SUBMISSION STATEMENT

in respect of

Flintshire LDP (2015 to 2030) Examination

on behalf of

Gower Homes (ID 1149823)

Matters 2, 3, 4 and 5

March 2021

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This representation is submitted on behalf of Gower Homes.

They have an option agreement with the (single entity) owners of the land.

The site extends to include a single parcel of greenfield land that benefits from direct access off the Ruthin Road, Mold as illustrated on the plan below.

It is located in a highly sustainable and accessible position directly adjacent to the Mold settlement boundary and would offer an ideal residential extension being within easy walking distance of existing services and facilities.

The land to the south east was released from the Green barrier as part of the UDP and this site offers a natural and logical release and development extension to Mold.

A detailed planning application for 90 no. dwellings (including 40% affordable and supported living units) was submitted to FCC in March 2020 (PA ref. 061154), but regrettably refused permission on 28 October 2020 on the grounds that it was considered speculative, was Green Barrier and comprised loss of BMV.

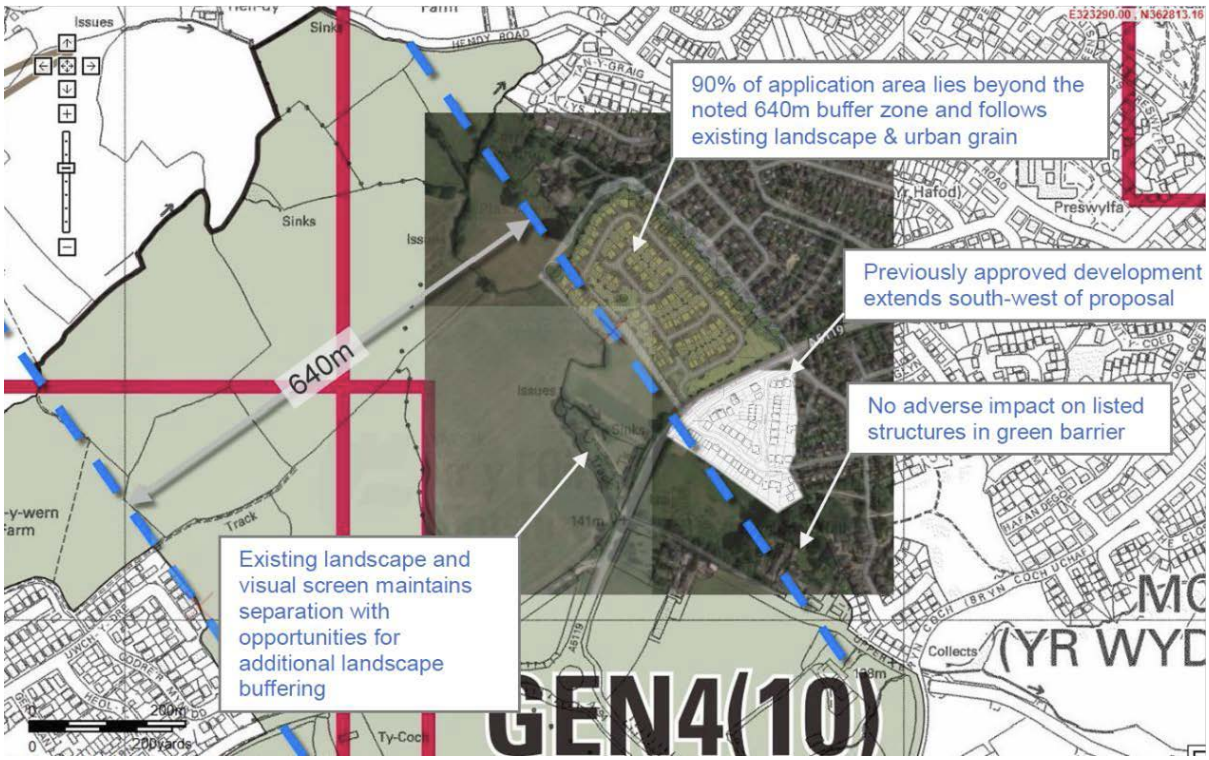
Highway access is available off Mold Road (A5119).

It comprises an area extending to 4.31 ha and is considered to be capable of delivering 90 units (as demonstrated by the detailed planning application) – illustrated by the layout plan below.

As part of our submission we accept its current Green Barrier designation, but we presented an Exceptional Circumstances case as part of our submission, which included its assessment in relation to Green Barrier.

Gower Homes considers that in landscape, visual openness and coalescence terms, the effects of developing this site for housing would be very limited indeed. The scheme would round off the existing settlement, rather than result in encroachment into the wider countryside.

The plan below illustrates that the very obvious and logical rounding off of the Mold settlement this site would offer.



In support of the planning application submission (and as part of our previous LDP representations to the Deposit Plan in 2019) we also appraised the FCC Green Barrier Review document in relation to this site and the "*Mold-Gwernymynydd : Green Barrier no 10".* This will be discussed in more detail under our Matter 16 submission.

At the time of the UDP the site to the south east (known as land west of St Mary's Park) was undeveloped, so reliance upon his findings in relation to this site bear no resemblance to what actually exists now and indeed the UDP referred to two fields when it discussed (part of) this site whereas the proposal only involves a single field, not two.

The second key issue involved in this site is the matter of BMV land. The site extends to 4.31 ha and the Agricultural Land Quality Assessment for the site found that 15% of the site was Grade 2, 71 % Grade 3a (so therefore 86% BMV) and 11% Grade 3b and 3% "other"; as illustrated by the plan below.

These findings were accepted by the WG LQAS service and are not disputed.

However, what whilst BMV land is involved here the points we must make are that:

- We recognise that FCC cannot meet its housing growth needs by using brownfield land alone
- That greenfield land is required for release
- That the sequential search to be followed is to use/identify non-BMV land first as a preference
- Where BMV cannot be avoided that the lower grades be identified first
- That sustainable access and placemaking are significant considerations
- FCC have not considered the options / alternatives in their Agricultural Land Review paper No 9 and have indeed actually ended up identifying higher grade BMV release in its draft housing allocations
- FCC have discounted this site but provided no reasoning

In the absence of any other reasonable alternatives this site offers a suitable candidacy for housing growth, all things considered. In this Tier 1 settlement.

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:

The job growth and economic development ambitions for the County should form the basis for identifying and delivering a supporting level of housing development : 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.

UDP Housing under delivery is acknowledged : 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.

The need for new development to be in the most sustainable locations and bring with it necessary infrastructure improvements : 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.

The need for new housing sites to be viable and deliverable in terms of contributing to housing land supply and other Plan objectives : 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 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 promoted	1,140
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 promoted	300
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 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 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

	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 Report	2019 FCC comments	J10 comments
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 the estate type development. It would be inappropriate for the settlement 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. **CONCLUSION** : That the large site is not considered appropriate as a housing allocation / that the small site is not considered appropriate for inclusion in the settlement boundary.	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 involve the loss of green barrier land. In sequential terms the land off Ruthin Rd is less preferable than the land outside the green barrier in the vicinity of Denbigh Rd and Gwernaffield Rd. A commentary on the green barrier is set out in the Green Barrier review but development of the site would clearly weaken the gap between Mold and Gwernymydd when it is presently not necessary to do so. In addition, a large housing development is presently taking place on land at Maes Gwern, only a short distance from the site. In this context it is considered unnecessary and inappropriate to utilise green barrier land for development. **CONCLUSION** : That the site is not suitable for consideration as a housing allocation.	the GB Review is tokenistic and there is no sequential guidance on GB land vs non- GB land, whereas there is with respect BMV land. The GB review is poor, contrived and deficient.

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 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 towns and cities should positively contribute towards building sustainable places that support active and healthy lives, with urban neighbourhoods that are compact and walkable, organised around mixed-use centres and public transport, and integrated with green infrastructure. Urban growth and regeneration should be based on the following strategic placemaking principles: building places at a walkable scale, with homes, local facilities and public transport within walking 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.* …… *We will expect proposals for new communities (in rural and urban areas) and housing sites to integrate with existing services and infrastructure*	Emphasis on protecting BMV is made 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*	Again, some sites (in particular STR3B (Warren Hall) fails to meet this expectation.
DEVELOPMENT PLAN MANUAL (DPM3)	**What the policy document says**	**J10 Comment**
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

	…. 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	
Para 3.44 regarding deliverability	*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 significance in the development plan*	This guidance has not been followed by promoters or sought by FCC
Para 3.47 to 3.55 Regarding viability Para 5.87 Para 5.88	 *Viability and deliverability starts at the candidate stage where all submitted sites should be accompanied by a viability assessment* *site specific viability appraisals should be undertaken for those sites which are key to delivering the plan*	FCC have failed to follow the procedures set out in the Manual and not requested such information; the bar being set higher for key strategic allocations. 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 11th 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 Para 5.50	*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? ……* *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.*	There is a clear disconnect between the two in the eLDP and the ambition of reducing in-commuting has not been addressed.
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%.

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

		produced to demonstrate deliverability is proven.
Para 5.111 regarding infrastructure partners		Identifies parties such as 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 11th hour following Deposit and at the point of Submission.
Para 5.119 regarding when investment will happen	New development must bring with it the timely provision of infrastructure. The development plan strategy should identify the phasing of development throughout the plan period, linked directly to the delivery of infrastructure. Evidence needs to be in place to demonstrate how infrastructure supports the housing trajectory.	We can see no evidence of this link and consideration of the strategic and non-strategic housing sites and Promoters do not appear to have factored into account infrastructure either in terms of timing and delivery of the allocations or their viability.
PPW11	**What the policy document says**	**J10 Comment**
Para 1.18 : sustainable development	*Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise*	Key aim is to achieve sustainable development – the eLDP spatial strategy and many of the housing sites cannot claim to be sustainable.
Para 1.26 : LDP's	*Evidence is needed to support LDP policies which is tested through the Examination procedure.*	The eLDP evidence base is poor and at best falls woefully short of expectations (sic. BMV, Green Wedge, site, plan and affordable viability).
Para 2.15 : sustainable placemaking	*The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals.*	Sustainable placemaking has been forgotten in this eLDP.
Para 3.44 : spatial strategy and search sequence *(see also Para 4.2.16)*	*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 countryside, including new settlements, must only be considered in exceptional*	The search sequence has not been followed and BMV is used, Green Wedge is used and more sustainable locations have been discounted for no apparent reasoning.

	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 Para 4.1.37 : sustainable transport		FCC have patently failed to address this in identifying certain housing allocations (sic. STR3B and HN1.6), whilst at the same time ignoring and discounting reasonable alternatives.

Para 4.2.10 : deliverability, trajectory and flexibility allowance	*The supply of land to meet the housing requirement proposed in a development plan must be deliverable. To achieve this, development plans must include a supply of land which delivers the identified housing requirement figure and makes a locally appropriate additional flexibility 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.*	Few of the housing allocation sites have proven deliverability. Affordable tenure trajectory is unclear as it is not defined.
Para 4.2.12 : specialist housing	*Planning authorities should also identify where interventions may be required to deliver the housing supply, including for specific sites. There must be sufficient 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.*	There is no policy in the eLDP that supports specialist housing needs or indeed quantifies this.
Para 4.2.16 ; housing search	*When identifying sites to be allocated for housing in development plans, planning authorities must follow the search sequence set out in paragraphs 3.43-3.45, starting with the re-use of previously developed and/ or underutilised land within settlements, then land on the edge of settlements and then greenfield land within or on the edge of settlements.*	The eLDP has failed to follow this search sequence, because had it done so sites at Mold, Buckley and Broughton would not have been discounted in favour of sites that are clearly less sustainable, involve BMV and Green Wedge.
Para 4.1.18 : housing led regeneration sites	*Housing led regeneration sites can sometimes be difficult to deliver, making timescales for development hard to specify. Where deliverability is considered to be an issue, planning authorities should consider excluding such sites from their housing supply so*	STR3A should be excluded due to its clear deliverability constraints. As for STR3B this is not a regeneration site but masquerades to be one

	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.	whereas in actual fact is it a greenfield site in a wholly unsustainable location involving a new settlement.
Para 4.2.19 : deliverability	*As part of demonstrating the 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.*	No financial viability is 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 homes for all communities	*A community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications. Affordable 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.*	The eLDP makes no clear provision for how need can be delivered on anything but a site located within defined settlement limits.
Para 4.2.32 : affordable led housing	*Planning authorities must make provision for affordable housing led 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.*	The eLDP makes no provision.
Para 5.4.3 Para 5.4.4 : sufficient economic development land	Planning authorities should support the provision of sufficient land to meet the needs of the employment market at both a strategic and local level. Development plans should identify employment land requirements, allocate an appropriate mix of sites to meet need and provide a framework for the 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 eLDP has no policy to enable the expansion of existing employment businesses and yet in certain locations the Green Wedge is a "choke" around existing employment sites.

SOUNDNESS ASSESSMENT

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 with other plans?)	
Does it have regard to national policy PPW / NDF and in general conformity with the NDP?	No
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 provider programmes?	No
Is it compatible with the plans of neighbouring LPA's?	No
Has the LPA demonstrated it has exhausted all opportunities for joint working and collaboration on both plan preparation and the evidence base?	No
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 evidence?	No
Can the rationale behind the plan's policies be demonstrated?	No
Does it seek to meet assessed needs and contribute to the achievement of sustainable development?	No
Are the vision and strategy positive and sufficiently aspirational?	No
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 providers both financially and in terms of meeting relevant timescales?	No
Will development be viable?	No
Can the sites allocated be delivered?	No
Is the plan sufficiently flexible? Are there appropriate contingency provisions?	No
Is it monitored effectively?	No comment