

SUBMISSION STATEMENT

in respect of

Flintshire LDP (2015 to 2030) Examination

on behalf of

Bartlett / Kitchen (ID 1235343)

Matters 2, 3, 4 and 5

March 2021

M5.07

J10 Planning Limited 2 Wrexham Road Chester CH4 7QR 01244 349400 www.j10planning.com

This representation is submitted on behalf of Bartlett & Kitchen.

However, we can confirm that the land promoted also includes another landowner and there is agreement between all 3 parties to act collaboratively in promoting their land.



The site extends to include the parcels edged red on the plan below.

It is located in a highly sustainable and accessible position directly adjacent to the Broughton settlement boundary (a Tier 2 settlement) and would offer an ideal residential extension close to the strategic employment centres of Broughton Retail Park, Airbus and Hawarden and Queensferry industrial estates.

Highway access is available off Mold Road (A5104).

The land has been assessed as being largely Grade 3b.

It comprises an area extending to 9.2 ha which is considered to be capable of delivering up to 230 units.

We would invite the Inspector to consider (under the power vested in them and as guided by Para 6.58 of DPM3) to recommend this site be included as a new / alternative site. This is endorsed by the opportunity to identify new sites under Para 3.75 as part of any MACs process.

Matter 2: Plan Strategy

Key issues, vision, objectives

Key Issue:

Is the overall strategy coherent and based on a clear and robust preparation process? Is the strategy realistic and appropriate in the light of relevant alternatives and is it based on robust and credible evidence?

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. releasing 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, accessible 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 the J10 SOUNDNESS Checklist for more detail

a) Is the LDP's overall strategy consistent with those of neighbouring authorities? What are the main cross boundary issues and how have these been addressed?

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 re-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. b) How have the key issues been selected? Are they all addressed directly and adequately by the vision and strategic objectives? What is the relationship between the Key Issues and Drivers (para. 3.30) and the challenges that must be planned for (para. 3.35)?

The Key Issues & Drivers are identified and include:

<u>The job growth and economic development ambitions for the County should form the basis for</u> <u>identifying and delivering a supporting level of housing development</u>: yet the connection is broken and the evidence does not follow, because had a connection been made then a higher housing target would have been set and a more sustainable set of draft housing allocations would have been identified.

<u>UDP Housing under delivery is acknowledged</u>: but rather than seeking to meet this shortfall the plan simply seeks to wipe the slate clean and proceed to include failed past allocations. This is contrary to DPM3 Para 5.62 Table 18 which recommends a non-delivery allowance to reflect past shortfalls. This is distinct from applying a flexibility allowance.

The UDP Inspector considered that the approach to defining settlement boundaries based on individual settlements rather than identifying urban areas was backward looking and also considered that the time was rapidly approaching whereby a fundamental review of open countryside and green barriers in parts of the County was needed : yet despite this, no robust or fundamental Green Wedge Review has been undertaken and the same approach to defining settlement boundaries taken in the UDP is being repeated again with the eLDP.

<u>The need for new development to be in the most sustainable locations and bring with it necessary</u> <u>infrastructure improvements</u>: yet the plan is not targeting the most sustainable locations and instead is identifying housing in very unsustainable locations. Moreover, contrary to all national policy the plan has identified the release of BMV land.

<u>The need for new housing sites to be viable and deliverable in terms of contributing to housing land</u> <u>supply and other Plan objectives</u>: yet once again the evidence with respect viability and deliverability is, at best, wafer thin and far from convincing.

These issues don't appear to have been directly or adequately addressed by either the vision or the strategic objectives.

There is some relationship between the key issues and drivers and the challenges; but the explicit link is not made very clearly.

Indeed, It appears that the plan process has been predicated upon simply rolling forward the failed UDP, including unimplemented UDP allocations and a settlement / development allocations strategy that does not reflect NDP or PPW11.

c) Is the vision appropriate and sufficiently detailed?

No comment.

d) What are the implications, both positive and negative, of Flintshire's gateway location on a national border? How are these accounted for in the LDP?

No comment.

e) Does the LDP address the physical and mental health of the population?

No, it fails to recognise these 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.

f) What is the purpose of the strategic policies? Are they useful and useable in development control terms?

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

g) What is the policy position on Best and Most Versatile Agricultural Land?

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 discuss Green Barrier this issue should really be brought forward in eth Examination agenda much sooner as it has had a fundamental impact upon the plans spatial strategy and all matters associated with preferred housing sites.

h) Are the Proposals and Inset Maps accurate and user friendly?

No comment.

i) In the light of the time which will remain if the LDP is adopted in 2021/22, is the plan period (2015-2030) appropriate?

The Council's first Delivery Agreement (dated February 2014) suggested adoption by February 2018. The Authority have been consistent in missing targets and so whilst the July 2020 Delivery Agreement suggests the plan could be adopted by November 2021 we have little confidence that this will be met given the track record for slippage experienced thus far.

We are concerned that Welsh Ministers have signed off every Delivery Agreement since the first one in the knowledge that slippage has happened at every stage, yet they have allowed this to happen without any special measures being imposed for Flintshire failing to have a plan in place.

The plan period of 2015 to 2030 would have originally been considered appropriate, but the problem here is that even if the plan is adopted by the end of 2021 there will be just 9 years left for the plan and the DPM3 recommends (Para 7.4) that at least 10 years of the plan period should be left remaining.

DPM3 goes onto re-state (Para 8.1) that a Plan Review must commence no longer than 4 years from its adoption; so assuming an adoption by (say) Jan 2022 this would mean a review commencing by Jan 2026.

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 a series of significant fundamental flaws in the way this plan has been prepared which run to the core of the plan and its soundness and in our opinion the plan must either be withdrawn or be changed quite radically.

j) What will be the status of Place Plans, when prepared, and how will they relate to the LDP?

No comment.

Matter 3: Strategic Growth (inc Strategic Sites) (STR1 + STR3)

Key Issue:

Is the growth strategy coherent and based on a clear and robust preparation process? Is it realistic and appropriate in the light of relevant alternatives and is it based on robust and credible evidence?

The relevant (and reasonable) alternatives have been discounted without any due diligence and have been ignored in favour of

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. releasing 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, accessible 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 the J10 SOUNDNESS Checklist for more detail

a) What is the justification for adopting an aspirational growth strategy, led by an ambitious target for new jobs?

The strategy is unclear because the link between jobs and homes is lost by the very fact insufficient housing is being promoted and is also in the wrong places.

STR1 makes provision for 8 to 10,000 new jobs and 139.67 ha of employment land and suggests that there is a direct link between this and the housing growth figure of 6,950 dwellings; however, we cannot see this.

Based on 2014 projections, the County is forecast to increase in population from 154,088 in 2015 to 156,899 in 2030, whilst at the same time the County imports some 24,000 people travelling into the area every day to work. The aim of this plan should be to reduce in-commuting by providing housing not just for the increased 2,811 (natural growth) population, but also for a good proportion of the 24,000 incoming daily commuters.

Geographically, Deeside IE, Airbus and Broughton Retail Park are key employment receptors, yet despite this, housing growth is not being targeted correctly in a sustainable and spatial manner and despite the policy suggesting the focus of development will be located at sustainable employment locations many housing sites are not located to take advantage of this.

Simplistically, if there is already an over-dependence of inward migration it seems implausible that up to 10,000 new jobs will need just 6,950 new homes; particularly if you add in natural growth, household division and the need to reduce in-commuting by trying to satisfy at least some of the 24,000 daily commuters.

The planned housing growth suggests that there is no ambition to reduce in-commuting and that the aspiration is not to provide for anything more than natural growth and household formations.

The policy targets should be expressed as minimums.

b) When were i) the Northern Gateway site and ii) the Warren Hall site granted outline planning permission? Have circumstances changed significantly since then?

STR3A is a brave and pioneering attempt to launch a new settlement in a challenging location, where significant levels of new infrastructure are required. It is clear that the market housebuilders are wary of jumping in and that launching a product in an unknown territory takes a lot longer to establish.

Now that it is "off the ground" we support its inclusion in the LDP but are not convinced that the delivery rates are going to be anything like those that would be achieved in a more traditional sustainable urban extension destination where there is track record for sales, etc.

The original UDP allocation was for 650 units, but the eLDP allocation has increased this and we consider this is a mistake because doubling its capacity simply poses a greater risk to an already vulnerable deliverability rate and the lack of any community infrastructure is a poor reflection of sustainable placemaking.

STR3B, however, is an entirely different scenario. There has ,since the UDP, been a significant shift in planning policy now means that STR3B should never even be considered. It is a greenfield site that is isolated and detached from any settlement and is located in an entirely unsustainable location. It is seeking status as a new settlement and this runs contrary to every relevant policy in NDP and PPW11 and the guidance enshrined in DPM3.

Had this site been viable it would have come forward by now, but it clearly isn't viable and should be removed.

c) How will their strategic allocation in the LDP improve their viability and deliverability? Are the rates forecast for their delivery in the LDP realistic and achievable?

These sites were allocated in the UDP which failed to deliver them.

STR3A has admittedly made some progress but it has been limited and is still constrained by significant infrastructure which will impact upon its planned trajectory. We don't believe more than 650 units will be delivered from this site during the entire plan period.

Allocating a site should be directly linked to deliverability but it clearly has not been the case in the FCC UDP and we do not believe the LDP will work any better

STR3B should not be "rolled forward" as an allocation at all.

Please see additional comments on each site in the tables below.

Site Def	CTD2A
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	1,140
promoted	
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 complex
	infrastructure needs
Delivery	Very uncertain
	No SoCG
	No viability evidence
Other constraints	Not a desirable location, no extant community infrastructure, Phase 2 needs
	road and significant enabling works required

Site Ref	STR3B
Name	Warren Hall
Settlement	Higher Kinnerton / Broughton ? – but it's actually freestanding and isolated
Site area (ha)	27.7
Draft allocation	300
Actual number	300
promoted	
Developer	None
Owner	WG
Planning Status	038744 no info available except submission date - 24/12/2004 and approval
	date - 22/04/2008, 046962 submitted 19/11/2009, approved 04/02/2010;
	048360 proposes to extend time for submission by 3 years - approved
	21/07/2011
	NOW EXPIRED; releasing just 2 conditions does not amount to
	commencement of development
UDP site	YES : EM2 for employment use only – residential is new
Green Barrier	Former Green Barrier
BMV	3a and 3b – although report fails to provide split across the whole 80 ha and,
	given the scale, it is not inconceivable that better management could
	improve pockets of 3b to 3a – however, we do not believe the land is of this
	quality
	Background Paper no 9 on BMV states that the whole site will result in an
	actual loss of 32.17ha grade 3a and predicted loss of 2.17ha grade 2 but that
	the bulk of this land already has planning permission for business park – this
	is significant and cannot be acceptable in PPW11 terms
LDP Trajectory	Assumes an almost immediate start with the site producing 30 units by 2023
Actual Trajectory	Construction needs spine road and residential is located to south, it would be unacceptable to have traffic emerging from south off rural lanes, and
	with no PP yet it is inconceivable that this site will start in 2 years time
	Our estimate is that development won't start (if at all) until 2027 at the
	earliest
Delivery	Very uncertain – if at all
	No site viability
	No meaningful deliverability evidence – no detailed programme other than
	to say that units will start in 2023/24 and build out at a rate of 30 to 45 units
	per annum for 7 years until the end of the plan period - this is fantasy given
	that no DMO, no EIA screening, no PA submitted, no development partner
	and no timescale for infrastructure
	No delivery trajectory is provided for the employment element – we assume
	because there is no market
	SoCG confirms an Outline PA would be submitted which suggests the
Other sector is in	intentional programme is at least 3 + years out of kilter.
Other constraints	WG apparently will insist on 30% Bungalows and higher than expected levels
	of affordable (at least 50%) and insist on zero carbon and will control and deliver this will impact on viability and make it a difficult call to market
	deliver – this will impact on viability and make it a difficult sell to market
	housebuilders, especially with the estimated £14m enabling infrastructure involved – the pure economics does not make any sense as you cannot
	expect a scheme for under 150 open market houses to support £14m worth
	of infrastructure
	An HMA will be required
	Significant ecology resources
	Quality landscape
	Sustainability is poor
l	

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/or 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

d) How advanced is development on the Northern Gateway site? What is the reason for its allocation rather than recording it as a commitment?

There is no surety over it delivering its target either within this plan period or the next and we would recommend its numbers be reduced to 650 within this plan period and identified simply as a commitment. We are not convinced more than this number will/can come forward before 2030; if it can be proven then perhaps a balance can be allocated but identified as a future post-2030 allocation.

e) Is there enough site-specific guidance and information in the LDP to satisfactorily address the individual circumstances, including constraints, on the two strategic sites? Are there master plans or development briefs for them? How will the principles of placemaking be applied to these sites?

The eLDP is devoid of any detailed guidance on both sites.

Allocating a greenfield site (STR3B) in an isolated and unsustainable location does not reflect other policies or PPW10; particularly when better more sequentially sites are available and can be demonstrated to be deliverable.

Matter 4: Location of Development (STR2)

Settlement hierarchy, settlement limits.

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?

The relevant (and reasonable) alternatives have been discounted without any due diligence and have been ignored in favour of

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. releasing 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, accessible growth locations, or site selection procedures (sic. ignoring BMV).

The plan has failed to consider relevant or reasonable alternatives.

FCC's settlement strategy does not align with the National Plan as it promotes significant scale development in locations that are not sustainable

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

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?

The settlement hierarchy does seek to assemble settlements into some form of hierarchical order, but clearly some within each category are more sustainable than others in the same category and more importantly the assemblage is devoid of any sustainability ranking as guided by DPM3, PPW11 and NDP.

Apart from housing, there is no clarity in STR2 as to what sort or scale of development is acceptable in any of the settlements.

We appreciate that the WG response (dated 4 November 2019) did not object to the principle of the spatial distribution approach set out in the Deposit Plan, however they did not say it was acceptable.

We would question whether the same position would now be taken and indeed, we would go so far as to say that whilst WG might be keen to see full plan coverage this should not be at all costs since the eLDP is clearly at odds with the messages in the DPM3, NDP and PPW11; particularly in respect of spatial distribution, sustainable access, placemaking and BMV.

Therefore, we don't believe that the WG letter of November 2019 holds anything but limited (credible) sanctioning.

Insufficient levels of housing are targeted for the Tier 1 settlements of Mold and Buckley and the Tier 2 settlement of Broughton.

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

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.

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

In his covering letter of 12 May 2009 he recommended a comprehensive review of Green Wedge and settlement boundaries be undertaken.

The failure to undertake a full review is also contrary to PPW11 (Paras 3.64, 3.68 and 3.70).

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?

There is none, but any claimed method has not been consistent since reasonable alternatives have been discounted out of hand for no apparent reason.

Any revisions to settlement boundaries (and freestanding allocations) have certainly not been derived or informed by any robust review of Green Wedge, or by any obvious sustainability criterion, or indeed by any sound assessment of BMV and neither has it been influenced by infrastructure appraisals or landscape character or greenspace assessments – this is wrong and the plan immediately fails since no methodology addressing these combined issues have informed the spatial strategy.

Instead, it appears that the Council have taken the decision to roll forward extant allocations and been seduced to accept the odd new site; this selection process has been far from transparent with candidate sites awarded AMBER status yet not taken forward.

For example, the Council initially published a document called "Consideration of Candidate Sites against the Preferred Strategy/Invitation for Alternative Sites" in November 2017 which classified candidate sites using a traffic light system (green, amber or red):

	2017 Report	2017 FCC comments	J10 comments
BROU010	Red	The site does not comply with the Council's Preferred Strategy as it is divorced from the settlement and development of the site would result in urban sprawl in an area of open countryside	This was a fair assessment as it only involved the central part of the site (later to be called BROU017
BUC023 and BUC036	Amber	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	No detail of what the "constraints" might be are provided
MOL002	Amber	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	No detail of what the "constraints" might be are provided

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	2019 FCC comments	J10 comments
	Report		
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 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.	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 settlement form, the site is built up along the north east side and the Well Street allocation is along the north west side. However there are highways concerns that there should be no further traffic on the road network, over and above the existing Well Street allocation, and that there is a need to avoid any increase in traffic southwards along Well Street. It could be considered as a ensible extension to the settlement but there are highways constraints. CONCLUSION : The site is not appropriate for a housing allocation.	Despite being classified as AMBER the Council assume hat highways is an issue, yet a pre-app on this site held in October 2018 clearly identified that highways was not a constraint and further work has established this to be the case.
MOL002	Amber	The site sits in a prominent location on Ruthin Rd which is a key route into the town. Development would extend built development south westwards from Mold and would significantly weaken the green barrier between Gwernynynydd and Mold. A further consideration is that there is land along the north	You cannot simply discount a site because of its green Wedge status – especially when

western edge of the settlement which does not	the GB Review is
involve the loss of green barrier land. In sequential	tokenistic and
terms the land off Ruthin Rd is less preferable than	there is no
the land outside the green barrier in the vicinity of	sequential
Denbigh Rd and Gwernaffield Rd. A commentary on	guidance on GB
the green barrier is set out in the Green Barrier	land vs non- GB
review but development of the site would clearly	land, whereas
weaken the gap between Mold and Gwernymydd	there is with
when it is presently not necessary to do so. In	respect BMV
addition, a large housing development is presently	land.
taking place on land at Maes Gwern, only a short	The GB review is
distance from the site. In this context it is considered	poor, contrived
unnecessary and inappropriate to utilise green	and deficient.
barrier land for development.	
CONCLUSION : That the site is not suitable for	
consideration as a housing allocation.	
consideration as a nousing anotation.	

We contend that the Council had, at the point of selecting their preferred draft Housing allocations, insufficient evidence to justify supporting these sites and moreover made no attempt to consider any reasonable alternatives – of which all "AMBER" sites must be considered relevant.

There is no evidence that the candidate sites (including those selected through some opaque method as draft allocations) have been assessed against a sustainability checklist or indeed against criteria including BMV status, Green Wedge status, infrastructure issues or indeed viability and deliverability evidence.

Had this been done then it would have become clear that the site selection process would have unearthed a very different shortlist of allocations.

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

No, the boundaries are too tight to meet the housing requirement being delivered.

And moreover, this will prevent genuine windfalls which could assist the Authority in meeting its assumed trajectory, from coming forward since policy will be contrived against such sites being acceptable.

Moreover, the Urban Capacity Study found that between 1,389 and 1,481 units are potentially available but this then assumes all will come forward over the plan period in meeting the planned 1,080 windfall target. There is no evidence that any of these sites will come forward but if there is then the lagrer windfall sites should be identified as allocations anyway. Many are entirely unrealistic.

The fact is that there is insufficient brownfield (within settlement) land available and so greenfield land will be required to meet future housing need. The trouble is that the approach taken in considering how best to fulfil this need is flawed and runs directly contrary to the guidance in DPM3 and against policies in the NDP and PPW11.

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?

No comment other than to state that a comprehensive or robust Green Wedge Review has not been undertaken. It goes to the heart of the reason why this plan is flawed – unless a robust Green Wedge Review is undertaken you cannot devise a spatial strategy that has any credibility.

Matter 5: Principles of Sustainable Development, Design and Placemaking (STR4, inc Transport and Accessibility STR5; Services, Facilities and Infrastructure STR6)

Key Issue:

Do the policies and proposals on this matter fully achieve the sustainable development and placemaking objectives of the LDP consistent with national policy? Are they based on robust and credible evidence?

The policies are laudable but are undermined by the fact that the spatial strategy of the plan and the selected draft housing and strategic allocations have failed to have met or embrace the sustainability and placemaking objectives set out in national policy.

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

a) Does the LDP place sufficient emphasis on the benefits to sustainability of the use of brownfield land for development? How does the LDP encourage this?

The PPW11 search sequence is clear that brownfield land should be maximised in the context of delivery.

However, the UCS study notes that there are actually fairly limited opportunities for brownfield use.

We support the need to identify the release of greenfield land but we have concerns that the wrong sites have been identified for development and faith has been misplaced for reasons associated with deliverability, viability, infrastructure, sustainability, BMV and Green Wedge.

b) Is the wording of Policy STR4 unduly onerous; should it be qualified by 'where appropriate'? Will it have a serious, detrimental effect on the viability of development proposals?

This policy, could (along with Policies STR5 and STR6) be used to refuse permission for any of the allocations.

c) Has sufficient consideration been given to the need for Flintshire's transport infrastructure to align with those of neighbouring authorities?

No, there is no mention of the North Wales Metro and no account has been given to the significant daily in-commuters and how this should be tackled / reduced.

d) Is it clear that there will be sufficient new facilities, for example for education, health, everyday shopping, public transport and so on, to meet the needs of future residents?

No, as the key infrastructure providers have not presented any detail on what level of capacity they have and might need to meet the levels of growth identified by the plan.

e) How will infrastructure for new development be provided and through what mechanisms? How will contributions be calculated? What is the position with regard to CIL?

This is unclear because not a single site benefits from a viability assessment, and this is despite known infrastructure constraints relating to a number of draft allocation sites.

PLANNING POLICY FRAMEWORK ASSESSMENT

The following checklist table provides our assessment of National Planning Policy comprising the NDP Future Wales (February 2021) and PPW11 (February 2021) along with the procedural guidance published by WG (DPM3 – March 2020) and the recent WG paper entitled Building Better Places ("Placemaking and the Covid Recovery") published in July 2020.

We have found that the eLDP has failed to follow DPM3 guidance and fails to reflect the policies of the NDP or PPW11, to such an extent that when one considers the tests of soundness you arrive at no other conclusion than to find this plan unsound.

PLANNING POLICY FRAM	PLANNING POLICY FRAMEWORK : Conformity and Consistency Checklist		
FUTURE WALES (NDP)	What the policy document says	J10 Comment	
Outcome 1	Emphasis placed upon development being well located in relation to jobs, services and accessible green and open spaces	eLDP has not made the most of the spatial connection between jobs and homes.	
Outcome 5	Development plans will enable and support aspirations for large towns and cities to grow, founded on sustainability and urban design principles.	eLDP has not followed this in its hierarchy or site allocations; it has failed to consider the most sustainable places and locations.	
Policy 1 : where Wales will grow	Deeside is designated as a National Growth Area, but even beyond this area large scale growth should be focused on the urban areas and development pressures should be channelled away from the countryside and productive agricultural land can be protected.	eLDP fails to protect BMV.	
Policy 2 : strategic placemaking	The growth and regeneration of townsand cities should positively contributetowards building sustainable places thatsupport active and healthy lives, withurban neighbourhoods that are compactand walkable, organised aroundmixed-use centres and public transport,and integrated with green infrastructure.Urban growth and regeneration shouldbe based on the following strategicplacemaking principles: building placesat a walkable scale, with homes, localfacilities and public transport withinwalking distance of each other;	There is nothing compactor walkable about locating development in places such as STR3B (Warren Hall) or indeed some of the other housing allocations (HN1.6 and HN1.7) where reasonable alternatives have not been considered and these will sites have limited credibility associated with sustainability and placemaking aspirations.	
Policy 3 : public sector leadership	The public sector's use of land, developments, investments and actions must build sustainable places that improve health and well-being.	WG's assets in FCC are not meeting the needs of this Policy; STR3B (Warren Hall) is not sustainable and HN1.1 (Well Street) is not showing it will deliver anything different from mainstream market housebuilders; both failed	

		to come forward in the
		UDP.
Policy 7 : affordable homes	Through their Strategic and Local Development Plans planning authorities should develop strong evidence based policy frameworks to deliver affordable housing	The evidence base is weak and flawed.
Policy 12 : regional connectivity	Sustainable growth is supported in urban areas where aim is to improve and integrate active travel and public transport. So where there are key nodes, this would suggest growth should be concentrated at these locations; particularly if they are National and Regional Growth Areas.	Many of the housing allocations (in particular STR3B, HN1.6 and HN1.7) cannot justifiably meet sustainable travel aspirations.
Policy 19 : strategic policy	Must take account of cross-border relationships and issues.	eLDP fails to consider key cross-boundary issues (e.g. housing, Green Belt).
Policy 20 : national growth area	Local Development Plans across the region must recognise the National Growth Area as the focus for strategic economic and housing growth	Deeside is a National Growth Area, yet the growth and spatial strategy does not concentrate upon this for housing growth.
Policy 23 : North Wales Metro	Planning authorities should plan growth and regeneration to maximise the opportunities arising from better regional and cross border connectivity, including identifying opportunities for higher density, mixed-use and car-free development around new and improved metro stations.	This policy is not even registered in the eLDP and spatial growth has certainly not reflected such aspirations.
BUILDING BETTER PLACES (BBP)	What the policy document says	J10 Comment
Introduction	Plans should not roll forward unsustainable spatial strategies or be identical to neighbouring authorities' plans, rather they should actively embrace the placemaking agenda set out in PPW."	eLDP has "rolled forward" a number of failed UDP allocations and failed to question them or consider reasonable alternatives
On LDP's (pg 7)	this does not mean that they should roll forward policies or proposals on sites which do not encourage good places	As per above point
On Staying Local (pg 14)	as well as protecting our Best and Most Versatile Agricultural (BMV) land from development.	Emphasis on protecting BMV is made
	We will expect proposals for new communities (in rural and urban areas) and housing sites to integrate with existing services and infrastructure	New development should integrate with existing services, yet some sites (in particular STR3B (Warren Hall) this is freestanding and fails to offer this.

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 not be promoting sites which are unlikely to be well served by walking, cycling and public transport What the policy document says	Again, some sites (in particular STR3B (Warren Hall) fails to meet this expectation.
MANUAL (DPM3)		
Para 3.30 regarding evidence base	Detailed evidence upfront and early in the plan making process is essential to inform the delivery of the preferred strategy and subsequent plan stages. A greater depth of evidence at the candidate site stage is essential.	FCC did not undertake detailed evidence for Green Barrier or BMV this has meant that candidate sites were discounted too early in the plan making process and others were taken forward ignorant of their sustainability, deliverability or technical (GB/BMV) credentials. This is a fatal flaw of the plan, along with not considering reasonable alternatives and discounting them too easily and early on.
Para 3.36 regarding key principles behind any evidence to prove and justify allocations	The evidence must enable the LPA to assess the following: • Is the site in a sustainable location and can it be freed from all constraints? • Is the site capable of being delivered? • Is the site viable?	These core principles have been ignored in both the consideration of candidate sites but also in selecting sites for draft allocations, many of which are not sustainable and have not proven to be deliverable or viable.
Paras 3.79 to 3.84 regarding evidence base		Evidence base must be relevant, proportionate and focussed. It must be fresh for a new LDP. It must respond to PPW (sic. BMV) and should not be sought after a policy choice has been made (as FCC have done by retrospectively publishing evidence base).
Para 3.43 regarding delivery	The key objective an LPA should establish is whether a site promoter has a serious intention to develop the site and can do so within the timeframe of the plan	This guidance has not been followed by FCC

Para 3.44 regarding deliverability	Candidate sites should be sustainable, deliverable and financially viable in order to be considered for inclusion in the plan by an LPA. All sites should satisfy the broad parameters and information emitted by the LPA and have sufficient financial headroom to accommodate all of the plan's policy requirements. For the purposes of this Manual ensuring sites in plans are deliverable means both in terms of deliverability and financial viability 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 policy, all candidate sites are subject to a viability assessment. However, the level of detail and information required for this assessment should be meaningful and proportionate to the site's cianificance in the development plan	This guidance has not been followed by promoters or sought by FCC
	significance in the development plan	
Para 3.47 to 3.55 Regarding viability		FCC have failed to follow the procedures set out in the Manual and not
Para 5.87	Viability and deliverability starts at the candidate stage where all submitted sites should be accompanied by a viability assessment	requested such information; the bar being set higher for key strategic allocations.
Para 5.88	site specific viability appraisals should be undertaken for those sites which are key to delivering the plan	Retrospectively providing this is no substitute for what should have been done at the Candidate site stage where such evidence should have been publicly available.
		Sadly FCC have a track record in this eLDP in publishing evidence base to retro-fit their preferred strategy and site allocations; this includes seeking statutory consultee reviews at the 11 th hour.
Para 3.69 regarding alternatives	To demonstrate the plan is sound at examination, LPAs will need to justify their criteria and associated site assessments. The criteria must be in accordance with the principles of sustainable development and placemaking as set out in PPW. The SA must document the assessment and	The identification of site allocations has not been done following the principles of sustainable development and reasonable alternatives have not been assessed

	provide a reasoned justification for the site status (rejected, reasonable alternative or preferred). Candidate sites should only be rejected outright if they have no potential to be either a proposed site, or a reasonable alternative. This can then inform the plan allocations needed to deliver the strategy. This must be a transparent process clearly documented in the final SA Report for the deposit plan.	and were discounted out of hand.
Para 3.75 regarding new sites	The two avenues for including new sites post deposit stage are Focussed Changes (FCs) at submission or Matters Arising Changes (MACs) post submission proposed though the examination process	There is an opportunity to include new sites at this stage.
Para 3.76 regarding reserve sites	In preparation for the examination the LPA should have a prioritised list of potential reserve sites which it considers could be substituted as alternatives and added to the plan, should additional sites be required following consideration of the plan through the formal hearing sessions.	FCC have not published any list of reserve sites and have no Plan B or contingency.
Para 6.58 regarding new sites	the Inspector may recommend the inclusion of a new or alternative site if it would be sound to do so	The Inspector is invited to include new sites at Buckley, Mold and Broughton
Para 5.49 regarding the relationship between jobs and homes	What is the relationship between the number of jobs generated and the economically active element of the projected population? Will a population provide sufficient homes so as not to import labour and hence increase in- commuting?	There is a clear disconnect between the two in the eLDP and the ambition of reducing in-commuting has not been addressed.
Para 5.50	This is a symbiotic relationship; it is important to evidence how the assumptions underpinning forecasting for jobs and homes broadly align, to reduce the need for commuting.	
Para 5.62 regarding components of housing supply	Land Bank Commitments - To be clear, a land bank non-delivery allowance is separate to the flexibility allowance (i.e. 10%) which is applied to the plan as a whole. Understanding the proportion of sites that did not come forward in the past can be a useful tool in this respect. Sites can be discounted individually, or applied as a percentage across the overall land bank. The latter is the simplest approach. Non-delivery allowances have ranged from 20-50% to date, dependent on local circumstances.	The flexibility allowance is different from a non- delivery allowance and FCC must identify an NDA of 37% to address past UDP failed delivery rates, but also identify a 15% FA to reflect their own evidence base (Arcadis UCS study); by their own admission they estimate this should be 14.4%.

Dara E 62 regarding	Now bousing allocations These should	The evidence for site
Para 5.62 regarding components of housing	New housing allocations - These should come forward through the candidate site	allocation delivery, as
supply	process. They will need to be supported	already intimated, is less
зарру	by robust evidence on delivery, phasing,	than robust/convincing
	infrastructure requirements and viability.	and has ignored
	Allocations should comply with the	sustainable placemaking
	National Sustainable Placemaking	and sustainable transport.
	Outcomes, the Gateway Test applied to	
	the site search sequence and the	
	Sustainable Transport Hierarchy (PPW)	
Para 5.62 regarding	Rolling forward allocations - Allocations	The eLDP has rolled
components of housing	rolled forward from a previous plan will	forward failed UDP
supply	require careful justification for inclusion	allocations without any
	in a revised plan, aligning with PPW.	substantial changes in
	There will need to be a substantial	circumstance; some
	change in circumstances to demonstrate	cannot be considered as
	sites can be delivered and justify being	being sustainable (e.g.
	included again. Clear evidence will be	STR3B), whilst others (e.g.
	required that such sites can be delivered.	HN1.1) has not proven
	The sites should be subject to the same	delivery or viability.
	candidate site process requirements as	,
	new sites i.e. they must be demonstrated	
	to be sustainable and deliverable.	
Para 5.62 regarding	Key Sites – Sites key to the delivery of the	The bar is set higher for
components of housing	plan will require greater evidence to	the STR3A and STR3B sites,
supply	support their delivery including	yet neither the evidence
	schematic frameworks, phasing details,	or policy has followed this
(replicated in Para 5.76	key transport corridors, critical access	guidance
regarding economic	requirements, design parameters (in	
components)	order to support SPG/Development	
	Briefs/Master plans), s106 requirements,	
	infrastructure and costs. Requirements	
	essential to deliver these key sites should	
	be elevated into the policy, supported by	
	a schematic framework.	
Para 5.62 regarding	Viability appraisals - Viability appraisals	For all (non-strategic)
components of housing	should be prepared by the LPA in	allocations this level of
supply	conjunction with developers and site	information should be
	promoters for key sites prior to their	provided, but it has not
	allocation. SoCG will be prepared to	been followed.
	show where there is	
	agreement/disagreement.	
Para 5.107 regarding	If an affordable housing target is set too	FCC's assessment of
affordable targets	high it is unlikely that those levels will be	viability is flawed as it
	delivered and may impact on the delivery	assumes rates of
	of sites and elongate the development	affordable delivery that
	management process. The targets	outstrip those of
	chosen must be realistic and align with	neighbouring areas (CWAC
	the evidence base and the assumptions within it.	30%, Wrexham 0 to 30%, Shropshire 10%).
Para 5.109 regarding	Where there are costs associated with	Significant utility
infrastructure costs and	infrastructure requirements, for	infrastructure has been
impact upon site viability	example, access improvements or the	identified on a number of
impact upon site vidbility	provision of affordable housing, these	key sites, yet no evidence
	should be factored into a viability	is available to show that
	assessment.	any viability has been

		produced to demonstrate
		deliverability is proven.
Para 5.111 regarding		Identifies parties such as
infrastructure partners		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 11 th hour following
		Deposit and at the point of
	No. de alemana en la traca de la traca	Submission.
Para 5.119 regarding	New development must bring with it the	We can see no evidence of
when investment will	timely provision of infrastructure. The	this link and consideration
happen	development plan strategy should	of the strategic and non-
	identify the phasing of development	strategic housing sites and
	throughout the plan period, linked	Promoters do not appear
	directly to the delivery of infrastructure.	to have factored into
	Evidence needs to be in place to	account infrastructure
	demonstrate how infrastructure	either in terms of timing
	supports the housing trajectory.	and delivery of the
		allocations or their
		viability.
PPW11	What the policy document says	J10 Comment
Para 1 18 · sustainable	Legislation secures a presumption in	Key aim is to achieve
Para 1.18 : sustainable	Legislation secures a presumption in favour of sustainable development in	Key aim is to achieve
Para 1.18 : sustainable development	favour of sustainable development in	sustainable development –
	favour of sustainable development in accordance with the development plan	sustainable development – the eLDP spatial strategy
	favour of sustainable development in accordance with the development plan unless material considerations indicate	sustainable development – the eLDP spatial strategy and many of the housing
	favour of sustainable development in accordance with the development plan	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be
development	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable.
	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is
development	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls
development	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of
development	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV,
development	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan
development Para 1.26 : LDP's	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure.	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability).
development Para 1.26 : LDP's Para 2.15 : sustainable	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking
development Para 1.26 : LDP's	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this
development Para 1.26 : LDP's Para 2.15 : sustainable	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking
development Para 1.26 : LDP's Para 2.15 : sustainable	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this
development Para 1.26 : LDP's Para 2.15 : sustainable placemaking	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals.	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this eLDP.
development Para 1.26 : LDP's Para 2.15 : sustainable placemaking Para 3.44 : spatial	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals. Where there is a need for sites, but it has	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this eLDP. The search sequence has
development Para 1.26 : LDP's Para 2.15 : sustainable placemaking Para 3.44 : spatial strategy and search	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals. Where there is a need for sites, but it has been clearly demonstrated that there is	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this eLDP. The search sequence has not been followed and
development Para 1.26 : LDP's Para 2.15 : sustainable placemaking Para 3.44 : spatial	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals. Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this eLDP. The search sequence has not been followed and BMV is used, Green
development Para 1.26 : LDP's Para 2.15 : sustainable placemaking Para 3.44 : spatial strategy and search sequence	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals. Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites (within the authority	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this eLDP. The search sequence has not been followed and BMV is used, Green Wedge is used and more
development Para 1.26 : LDP's Para 2.15 : sustainable placemaking Para 3.44 : spatial strategy and search	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals. Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites (within the authority or neighbouring authorities),	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this eLDP. The search sequence has not been followed and BMV is used, Green Wedge is used and more sustainable locations have
development Para 1.26 : LDP's Para 2.15 : sustainable placemaking Para 3.44 : spatial strategy and search sequence	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals. Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites (within the authority or neighbouring authorities), consideration should then be given to	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this eLDP. The search sequence has not been followed and BMV is used, Green Wedge is used and more sustainable locations have been discounted for no
development Para 1.26 : LDP's Para 2.15 : sustainable placemaking Para 3.44 : spatial strategy and search sequence	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals. Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites (within the authority or neighbouring authorities), consideration should then be given to suitable and sustainable greenfield sites	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this eLDP. The search sequence has not been followed and BMV is used, Green Wedge is used and more sustainable locations have
development Para 1.26 : LDP's Para 2.15 : sustainable placemaking Para 3.44 : spatial strategy and search sequence	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals. Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites (within the authority or neighbouring authorities), consideration should then be given to suitable and sustainable greenfield sites within or on the edge of settlements. The	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this eLDP. The search sequence has not been followed and BMV is used, Green Wedge is used and more sustainable locations have been discounted for no
development Para 1.26 : LDP's Para 2.15 : sustainable placemaking Para 3.44 : spatial strategy and search sequence	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals. Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites (within the authority or neighbouring authorities), consideration should then be given to suitable and sustainable greenfield sites within or on the edge of settlements. The identification of sites in the open	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this eLDP. The search sequence has not been followed and BMV is used, Green Wedge is used and more sustainable locations have been discounted for no
development Para 1.26 : LDP's Para 2.15 : sustainable placemaking Para 3.44 : spatial strategy and search sequence	favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise Evidence is needed to support LDP policies which is tested through the Examination procedure. The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals. Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites (within the authority or neighbouring authorities), consideration should then be given to suitable and sustainable greenfield sites within or on the edge of settlements. The	sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable. The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability). Sustainable placemaking has been forgotten in this eLDP. The search sequence has not been followed and BMV is used, Green Wedge is used and more sustainable locations have been discounted for no

	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 bu this eLDP fasil to address this and then to compound matters seeks to identify new housing/employment sites (e.g. STR3B and others) in unsustainable and disconnected locations as opposed to considering reasonable alternatives.
3.54 : new settlements	New settlements should only be proposed where such development would offer significant environmental, social, cultural and economic advantages over the further expansion or regeneration of existing settlements and the potential delivery of a large number of homes is supported by all the facilities, jobs and services that people need in order to create a Sustainable Place. They need to be self-contained and not dormitory towns for overspill from larger urban areas and, before occupation, should be linked to high frequency public transport and include essential social infrastructure including primary and secondary schools, health care provision, retail and employment opportunities. This is necessary to ensure new settlements are not isolated housing estates which require car-based travel to access every day facilities.	STR3B is effectively a new settlement yet alternatives exist and have been discounted for no valid reason.
3.59 : BMV	When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in	The eLDP has flouted this policy and identified BMV on several of its housing allocations, whilst at the same time having ignored all reasonable alternatives.

	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 designations or providing a buffer.
Para 4.1.15 Para 4.1.31 Para 4.1.32		FCC have patently failed to address this in identifying certain housing allocations (sig. STR2R and HN1.6)
Para 4.1.37 : sustainable transport		(sic. STR3B and HN1.6), whilst at the same time ignoring and discounting reasonable alternatives.

Para 4.2.10 :	The supply of land to meet the housing	Few of the housing
deliverability, trajectory	requirement proposed in a development	allocation sites have
and flexibility allowance	plan must be deliverable. To achieve this,	proven deliverability.
	development plans must include a supply	
	of land which delivers the identified	Affordable tenure
	housing requirement figure and makes a	trajectory is unclear as it is
	locally appropriate additional flexibility	not defined.
	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 expected	
	rate of housing delivery for both market	
	and affordable housing for the plan	
	period. To be 'deliverable', sites must be	
	free, or readily freed, from planning,	
	physical and ownership constraints and	
	be economically viable at the point in the	
	trajectory when they are due to come	
	forward for development, in order to	
	support the creation of sustainable	
	communities.	
Para 4.2.12 : specialist	Planning authorities should also identify	There is no policy in the
housing	where interventions may be required to	eLDP that supports
	deliver the housing supply, including for	specialist housing needs or
	specific sites. There must be sufficient	indeed quantifies this.
	sites suitable for the full range of housing	
	types to address the identified needs of	
	communities, including the needs of older people and people with disabilities.	
	In this respect, planning authorities	
	should promote sustainable residential	
	mixed tenure communities with 'barrier	
	free' housing, for example built to	
	Lifetime Homes standards to enable	
	people to live independently and safely in	
	their own homes for longer.	
Para 4.2.16 ; housing	When identifying sites to be allocated for	The eLDP has failed to
search	housing in development plans, planning	follow this search
	authorities must follow the search	sequence, because had it
	sequence set out in paragraphs 3.43-	done so sites at Mold,
	<i>3.45, starting with the re-use of</i>	Buckley and Broughton
	previously developed and/ or	would not have been
	underutilised land within settlements,	discounted in favour of
	then land on the edge of settlements and	sites that are clearly less
	then greenfield land within or on the	sustainable, involve BMV
	edge of settlements.	and Green Wedge.
Para 4.1.18 : housing led	Housing led regeneration sites can	STR3A should be excluded
regeneration sites	sometimes be difficult to deliver, making	due to its clear
	timescales for development hard to	deliverability constraints.
	specify. Where deliverability is	
	considered to be an issue, planning	As for STR3B this is not a
	authorities should consider excluding	regeneration site but
	such sites from their housing supply so	masquerades to be one
	such sites from their nousing supply so	masquerades to be one

Para 4.2.19 :	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. As part of demonstrating the	whereas in actual fact is it a greenfield site in a wholly unsustainable location involving a new settlement.
deliverability	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.	evidenced in support of the housing allocation sites.
Para 4.2.20 : affordable levy and viability	Where new housing is to be proposed, development plans must include policies to make clear that developers will be expected to provide community benefits which are reasonably related in scale and location to the development. In doing so, such policies should also take account of the economic viability of sites and ensure	The affordable housing policy is itself unviable yet the housing allocations do not demonstrate that levels of affordable are viable.

	that the provision of community benefits	
	would not be unrealistic or unreasonably	
	impact on a site's delivery.	
Para 4.2.25 : affordable	A community's need for affordable	The eLDP makes no clear
homes for all	housing is a material planning	provision for how need
communities	consideration which must be taken into	can be delivered on
	account in formulating development plan	anything but a site located
	policies and determining relevant	within defined settlement
	planning applications. Affordable	limits.
	housing for the purposes of the land use	
	planning system is housing where there	
	are secure mechanisms in place to	
	ensure that it is accessible to those who	
	cannot afford market housing, both on	
	first occupation and for subsequent	
	occupiers.	
Para 4.2.32 : affordable	Planning authorities must make	The eLDP makes no
led housing	provision for affordable housing led	provision.
	housing sites in their development plans.	
	Such sites will include at least 50%	
	affordable housing based on criteria	
	reflecting local circumstances which are	
	set out in the development plan and	
	relate to the creation of sustainable	
	communities.	
Para 5.4.3	Planning authorities should support the	The eLDP has no policy to
Para 5.4.4	provision of sufficient land to meet the	enable the expansion of
	needs of the employment market at	existing employment
: sufficient economic	both a strategic and local level.	businesses and yet in
development land	Development plans should identify	certain locations the
	employment land requirements, allocate	Green Wedge is a "choke"
	an appropriate mix of sites to meet need	around existing
	and provide a framework for the	employment sites.
	protection of existing employment sites	
	of strategic and local importance.	
	Wherever possible, planning authorities	
	should encourage and support	
	developments which generate economic	
	prosperity and regeneration.	

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 respect of the way they have approached BMV, Green Barrier, reasonable alternatives and increasing housing land supply, and identify the sites we have identified at Mold, Buckley and Broughton.

SOUNDNESS TEST : Checklist	J10 Response
TEST 1 : Does the plan fit ? (is it clear that the LDP is consistent of the consistent of the consistent of the consistence of	stent with other plans?)
Does it have regard to national policy PPW / NDF and in	No
general conformity with the NDP?	
Does it have regard to the Well-being Goals?	No comment
Does it have regard the Welsh National Marine Plan?	No comment
Does it have regard to the relevant Area Statement?	No comment
Is the plan in general conformity with the NDP?	No
Is the plan in general conformity with relevant SDP?	Not yet applicable
Is it consistent with regional plans, strategies and utility	No
provider programmes?	
Is it compatible with the plans of neighbouring LPA's?	No
Has the LPA demonstrated it has exhausted all	No
opportunities for joint working and collaboration on both	
plan preparation and the evidence base?	
TEST 2 : Is the Plan Appropriate ? (is the plan appropriate	for the area in the light of the
evidence ?)	
Is it locally specific?	No comment
Does it address the key issues?	No
Is it supported by robust, proportionate and credible	No
evidence?	
Can the rationale behind the plan's policies be	No
demonstrated?	
Does it seek to meet assessed needs and contribute to	No
the achievement of sustainable development?	
Are the vision and strategy positive and sufficiently	No
aspirational?	
Have the 'real' alternatives been properly considered?	No
Is it logical, reasonable and balanced?	No
Is it coherent and consistent?	No
Is it clear and focused?	No
TEST 3 : Will it Deliver ? (is it likely to be effective?)	
Will it be effective?	No
Can it be implemented?	No
Is there support from the relevant infrastructure	No
providers both financially and in terms of meeting	
relevant timescales?	
Will development be viable?	No
Can the sites allocated be delivered?	No
Is the plan sufficiently flexible? Are there appropriate	No
contingency provisions?	
Is it monitored effectively?	No comment