

Flintshire County Council

Development Local Plan Examination: Hearing Statement

Our Ref: 2016-041-EIP/M10

Date: 26 April 2021

From: NJL Consulting (Consultee ID – 1232396) on behalf of Lavington Participation Corp. and Duncraig Investment Corp.

Matter 10: Implementing Sustainable Development

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?

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

LPC have no specific comments to make in relation to this question.

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

LPC fully recognise the importance of controls to protect the countryside in order to retain the character and appeal of the area, and as HN4 states the controls are needed to avoid inappropriate housing being built. However, as set out under Policies PC1 and HN4, new residential development will only be permitted in limited circumstances. By virtue of their location of the edge of settlements, such sites are identified within the open countryside.

Given the extent to which settlement boundaries remain tightly defined, the current wording of Policy HN4 is particularly restrictive to open market and affordable housing development being able to come forward on sites in the open countryside. At present, the policy is such that over the LDP plan period, new residential development, particularly open market-led schemes, can only be considered acceptable in principle if they are located within settlement boundaries.

The Development Plans Manual¹ makes clear that (NJL emphasis in bold):

'Where there is a shortfall of cumulative housing completions against the Anticipated Annual Build Rate (AABR) or Annual Average Requirement (AAR) for 2 consecutive years (annual completions, not number of AMRs published) the LPA must consider the scale of any deficiency and set out its conclusion/monitoring action in terms of implications for delivering the requirement level homes/strategy. Failure to deliver against the AABR/AAR can itself be a reason to trigger an early review of the plan'.

As highlighted in our responses to Matters 3, 7 and 12 we have significant concerns over the deliverability of key strategic sites as well as other housing allocations, particularly in the early period of the LDP. Such delays in delivery are symptomatic of allocated sites under newly

¹ Development Plans Manual (2020) p.196

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adopted plans, given the associated time in implementing upfront infrastructure and land assembly matters (as seen in the Cardiff LDP).

To avoid the need for a formal plan review early into the Plan Period, we propose that additional flexibility is built into Policy HN4 of the LDP in order to proactively address any shortfall in housing delivery when assessed against the Trajectory. We propose that Policy HN4 is therefore amended to include additional criteria as follows:

'Proposals for housing development outside defined settlement boundaries will only be permitted where:

- a. it is for the purposes of agriculture, forestry or other rural enterprise as defined in TAN6,*
- b. it involves the replacement of an existing dwelling (see policy HN4-A), or*
- c. it involves the subdivision of an existing dwelling, provided the dwelling is capable of subdivision without major extensions tantamount to the erection of an additional dwelling or dwellings, or*
- d. it involves the conversion of an existing non-residential building (see policy HN4-B), or*
- e. it involves sensitive infill development within an appropriate group of dwellings in the countryside (see policy HN4-C)*
- f. it is for affordable housing rural exception sites on land adjoining the settlement limits (see policy HN4-D), or*
- g. it is for a One Planet Development as defined in TAN6, or*
- h. there is a shortfall of cumulative housing completions against the Anticipated Annual Build Rate (AABR) or Annual Average Requirement (AAR) for 2 consecutive years as set out in the adopted Housing Trajectory. In such circumstances, development can be released on a managed basis if housing allocations under the adopted LDP do not come forward as anticipated in the Plan'.**

The inclusion of criteria g) would provide the LDP with a policy 'release valve' to address any issue of under delivery in a managed and pro-active manner. Given the Council's track record of under delivery, an issue which has stemmed from the issue of site selection, LPC strongly recommend that this prudent approach is taken. This would ensure that the LDP incorporates genuine flexibility and contingency so that development in the countryside can be brought forward in order to adequately meet required need, particularly in the most sustainable locations.

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

LPC have no specific comments to make in relation to this question.