
Archwiliad Cynllun Datblygu Lleol Cyngor Sir y Fflint 2015-2030
Flintshire County Council Local Development Plan 2015-2030
Examination

Arolygydd/Inspector: Siân Worden: BA DipLH MCD MRTPI
Arolygydd Cynorthwyol/Assistant Inspector: Claire MacFarlane BSc (Hons) MSc MRTPI
Swyddog Rhaglen/Programme Officer: Kerry Trueman

Mr A Roberts
Flintshire County Council
Planning, Environment, and Economy
Ty Dewi Sant
St David's Park
Ewloe
Flintshire
CH5 3FF

18th January 2022

Dear Mr Roberts

Flintshire LDP and phosphates issue – next steps

Thank you for your timely response to our post-hearing findings on the phosphates matter.

We have given your letter careful consideration and, in the main, understand the points that you make. We are, however, less optimistic than you that the absence of experience and evidence on phosphorus mitigation means that the position is neutral. We remain of the view that the types of mitigation measure described in the phosphorus reduction strategy are likely to be of such a cost as to at least significantly delay the delivery of housing units on the four affected sites.

Nonetheless, your answers to our questions have given us valuable assurance on the scale of the problem. We are, therefore, confident that there are not large numbers of committed or windfall units, currently accounted for in the LDP housing balance, whose delivery would be hindered by the phosphorus constraint. The worst case scenario is thus that 550 units on four allocated sites would not be constructed during the plan period. This would reduce the existing flexibility allowance of 13.2% to 5.2%.

There is realistic potential to improve delivery from the worst case including by bringing forward the delivery of units at Northern Gateway into the plan period. You calculate that this and other adjustments would result in a flexibility allowance of 7.5%. Whilst that is lower than we would usually countenance, in these unexpected and difficult circumstances it would be an advantage to have any flexibility allowance.

In our view that proposed would be consistent with the advice given in the Development Plans Manual (para 5.59) which is that the level of flexibility will be for each LPA to determine based on local issues; the starting point for such considerations could be 10% flexibility with any variation robustly evidenced.

We also note your comment that the LDP is 5 years into its plan period, during which time housing delivery has been above the requirement.

In addition, and as you point out in your letter, there are other factors which are likely to alleviate the phosphorus mitigation needs including the 2.5% contingency allowance for abnormal costs built into the LDP viability study; the provision of wetland; and the funding of mitigation measures by developers.

All in all we are now satisfied that, despite the uncertainties thrown up by the need for phosphorus mitigation, we have sufficient information to determine whether the housing provision and measures proposed in Flintshire are likely to be sufficient to ensure that the LDP housing requirement is achieved during the plan period.

You should now proceed with your consultation on the MACs. We suggest that you amend these as in paragraph 28 of your recent letter to us (from Andy Roberts, 17.12.2021) in order to reflect the latest position.

Yours sincerely

Siân Worden and Claire MacFarlane

Inspectors