 guidance and moreover failed to reflect what PPW11 and NDP states

The fact that STR3B is not even within a settlement defies any rationale altogether.

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How, therefore could a reasonable judgement be made at this stage to discount any of these sites ?

There is no rationale provided.

We then had to wait until September 2019 when Background Paper no 8 called "Assessment of Candidate Sites and Alternative Sites" was released to learn anymore. By which time of course the Council Officers had decided which draft allocations to promote, this paper revealed the following detail:

	2019 Report	2019 FCC comments	J10 comments
BROU010 (now BROU017)	Amber	The A5104 represents a strong physical edge to the settlement of Broughton. There is a distinct contrast between the estate type development on the south side of the A5104 and the ribbon development strong out along the Old Warren. In contrast to the frontage ribbon residential development, the proposal would result in a block of development which would harm the rural character of the locality and be poorly related to the settlement. Access / flight path. Small Site - The proposal also includes a small site adjoining the chapel at the junction of Old Warren and the A5104. This is too small to warrant allocation in the Plan and needs to be considered as a small site. The settlement boundary is presently well defined by the A5104 which represents a logical and defensible boundary to the estate type development. It would be inappropriate for the settlement boundary to extend onto the northern side of the A5104. Any development proposals relating to the site are more appropriately dealt with against the Plans suite of policies. CONCLUSION: That the large site is not considered appropriate as a housing allocation / that the small site is not considered appropriate for inclusion in the settlement boundary.	FCC entirely misinterpreted the "actual" site being promoted and provide no rationale why it what not taken forward despite its AMBER credentials.
BUC023 and BUC036	Amber	The site adjoins the settlement boundary and in terms of the	

western edge of the settlement which does not

		to come forward in the UDP.

On Active Travel (pg	The planning system must ensure the chosen locations and resulting design of new developments support sustainable travel modes and maximise accessibility by walking and cycling. New development should improve the quality of place and create safe, social, attractive neighbourhoods where people want to walk, cycle and enjoy. We should

	….Candidate sites should be sustainab deliverable and financially viable in ord to be considered for inclusion in the pla by an LPA. All sites should satisfy the broad parameters and information emitted by the LPA and have sufficient financial headroom to accommodate al of the plan's policy requirements. For th purposes of this Manual ensuring sites plans are deliverable means both in terms of deliverability and financial viability	
Para 3.44 regarding deliverability	The site promoter (LPA, land owner and/or developer) must carry out an initial site viability assessment and provide evidence that sites can be delivered. As required by national polic all candidate sites are subject to a viability assessment. However, the leve of detail and information required for this assessment should be meaningful and proportionate to the site's significance in the development plan	This guidance has not been followed by promoters or sought by FCC
Para 3.47 to 3.55 Regarding viability		FCC have failed to follow the procedures set out in the Manual and not requested such information; the bar being set higher for key strategic
Para 5.87	Viability and deliverability starts at the candidate stage where all submitted sites should be accompanied by a viability assessment	
Para 5.88	site specific viability appraisals should l undertaken for those sites which are ke to delivering the plan	Retrospectively providing this is no substitute for [redacted] done at the Candidate site stage where such evidence should havehen

Para 5.62 regarding components of housing supply	New housing allocations - These should come forward through the candidate site process. They will need to be supported by robust evidence on delivery, phasing,

		produced to demonstrate deliverability is proven
Para 5.111 regarding infrastructure partners		Identifies parties such as WG (LQAS 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.
Para 5.119 regarding when investment will happen	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.	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 and delivery of the allocations or their viability.
PPW11	What the policy document says	J10 Comment

	circumstances and subject to the considerations above and paragraph 3.50 below. The search process and identification of development land must be undertaken in a manner that fully complies with the requirements of all relevant national planning policy.	
Para 3.50 : accessibility	A broad balance between housing, community facilities, services and employment opportunities in both urban and rural areas should be promoted to minimise the need for long distance commuting. Planning authorities should adopt policies to locate major generators of travel demand, such as housing, employment, retailing, leisure and recreation, and community facilities (including libraries, schools, doctor's surgeries and hospitals), within existing urban areas or areas which are, or can be, easily reached by walking or cycling and are well served by public transport.	FCC generates significant level sof in-commuting but this eLDP fasil to address this and d a a a

	lower agricultural grades is unavailable or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.	
Para 3.64 : Green Belts and Wedges	Around towns and cities there may be a need to protect open land from development. This can be achieved through the identification of Green Belts and/or local designations, such as green wedges. Proposals for both Green Belts and green wedges must be soundly based and should only be employed where there is a demonstrable need to protect the urban form and alternative 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.	No demonstrable need has been provided to justify the Green Wedges and moreover, the review undertaken is unfit for purpose, yet Green Wedge is released to satisfy some housing allocations.
Para 3.68 : green wedge	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.	The site located off Ruthin Road, Mold does not offer or serve the purposes of being designated as such. It has not been robustly reviewed as part of the eLDP and the review is flawed and unfit.
Para 3.70 : green wedge	green wedge 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.	There is no justifiable need to keep the site located off Ruthin Road, Mold as open – it serves no purpose in protecting either statutory

Para 4.2.10 : deliverability, trajectory and flexibility allowance	The supply of land to meet the housing requirement proposed in a developmer plan must be deliverable. To achieve th development plans must include a supp of land which delivers the identified housing requirement figure and makes 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 expecte rate of housing delivery for both market and affordable housing for the plan period. To be 'deliverable', sites must b free, or readily freed, from planning, physical and ownership constraints and be economically viable at the point in th trajectory when they are due to come forward for development, in order to support the creation of sustainable communities.	Fewof the housing allocation sites have proven deliverability.

	that achieving their development plan housing requirement is not dependent on their delivery. This approach requires planning authorities to put in place a strategy to support the delivery of these sites. The criteria for identifying housing led regeneration sites can include demonstrating the sites have high credentials in terms of sustainable development and placemaking, such as being aligned to transport hubs or addressing contamination or industrial legacy; proven need and demand for housing in that area; and that the proposed intervention is the best means of addressing a site's contamination and constraints.	whereas in actual fact is it a greenfield site in a wholly unsustainable location involving a new settlement.
Para 4.2.19 : deliverability	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 plan-wide 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 requirements. In addition, for sites which 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 plan-making 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.	No financial viability is evidenced in support of

example 2-3.2( )]TJ ET Q 396.36 550ewcn EMCtr wa helpls

	that the provision of community benefits would not be unrealistic or unreasonab impact on a site's delivery.	
Para 4.2.25 : affordable homes for all communities	A community's need for affordable housing is a material planning consideration which must be taken intoial planning i t-3.3(t)222h n ioannal planni	

SOUNDNESS ASSESSMENT

The following checklist table provides our assessment on the soundness of the LDP following the Par 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