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**Flintshire Local Development Plan 2015 – 2030
EXAMINATION IN PUBLIC**

**Hearing Session Matter 4
Wednesday 14th April 2021**

**Location of Development STR2
Settlement hierarchy, settlement limits**

Hearing Statement by Flintshire County Council

Flintshire Local Development Plan (2015 - 2030) Examination in Public

Flintshire County Council Statement: Matter 4: Location of Development STR2 –settlement hierarchy, settlement limits

This statement has been prepared by Flintshire County Council (FCC) in response to the Inspectors' hearing questions:

Key Issue:

Is the spatial strategy coherent and based on a clear and robust preparation process? Are the spatial strategy and relevant strategic policies realistic, appropriate and logical in the light of relevant alternatives and are they based on robust and credible evidence?

Response:

1. The spatial strategy of the Plan is considered to be coherent and based on a clear and robust preparation process. The Council fundamentally reviewed the spatial strategy within the UDP by updating its evidence based in the form of a comprehensive set of settlement audits [LDP-KSD-KM2](#), which themselves were the subject of consultation with town and community councils. This informed a number of different approaches to defining a settlement hierarchy in the Plan. Both the settlement audits and the settlement hierarchy options were presented as part of a 'bespoke' consultation on a Key Messages document [LDP-KSD-KM1](#), ahead of the Strategic Options. The chosen settlement hierarchy is considered to be informed by a robust evidence base formed by the settlement audits which are a measure of the sustainability of each settlement. This formed the basis for the subsequent consideration of options for distributing development spatially across the County.
2. The Strategic Options [LDP-KSD-SO1](#) consultation presented 5 different spatial options and this consultation exercise was facilitated by Planning Aid Wales in terms of easy read documents and workshop sessions. The Preferred Strategy [LDP-KSD-PS1](#) presented the chosen spatial strategy in Policy STR2 which encompassed a 5 tier settlement hierarchy whereby planned growth was directed to the most sustainable top three tiers and where development in tiers 4 and 5 was based on facilitating local needs based housing development. The chosen option was explained in separate Background Paper [LDP-KSD-PS3](#).
3. The approach to distributing spatial growth across the County has therefore been gradual and measured where consensus has been sought at each stage. It is founded on a sensible and robust evidence base and has considered alternatives at each stage in the Plan's preparation. Policy STR2 represents a sensible approach to distributing development based on sustainability considerations and provides clear guidance as the scale and type of housing development acceptable within the 5 settlement tiers.

4. It is important to note that in their representations on the Deposit Plan, the Welsh Government **'is generally supportive of the spatial strategy and level of homes and jobs proposed and has no fundamental concerns in this respect'**. In Annex A of their representations, Welsh Government explain that 'National policy is clear that LDPs must include a spatial strategy covering the lifetime of the plan which establishes a pattern of development improving social, economic environmental and cultural well-being to deliver sustainable development and the place making approach'. In respect of the spatial distribution of development, Welsh Government goes on to say that it **'.. does not object to the principle of this approach'**.

Question a)

What is the purpose of the settlement hierarchy? Will it guide new development to the most sustainable locations? Is it clear what types and amount of development, other than housing, will be appropriate in each tier of the hierarchy?

Council's Response:

- a.1 The Council has explained in its response to Q7 of the Inspector's Preliminary Questions [FCC001](#) that the settlement hierarchy formed the basis for the consideration of a number of different spatial options, which were consulted upon in the Strategic Options document [LDP-KSD-SO1](#). This consultation led to a 'Sustainable Distribution plus Refined Approach to Rural Settlements' which was presented in the Preferred Strategy [LDP-KSD-PS1](#) in the form of policy STR2 'Location of Development'. The policy seeks to make provision for planned growth through allocations in the top three tiers of the settlement hierarchy as these are the most sustainable settlements in the County.
- a.2 The settlement hierarchy as reflected in policy STR2 guides development to the most sustainable settlements as the tiers are based on sustainability evidence. The policy provides guidance on the scale and type of development considered appropriate having regard to the tier in which a settlement is located. The policy guides development to the higher three tiers as it is these settlements that have the character, role and level of services and facilities with which to support new development.
- a.3 The settlement hierarchy, as expressed through the spatial guidance in policy STR2, does not provide a basis for considering other types or forms of development and this is explained in terms of the examples of employment and retail development below.
- i) Provision for employment development is made through the two strategic sites in STR3 and employment allocations in PE1 and additional flexibility through Principal Employment Areas in PE2. Policy PE3 provides guidance on other 'windfall' employment development arising outside the defined areas and references the different approaches between sites within settlement boundaries and sites outside settlement boundaries. Policy PE5 allows the expansion of existing employment uses. These policies provide sufficient

guidance, when read along the Plans policies as a whole, in respect of determining employment proposals on their merits and it is not considered necessary for this to be tied into the settlement hierarchy in policy STR2.

- ii) Retail development is guided by the Retail Hierarchy identified in policy PE7 which is based on the identification of town, district and local shopping centres. These designations are slightly different to the categorisation of settlements as a whole in the settlement hierarchy. The designation of retail centres is based on the size, role and character of the retail and commercial 'offer'. This is reflected in the examples of Connah's Quay and Saltney which are both Tier 1 Main Service Centres in terms of the settlement hierarchy but are classed as 'district' rather than 'town' centres in the Retail Hierarchy. Retail development proposals are capable of being determined against the Plan's suite of retail policies which reflect the 'town centres first' and other guidance in PPW11. It is not necessary or appropriate for retail development proposals to be determined based on the position of a settlement in STR2.

- a.4 Reading the plan as a whole and with reference to the proposals map provides the basis to understand what development is proposed or acceptable in principle, in a particular settlement or location.

Question b)

What is the rationale for the proportions of development split across the tiers?

Council's Response:

- b.1 The apportionment of development across the settlement hierarchy tiers was first presented in the Preferred Strategy [LDP-KSD-PS1](#) in para 5.2.4 of the explanation to policy STR2. This explained that the broad apportionment of growth was based on completions during the first two years of the LDP period, commitments as at April 2017 and the initial results of the assessment of Candidate Sites against the preferred Strategy. The apportionments were expressed as a range of % growth figures and the explanatory text was clear that this may be refined further as the Plan progresses. The explanatory text is also clear that the Plan does not seek to apply growth bands, rates or targets to settlements and states '*The Plan intentionally avoids creating a perception that every settlement in every tier must contribute towards growth through having a housing allocation. Instead, the Plan looks at each settlement on its merits to determine whether it is able to sustainably accommodate an allocation*'. Paragraph 3.89 of DPM3 requires the plan to "show growth split between settlement hierarchy".
- b.2 In the Deposit Plan [LDP-KSD-DEP1](#) para 5.13 provides an update on the apportionment of growth to the settlement tiers in a table produced below and it is evident that there is a close alignment between the two:

Tier	Preferred Strategy Breakdown	Deposit Plan Breakdown
Tier 1 Main Service Centres	40-45%	47%
Tier 2 Local Service Centres	35-40%	36%
Tier 3 Sustainable Settlements	15-20%	14%
Tier 4 Defined Villages	1-2%	2%
Tier 5 Undefined Villages	0-1%	1%

b.3 It is of note that Welsh Government in their representation on the Deposit Plan comment ‘*The Welsh Government is generally supportive of the spatial strategy and level of homes and jobs proposed and has no fundamental concerns in this respect*’. In Annexe A of their representations Welsh Government further state ‘*In terms of spatial distribution, 47% of the housing growth is directed to the main service centres (Tier 1) 36% to local service centres (Tier 2) and 17% to Tiers 3-5 (sustainable settlements, defined villages and undefined villages). The majority of new allocations outside of the strategic allocations are located in Tier 1 and Tier 2 settlements. **The WG does not object to the principle of this approach.***’ The spatial apportionment of housing development set by policy STR2 is considered by the Council to be soundly based and sustainable.

Question c)

Why is it necessary to assess the comments of the UDP inspector with regard to the definition of settlement boundaries?

Council’s Response:

- c.1 The UDP Inspector commented in her covering letter ‘*I consider the time is rapidly approaching when the matter of detailed boundaries and the strategic function of the countryside in some localities needs to be looked at critically and in depth*’. The Inspector also provided comments on settlement boundaries in para’s 3.5.35, 3.5.37 and para 3.5.38 as set out in the UDP Inspectors Report [LDP-EBD-OCD1](#) and also referenced in Topic Paper 7 Spatial Strategy [LDP-EBD-TP7](#). In respect of the [future] LDP the Inspector concludes in para 3.5.40 ‘*This [the LDP] is intended to be a far speedier process and will be based on up to date information including a thorough examination of settlement capacity. For the spatial distribution of growth it should also consider what should constitute a settlement/built up area*’. As the Inspector specifically made these comments in the covering letter to the Inspector’s report, it was felt important to at least consider them as a starting point to then assess settlement categorisation and settlement boundaries as part of the LDP process.
- c.2 In the early stages of the Plans preparation considerable time and resources was invested in a fundamental review of the sustainability of settlements and the settlement hierarchy as explained in the Council’s response to Q8 in the Inspector’s Preliminary Questions [FCC001](#). The Council undertook a series of settlement audits [LDP-KSD-KM2](#) and this informed the Key Messages document [LDP-KSD-KM1](#). The consultation on the Key Messages document sought views on six options as to how a settlement hierarchy could be defined and this

included defining 'urban' areas. Following consideration of the outcome of the consultation the Council favoured a 5 tier settlement hierarchy based on the sustainability of existing settlements. The approach suggested by the UDP Inspector was assessed but not considered to represent an appropriate means by which to define settlements nor form the basis for settlement boundaries. The Strategic Options document (p8) [LDP-KSD-SO1](#) clarified '*Although there was some support for the concept of urban areas, a five tier hierarchy was considered more appropriate in terms of representing settlements which exist now and are easily recognised, rather than seeking to create 'new' groupings of settlement into urban areas, which would not be recognisable to, or supported by the public*'. Rather, the settlement hierarchy defined within policy STR2 is considered to represent a robust and sensible approach to defining settlements and drawing settlement boundaries.

c.3 It is also stressed that settlement boundaries are merely a planning tool. This was recognised by the UDP Inspector repeatedly in her report '*Settlement boundaries are a planning tool which seek to set clear limits to towns and villages and include only land which is either developed or suitable for development during the plan period*' and '*Settlement boundaries are defined firstly to set clear limits to urban/built up areas and establish the general principle that development will be permitted subject to other policies and material planning considerations: and secondly to prevent development in the open countryside*'. These essential purposes are embodied within policy PC1 which provides clear guidance on the significance of locations within and outside of settlement boundaries.

Question d)

Where is the methodology for the assessment of settlement boundaries described? Has it been applied consistently? Where are the results of the assessment set out?

Council's Response:

d.1 The Council set out in its response to Q11 of the Inspectors Preliminary Questions [FCC001](#), the approach to defining settlement boundaries. The Candidate Sites Assessment Methodology [LDP-KPD-CS1.2](#) provides in para 3.11 a commentary and guidance on settlement boundaries in the context of considering candidate sites, particularly small sites.

d.2 Settlement boundaries have been approached and documented in the following ways:

- a) Consideration of candidate and alternative sites in terms of allocations and other amendments to settlement boundaries as documented in Background Paper 8 Candidate / Alternative Sites [LDP-EBD-BP8](#).
- b) Inclusion of sites with planning permission within settlement boundaries i.e. a factual update
- c) Any other minor settlement boundary changes arising from general survey work.

d.3 The Council has not published a single document which sets out individual settlement boundary changes. Nevertheless, the consultation on the Deposit Plan provided the opportunity for representations to be made on the settlement boundaries identified on the proposals maps in terms of concerns about land either being included within or excluded from settlement boundaries.

d.4 The approach to the delineation of settlement boundaries is considered to have been applied consistently.

Question e)

Are the settlement limits drawn sufficiently widely to enable the predicted amount of growth?

Council's Response:

e.1 The settlement boundaries have been drawn so as to ensure the Plan's housing requirement can be delivered. The settlement boundaries in the Deposit Plan allow for the various elements of the Housing Balance Sheet (Background Paper 10 [LDP-EBD-BP10](#) and the update [10A](#)) to be delivered in terms of:

- i) Completions to date
- ii) Allocations
- iii) Commitments
- iv) Large and small site windfalls as evidenced in the Urban Capacity Study [LDP-EBD-HP8.1](#)

e.2 There are also a number of sites which were allocated for housing in the UDP but which have not been allocated in the LDP. However, several of these as listed below have been retained within settlement boundaries and this provides further flexibility:

- Wern Farm, Bagillt (BAG001/015)
- Ffordd Pennant West, Mostyn (allocated in adopted UDP and with expired pp)
- Former Laura Ashley, Leeswood
- Ffordd Llanarth, Connah's Quay (CON095)

e.3 There are also two further sites within settlement boundaries which provide further flexibility and these are

- Bank Lane Drury (DRU001) current planning application / appeal
- County Hall, Mold (MOL017)

e.4 In conclusion the settlement boundaries as defined in the Deposit LDP are not considered by the Council to present any constraint to delivering the Plan's housing requirement figure.

Question f)

Is it appropriate for there to be a green wedge designation within the Deeside Enterprise Zone? Will it be an unacceptable constraint on the ability to maximise economic opportunities in this area?

Council's Response:

f.1 The boundary of the Deeside Enterprise zone is shown diagrammatically on the Welsh Government website <https://businesswales.gov.wales/enterprisezones/zones/deeside> and this explains that it encompasses a number of strategic sites. The sites referred to can be broadly grouped into the following geographical areas:

Geographical Area	How identified in Deposit LDP
Deeside Industrial Park (inc Tata Steel and Northern Gateway allocation) to the north of the R. Dee and west of the A494(T)	Principal Employment Area PE2.11 and STR3A
The triangular shaped former DARA site on the east side of the A494(T)	Principal Employment Area PE2.11
Employment development between the south side of the R.Deer and the B5129 at Pentre and Sandycroft	Principal Employment Areas PE2.21 / 22 / 27 / 28 / 29
Hawarden Airport and employment development comprising Hawarden Industrial Park, Airbus and Broughton Mills Industrial Estate, located to the north of Broughton	EM1.1 and EM1.2 and Principal Employment Areas PE2.4 and 16

f.2 The Enterprise Zone has been mapped by Welsh Government as a continuous polygon rather than as a series of separate polygons and this has resulted in the inclusion of intervening open countryside. The Enterprise Zone (EZ) is not a planning land use designation and was derived with Welsh Government to support funding / financial relief measures to facilitate economic investment in key sites. The EZ boundary was not drawn up in a planning land use context and nor did its creation involve planners from the Council. The sites are separated by large swathes of open countryside / green barrier and it would be inappropriate for the LDP proposals map to show a boundary for the EZ whereby it could be interpreted as supporting employment development outside of identified employment allocations and areas and in direct conflict with key policy designations in the Plan.

f.3 The open countryside / green barrier designation in the LDP does not represent a constraint to the Deeside Development Zone as it does not materially affect or harm the delivery of the key sites identified by Welsh Government, which are designated or allocated in the LDP, from coming forward.