

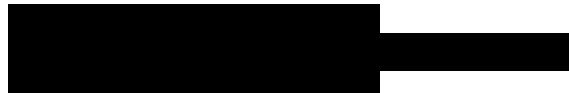


SUBMISSION STATEMENT

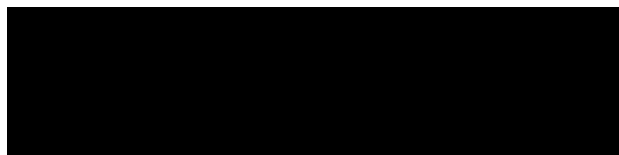
in respect of

Flintshire LDP

Matters Arising Changes



July 2022



Thus, the practicalities of actually delivering a large amount of development across the County will be frustrated and impeded for what could be at the very least the next 2-years until a solution can be found.

The reality is that permissions will not be granted and new homes will not be delivered which will place a massive amount of pressure upon the delivery trajectory to the extent that almost as soon as this plan is adopted it will be behind on its delivery path.

MAC101 : Amendment to Policy EN16 : Phosphates and the impact of development on the SAC

Support with additional changes

Policy EN16 is specific to Phosphates and provides no consideration of how addressing this might impact upon viability as it is solely focused upon development demonstrating nutrient neutrality. There is presently no approved DCPRS in place and as very limited understanding of the impact that meeting nutrient neutrality might have upon development costs will have; as such this introduces a degree of uncertainty, which could undermine site viability and, potentially, plan delivery.

Policy EN16 and the DCPRS provide a reasonable starting point to ensuring the protection of the River Dee and Bala Lake SAC from an increase in phosphorus levels. The DCPRS sets a maximum phosphorus concentration of 0.017 mg/l, which is a significant improvement on the current average concentration of 0.239645 mg/l. This is achieved through a combination of measures, including the installation of phosphorus treatment plants and the implementation of best management practices on farms and other land uses. The DCPRS also sets a maximum phosphorus loading rate of 10.2 t/yr, which is a significant improvement on the current loading rate of 102 t/yr. This is achieved through a combination of measures, including the installation of phosphorus treatment plants and the implementation of best management practices on farms and other land uses. The DCPRS also sets a maximum phosphorus loading rate of 10.2 t/yr, which is a significant improvement on the current loading rate of 102 t/yr. This is achieved through a combination of measures, including the installation of phosphorus treatment plants and the implementation of best management practices on farms and other land uses.

MAC115 : Trigger Points

Object

It is assumed that the trigger points for under-delivery are based upon Para 8.6 of DPM3 which states that:

“Trigger points that have specific numerical outputs (e.g. housing completions / employment land take up) should be measured over two consecutive years (to be clear this means annual delivery rates not the number of AMRs submitted) allowing for trends to develop and become clearly identifiable.”

However this is not clear and should be made more explicit.

Nonetheless, this plan, which has a plan period that expires in 2030, is unlikely to be adopted anytime before the end of 2022 and as such will have just 7-years to deliver its housing trajectory.

Clearly having the certainty of an adopted and sound LDP is a major benefit as it brings certainty and clarity to delivery of development and my clients are keen to see a plan in place because without an up-to-date plan there has been a reluctance of s78 planning appeal Inspectors to give weight to emerging allocations and plan policies. Naturally local decision makers have sought to resist and refuse schemes, but most participants who were involved in the LDP Examination that sat in March to May 2021 never envisaged the delays caused by the still unresolved Phosphates issue to the LDP but also to decision-making.

Presently there is a moratorium on all development (of any scale) in large swathes of Flintshire due to the Phosphates/SAC issue and it is unclear how long this will take to resolve.

However, what is clear is that this has compounded slippage in delivery and could still have dramatic and fatal consequences. Thus, the suggestion that a distant two-year trigger is sensible to apply becomes a little academic since there is every chance the under-delivery of this emerging plan will be so great that far more drastic action is needed and a plan review is not going to be the panacea.

The Council has failed to produce a list of reserve sites, but if provision was made it could go some way to enhancing and accelerating delivery in a period which is already going to be challenging without the Phosphates issue having to be addressed.

We would recommend that provision is made to not only delete the triggers aligned to the 2 consecutive years (as advised by DPM3) because the plan period will be nearing expiry by the time this timescale comes around, but to also instigate and introduce a mechanism to enable Reserve Sites to come forward from day one in order to arrest what appears to be the almost certain under-delivery of the plan before it's even been adopted.

The problem is that the table in Appendix 3a identifies the timing and phasing of housing allocations with a base date of April 2020; this is already 2-years out of date and its referencing sites that should be delivering dwellings right now (2022-23) yet none of these have planning permission and many will be subject of the Phosphates moratorium.

We would suggest that is table and the pursuant tables in Appendix 3b and 3c need to be updated.

IMAC01.5 / IMAC01.12 : STR3B : Warren Hall*Object*

We do not consider that any evidence this site will deliver the employment it is purported to deliver has been presented to the Examination and there is no proof that B1 office or light industrial will work here other than anecdotal supposition.

It involves massive BMV loss (which is contrary to policy)

Moreover, how is any local decision maker supposed to differentiate between low-quality B2 and high-quality B2 – where is the definition or benchmark being set ?

In addition, no proper assessment of height has been undertaken; the height to ridge apex of many B2 industrial units regularly seek in excess of 12 metres which suggests that the site would not compare or compete at all well with alternative locations (on Deeside) where such restrictions do not apply; so whilst the height restriction of 12 metres (to reflect the Hawarden/Broughton Aerodrome safeguarding measures) is being applied, the fact is that few industrial operators/occupiers (be they low or high quality users) will be keen to locate on a site where potential units are having to be less than what they need.

The site has not been marketed to demonstrate there is a need and the reliance for the allocation is based solely upon a historical desire by the Welsh Government / Council to establish the area as an inward investment node. This market has now gone and we heard about this from the former head of planning.

Additionally, no site-specific viability evidence has been produced and in our opinion the proposed allocation is entirely unsound.
