

EiP Statement

Flintshire Local Development Plan 2015 – 2030

Taylor Wimpey UK Limited

Representor ID: 1224983

Our ref 60174/05/CM/NMi

Date April 2021

Subject **Matter 12: New Housing Development Proposals (incl Density and Mix)**

1.0 Introduction

- 1.1 Lichfields is instructed by Taylor Wimpey UK Limited [TW] to make representations on its behalf to the Flintshire Local Development Plan 2015 – 2030 [FLDP].
- 1.2 This statement has been prepared in response to the Matters, Issues and Questions raised by the Inspector for the Matter 12 Examination in Public [EiP] hearing sessions.
- 1.3 Separate representations have been submitted in respect of the following Matters:
- 1 Matter 4: Location of Development
 - 2 Matter 3: Strategic Growth (inc Strategic Sites)
 - 3 Matter 7: Provision of Sustainable Housing Sites (including housing requirement)
 - 4 Matter 16: Green Barriers
- 1.4 These Matter Papers representations should be read in conjunction with previous submissions on the FLDP [Representor ID: 1224983].
- 1.5 These representations are made in relation to Taylor Wimpey's land interests in Mynydd Isa, namely the development of the Ffordd Fer site [the Site]. The Site has been promoted for residential development through the emerging FLDP but has not been identified as an allocation.
- 1.6 This statement expands upon TW's previous representations made throughout the FDLDP preparation process in light of the Inspector's specific issues and questions. Where relevant, the comments made are assessed against the tests of soundness in the Welsh Government's Development Plans Manual [DPM], Edition 3 (March 2020) and the relevant national planning guidance.

2.0 Planning Issues

Key Issue:

Have relevant alternatives been considered; is the identification of the housing sites based on a robust and rational site selection process? Are the sites deliverable within the plan period and will they make an appropriate contribution towards the housing requirement?

Are the policies for the housing sites clear and reasonable?

a) Did the presence, or otherwise, of Best and Most Versatile agricultural land (BMV) influence the selection of housing sites?

- 2.1 The Council's Responses to Inspector's Preliminary Questions¹ records that the Council undertook a robust approach to assessing candidate and alternative sites, in terms of the PPW objective of minimising the loss of Best and Most Versatile agricultural land.
- 2.2 The Officer Assessment Form included in the Candidate Sites Assessment Methodology² indicates that the following criterion was considered:
- "Would the development of the site result in the loss of best and most versatile agricultural land (in current or previous use)?"*
- 2.3 However, the results of the Candidate Sites assessment do not appear to have been produced in any of the submitted EiP documents, so it is not possible to ascertain how each of the sites assessed are rated against this assessment criterion, and how this has informed the assessment of sites through the later stages of the site selection process. In the absence of this detailed appraisal of each site there is no transparency as to how sites have performed against each other.
- 2.4 For the above reasons, it is not clear how BMV has influenced the selection of housing sites and it is considered that the FLDP does not meet soundness Tests 2 as it is not supported by robust, proportionate and credible evidence.

The sites which will be discussed at the hearings are:

HN1.1 Well Street, Buckley

HN1.3 Highmere Drive, Connah's Quay

HN1.4 Northop Road, Flint

HN1.6 Land between Denbigh Rd & Gwernaffield Rd, Mold

HN1.7 Holywell Rd/Green Lane, Ewloe

HN1.8 Ash Lane, Hawarden

HN1.9 Wrexham Road, HCAC

HN1.10 Cae Isa, New Brighton

¹ Council's Responses to Inspector's Preliminary Questions (27th November 2020)

² LDP-KPD-CS1.2 Candidate Sites Assessment Methodology (May 2015)

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?

- 2.5 From the information available, it is not clear why the sites have been selected over other candidate and alternative sites.
- 2.6 As noted above, the results of the Candidate Sites assessment do not appear to have been produced in any of the submitted EiP documents, so it is not possible to ascertain how each of the sites assessed are rated against the assessment criteria in the Candidate Sites Assessment Methodology. It is not therefore clear why the allocated sites were chosen and carried forward for further consideration.
- 2.7 The later 'Consideration of Candidate Sites against the Preferred Strategy' provides (in the Council's own words) "*the Council's broad brush assessment of sites ... by way of a short commentary on whether the site broadly complies with the strategic approach to growth set out within the Preferred Strategy*". It does not identify the results of the original Candidate Sites assessment either. The comments provided on each site in this document are restricted to short statements such as: "*The site complies with the Council's Preferred Strategy, however there are site constraints that would need to be overcome to allow the site to be developed*" and "*The site complies with the Council's Preferred Strategy and may have the potential to contribute to meeting future growth within the County subject to a satisfactory technical assessment*". No further information is provided to confirm what constraints are or what further technical assessment is required.
- 2.8 The Assessment of Candidate Sites and Alternative Sites³, produced at the FLDP Deposit consultation stage, provided a summary assessment commentary on every candidate site and alternative site and a recommendation in terms of being allocated in the Deposit LDP or not. However, again it provides no detailed assessment for each site against the assessment criteria in the Candidate Sites Assessment Methodology, so it is not possible to deduce how sites perform against each of the assessment criteria and how this feeds into the overall assessment process.
- 2.9 TW also notes that no specific assessment of settlement boundaries appears to have been prepared. Given the comments on the suitability of settlement boundaries in the Inspector's Report for the UDP, in order for the FLDP to be robust, a specific assessment of settlement boundaries should have been prepared to help assess the most suitable locations for allocation. In the absence of a specific settlement boundary report TW considers that the LDP is not appropriate and is not effective.
- 2.10 Given this lack of transparency it is not possible to ascertain whether a fair and balanced assessment of each site has been undertaken.
- 2.11 The deliverability of some of the allocations is also questionable. For example, in relation to the allocations which are being considered under Matter 12, TW questions the delivery of allocations such as Well Street Buckley (159 dwellings) and Highmere Drive Connah's Quay (150 dwellings). These sites have been allocated for nearly 10 years but have yet to be developed and the Housing Background Paper records that neither has planning permission. The Statement of Common Ground for Highmere Drive indicates that it is not currently subject to a planning application for residential development. They have failed to deliver in the past and there is no convincing evidence to demonstrate that they are deliverable and will come forward over the

³ LDP-EBD-BP8Background Paper 8 Assessment of Candidate Sites and Alternative Sites (September 2019)

remainder of the FLDP period. We have also raised concerns with the delivery of strategic allocations in our responses to other Matters.

- 2.12 It is therefore considered that the FLDP fails to meet soundness Test 2 as it is not supported by robust, proportionate and credible evidence and does not meet soundness Test 3 as it is not clear whether the allocated sites can be delivered.
- 2.13 In order to ensure a deliverable supply of land, TW considers that additional sites should be allocated for residential development to ensure that the Council can meet its housing requirement (including any additional housing needed should the housing requirement figure be increased as we have suggested in our other submissions to the EiP). As part of this process, the Council should re-visit its evidence base and consider other deliverable sites submitted throughout the emerging FLDP process including TWs Ffordd Fer, Mynydd Isa site. All of the assessment work should be made publicly available so that the reasoning behind the allocation of sites is transparent.
- 2.14 The Ffordd Fer, Mynydd Isa site is currently identified as Green Barrier in the emerging FLDP. The site would represent a sustainable location for new development on the edge of the existing settlement, and its allocation would align with national planning guidance, in the absence of suitable previously developed land (which is acknowledged in the §7.13 of the FLDP). The site is supported by excellent local infrastructure and well located to access the existing services and public transport facilities in Mynydd Isa, as well as the wider area, including Buckley to which Mynydd Isa is physically connected. The site also falls entirely within Flood Zone A so is not considered to be at risk from flooding as detailed in the supporting Delivery Statement.
- 2.15 As TW's Ffordd Fer site was promoted at the Deposit FLDP stage, it was not considered in the Council's Assessment of Candidate Sites and Alternative Sites and was instead considered in the Council's responses to the Deposit Plan representations. TW does not agree with the conclusions reached on the suitability of the site for allocation in the Council's response. For the reasons set out in our response to Matter 16 and our representations to the Deposit FLDP, it is considered that TW's Ffordd Fer does not contribute to the purposes of the Green Barrier and is suitable for removal. The Site provides clearly identifiable physical features that can be used to establish defensible boundaries. It is well contained by the existing built environment to the east, by the Mold Bypass to the north and west, which provide a substantial physical barrier to the countryside, and to the south by a thick mature tree belt which provides a clear physical visual barrier. These boundaries disconnect the Site from the wider Green Barrier designation and open countryside.
- 2.16 The Site therefore forms a logical extension to the urban area, consolidating the established pattern of development with strong, permanent boundaries. It would result in the natural extension of the existing built up area of Mynydd Isa. TW therefore considers that the Ffordd Fer site at Mynydd Isa should be allocated for residential development and included within the settlement boundary.
- 2.17 TW has proposed to build 580 high quality dwellings at densities ranging between 30 and 38 dwellings per hectare which is considered to be an effective use of land. There has been a focus on placemaking to ensure that the scheme is well designed, fits into the wider spatial context and creates a safe and attractive place for local people to live. The site features an open village green and a green infrastructure network which provides pedestrian and cycling routes into the services of Mynydd Isa. It is considered that this would enhance the biodiversity potential of the Site which is currently considered to be of limited ecological value.

b) Are the numbers of units identified realistic and achievable?

2.18 TW has no comment on this matter.

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?

2.19 Policy HN1 fails to provide any significant details on the constraints affecting the allocated sites. The requirements for each site are provided in a very short ‘Summary Guidance’ which is limited in detail and provides little context to what is needed on each site. For example, it makes limited statements such as “*ecological mitigation measures*” and “*strategic landscaping buffer to provide setting to listed building*” without any further expansion to explain what is required and why.

2.20 The precise policy requirements for each site are therefore unclear and the FLDP instead partially relies on the generic policy requirements in Policies PC2 to PC5 to inform the development of the sites. In order to ensure that the plan is sound, TW considers that further detail is required to inform the development of the sites to provide sufficient clarity and certainty.

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

2.21 Whilst the Council has undertaken an Affordable Housing Viability Study⁴, it is not clear where wider viability implications, such as infrastructure provision, have been considered in the Council’s evidence base. There does not appear to be any high level plan-wide viability appraisal 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, as required by national guidance.

2.22 TW also has concerns over the assumptions set out within the Affordable Housing Viability Study, in particular the allocated developer’s profit of 17.5%, which TW considers to be too low and would not provide a sufficient return to incentivise development and investment in Flintshire. Furthermore, it does not appear that the cost of delivering specialist housing (required by Part iv of Policy STR11), has been considered within the Affordable Housing Viability Report. It is important that the costs to deliver these requirements are based on robust evidence so as not to impact the viability of development proposals.

2.23 It is therefore considered that the FLDP fails to meet soundness Test 2 as it is not supported by robust, proportionate and credible evidence and does not meet soundness Test 3 as it is not clear whether the FLDP will deliver viable development.

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

2.24 The information provided on each allocation in Policy HN1 of the FLDP is limited and does not provide any detail on the delivery mechanisms for each site. Policy HN1 also fails to provide any information on the timing and phasing of each of the allocated sites. TW notes that delivery timescales for the allocated sites have been included in Table 3A of the Housing Land Supply

⁴ LDP-EBD-HP6.1 Study Concerning the Economic Viability of Providing Affordable Housing Across Flintshire (June 2020)



and Delivery Background Paper⁵ and suggests that it would be worthwhile including a similar table in the FLDP itself to provide more transparency.

⁵ FCC002 Housing Land Supply and Delivery Background Paper 10A Updated January 2021