

**Flintshire Deposit Local Development Plan - Examination  
Matters Arising Changes - Consultation  
Representation Form**

The Council is consulting on the Matters Arising Changes (MACs) arising from the Examination of the Deposit Local Development Plan (LDP) and also on a range of documents and evidence which support the MACs. Further details on the consultation can be found at [www.flintshire.gov.uk/ldp](http://www.flintshire.gov.uk/ldp) .

This representation form may be submitted by:

- downloading the form and e-mailing to [developmentplans@flintshire.gov.uk](mailto:developmentplans@flintshire.gov.uk)
- printing and posting to Andrew Farrow, Chief Officer (Planning Environment and Economy), Flintshire County Council, County Hall, Mold CH7 6NB

This form has several parts:

- Part A - Personal details
- Part B - Your representation
- Part C – Tests of Soundness
- Part D – Supporting Information and Documents
- Part E – Appearance at Examination Hearing Session

Please read the detailed guidance notes and Privacy Notice at the end of the representation form.

**All representations must be received by 5pm on Friday 29<sup>th</sup> July 2022.**

Representations should only relate to the MACs and not seek to add to previous representations nor to submit new objections to the Plan.

Duly made representations will be acknowledged by the Council, recorded and forwarded to the Programme Officer for the Inspector to consider. Representations will be made publicly available but all personal information, with the exception of a representor name, will be redacted.

Further information on the MACs consultation can be obtained from the LDP helpline 01352 703213 or [developmentplans@flintshire.gov.uk](mailto:developmentplans@flintshire.gov.uk) and further information relating to the Examination of the Plan should be directed to the Programme Officer on 07582 310364 or [kerry.trueman@flintshire.gov.uk](mailto:kerry.trueman@flintshire.gov.uk) .

<b>Office Use only</b>	<b>Date received:</b>	<b>I.D. number:</b>
	<b>Date acknowledged</b>	<b>Rep number:</b>

Part A - Personal Details		
	You	Your agent (if applicable)
Title	Mr	
First Name	[REDACTED]	
Last Name	[REDACTED]	
Job / Position Title (if applicable)	N/A	
Company / organisation (if applicable)	[REDACTED]	
Address line 1	[REDACTED]	
Address line 2	[REDACTED]	
Address line 3	[REDACTED]	
Address line 4	[REDACTED]	
Address line 5	[REDACTED]	
Postcode	[REDACTED]	
e-mail	[REDACTED]	
Telephone landline	[REDACTED]	
Telephone mobile	[REDACTED]	
Do you wish correspondence to be sent to:	You [REDACTED]	Your agent
What is your preferred means of contact (Council preference is for e-mail)	You	Your agent
	e-mail	e-mail
	written	written
Signed	[REDACTED]	
Date	28th July 2022	

Part B – Your Representation	Ref /
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<b>(Please use a new form for each representation)</b>		<b>para</b>
Please state which MAC / IMAC number your representation relates to:	MAC <u>101</u>	<u>Add Para</u>
	IMAC	
Please state which supporting document your representation relates to and include the appropriate reference / paragraph number:	Addendum Integrated Impact Assessment (IIA)	
	Addendum Habitats Regulations Assessment (HRA)	<u>5</u>
	Dee Catchment Phosphorous Reduction Strategy	
	Statement of Common Ground NRW	
Is your representation support or objection?	<u>Support</u>	
	Objection	

Please add any comments about your representation in the box below:  
(if your comments are more than 500 words please provide a summary in the box below and attach any more detailed or supporting documents)

**MAC101**

Policy EN15 states the following under Water Resources Item d):

Development affecting water resources will only be permitted if:

'd. there is no adverse effect on the integrity of the River Dee and Bala Lake SAC in particular through the treatment of waste water. To ensure no adverse effect on the integrity of the River Dee and Bala Lake SAC, development creating waste water discharges will be required to demonstrate there is no increase in phosphorus levels in the SAC'.

There is no information on the uncertainty of the Phosphorus concern for the 4 allocated sites in the LDP which would require mitigation measures, or the consequences to housing delivery if the 4 sites were not developed.

Detail of the 4 affected sites

HN1.1 Well Street, Buckley 140 Revised yield - see MAC115

HN1.6 Denbigh Rd / Gwernaffield Rd, Mold 238 Revised yield - see MAC115

HN1.9 Wrexham Road, HCAC 80 As per Deposit Plan

HN1.10 Cae Isa, New Brighton 92 Revised yield - see MAC115

Total 550

There is a high degree of uncertainty for these mitigation measures, the HRA Addendum item 5 says this:

"To be taken fully into account, at the appropriate stages, all 'mitigation measures' should be effective, reliable, timely, guaranteed to be delivered and as long term as they need to be to achieve their objectives".

The Council say in their letter to the Inspector FCC035 Item 7:

There is insufficient information at this time to assess with certainty the respective costs of these various mitigation measures, their likely development and in what time frame.

The above gives a couple of examples of the high degree of uncertainty on the cost of mitigation measures, this cost could have a negative impact on the viability of the 4 sites.

The MAC should detail the effect of the 4 sites not being delivered and its impact on housing delivery, fortunately it has been calculated and is stated in the Councils letter to the Inspector FCC035 as follows:

The 4 allocated sites are planned to develop 550 units, if these are removed from the LDP, together with other adjustments, it would be a net reduction of 396 units, the housing balance sheet shows there are currently 920 units over allocated, if we remove the 396 there is an over allocation of 524 units (12.1%) to deliver the remaining 4341 units, the Council say if the 4 allocated sites do not come forward there is still more than sufficient sustainable housing, supported by a healthy flexibility allowance, to ensure the delivery of the remaining LDP housing requirement of 4,341 units.

The above would be useful detail to be added to MAC101 to show the uncertainty of mitigation measures and the effect if the 4 affected sites were removed from the LDP.

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Do you think any changes are required to the Plan?	Yes	
	No	

If yes please explain in the box below:  
 (if your comments are more than 500 words please provide a summary in the box below and attach any more detailed or supporting documents)

The four allocated LDP sites that will require Phosphorus mitigation measures should be removed from the LDP.

Detail of the 4 affected sites  
HN1.1 Well Street, Buckley 140 Revised yield - see MAC115  
HN1.6 Denbigh Rd / Gwernaffield Rd, Mold 238 Revised yield - see MAC115  
HN1.9 Wrexham Road, HCAC 80 As per Deposit Plan  
HN1.10 Cae Isa, New Brighton 92 Revised yield - see MAC115

The need to have an adopted LDP in place is of paramount importance, to include the above 4 sites with all the uncertainty surrounding mitigation measures is not the way to achieve an adopted LDP, it has been shown, and the Council agree, that with the 4 allocated sites removed, there is still more than sufficient sustainable housing, supported by a healthy flexible allowance, to ensure delivery of the remaining LDP housing requirement of 4341 units

Removing the 4 sites from the LDP will give a sound LDP with no uncertainty, and no adverse effect on meeting the housing requirement.

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<b>Part C - Tests of Soundness</b>		
If you are objecting to a MAC which Test of Soundness do	<b>Legal and Regulatory Procedural Requirements</b>	
	<b>Test 1 Does the Plan fit?</b> (is it clear that the LDP is consistent with other Plans?)	
	<b>Test 2 Is the Plan appropriate?</b>	

you think it fails?	(Is the Plan appropriate for the area in the light of evidence?)	
	<b>Test 3 Will the Plan deliver?</b> (Is the LDP likely to be effective?)	<u>Test 3</u>

Please explain why the MAC is not sound or explain what changes need to be made to the MAC to make the Plan sound, in the box below:

MAC 101 should have a paragraph added to detail the uncertainty on the cost of the required mitigation measures, and a revised Housing Delivery Table to show the effect of removing the 4 affected sites, this would then show that removing the 4 sites does not have an adverse effect on housing delivery and would make the LDP sound with no uncertainty.

N.B. The Tests of Soundness are set out in Table 27 para 6.27 of Development Plans Manual Edition 3 available here <https://gov.wales/development-plans-manual-edition-3-march-2020>

**Part D - Supporting Information / Documents**

Have you included any more detailed or supporting documents alongside your representation?

Yes

No

Please list in the box below the supporting information and documents submitted as part of your representation

**Part E Appearance at Any Future Hearing Session**

It is for the Inspectors to determine whether a further Hearing Session is necessary as a result of the consideration of representations on the Matters Arising Changes. Only those persons making objections will have the right to attend any further Hearing Session

Do you want to speak at any further Hearing Session?

No – I wish to rely on my written representations

Yes – I wish to appear and speak in person

Yes

If you wish to speak please indicate in which language you would like to be heard

I wish to be heard in Welsh

I wish to be heard in English

English

Other – please specify:



## Notes

Further information relating to the Matters Arising Changes consultation can be found at [www.flintshire.gov.uk/ldp](http://www.flintshire.gov.uk/ldp)

A separate form should be completed for each representation that you wish to make.

Include all the information, evidence and supporting information necessary to support / justify your representation.

Please attach additional sheets where required, clearly numbering each consecutive sheet and indicate on the form each individual additional document submitted.

Your representation should be set out in full. This will help the Inspector to understand the issues you raise. However, it would be helpful if the comments boxes within the form could be limited to 500 words. It may be helpful to provide a summary within the comments box and a more detailed submission as a separate document.

**Petitions** - Where a group shares a common view on how it wishes the Plan to be changed, it would be helpful for that group to send a single form with their comments, rather than for a large number of individuals to send in separate forms repeating the same point. In such cases the group should indicate how many people it is representing and how the representation has been authorised. The group's representative (or chief petitioner) should be clearly identified. Signing a petition does not prevent the submission of individual forms.

## GDPR / Privacy Statement

Flintshire County Council is collecting personal data as part of its statutory duty under the Planning and Compulsory Purchase Act 2004. The Council is obliged to allow public statements to be submitted to the Planning Inspectorate as part of the Examination in Public of the Local Development Plan. The public statements will be published on the Examination website. All public statements will be published in full however all contact details will be removed from public view.

Your personal data will not be shared with any third parties and will be retained until the Council has formally adopted the Local Development Plan, after which time your personal data will be deleted.

Further information on your rights and how to complain if you feel Flintshire County Council has not handled your personal data correctly can be accessed by clicking the link below:

<https://www.flintshire.gov.uk/en/Resident/Contact-Us/Privacy-Notice.aspx>