



Hearing Statement – Flintshire Local Development Plan (LDP) 2015-2030 examination

In relation to: Matter 2 – Plan Strategy

for [REDACTED] (Rep ID: 1233028)

Emery Planning project number: 14-065

Project : 14-065
Hearing : Matter 2 – Plan Strategy
Client : [REDACTED]
[REDACTED] (Rep ID:
1233028)

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Contents:

1. Introduction	1
2. Response to Matter 2	1

1. Introduction

- 1.1 This hearing statement is prepared by Emery Planning on behalf of [REDACTED] (Rep ID: 1233028) in relation to Matter 2 – Plan Strategy. This hearing addresses matters relating to the plan period, which was an issue raised in our representations to the consultation on the Deposit plan.

2. Response to Matter 2

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?

i) In the light of the time which will remain if the LDP is adopted in 2021/2, is the plan period (2015-2030) appropriate?

- 2.1 By way of context, Flintshire has been operating without an up-to-date plan for several years. The current Unitary Development Plan (UDP) was adopted in 2011. However, the plan period only extended to 2015.
- 2.2 Paragraph 11 of the Local Development Plan Regulations (2005) states that the plan must include the date of the expiry of the period for which the plan has been prepared. Section 62(9) of the PCPA 2004 (as inserted by section 12 PWA 2015) provides that a Local Development Plan (LDP) ceases to be a LDP on the expiry of the period specified.
- 2.3 Paragraph 7.4 of the LDP Manual – Edition 3 is very clear that the plan period must extend at least 10 years from adoption. It states:

“Where the period for which a plan is to have effect is not specified, the expiry of the period is to be treated as the 31st December of the calendar year specified on the plan. Any SPG reliant on a policy in an adopted LDP that ceases to have effect under section 62 of the PCPA 2004 (the plan ceases to be a LDP on the expiry of the period specified) will also cease to have effect. When a plan is adopted, there should be at least 10 years left of the plan period remaining.” (our emphasis)

- 2.4 The plan period for the Flintshire LDP only extends to 31 March 2030¹. Therefore, on adoption a full 10-year plan period will not be achieved. Assuming the best-case scenario of the plan being adopted by 31 March 2022, a plan period of only 8 years (at best) will be provided.
- 2.5 The plan will therefore be less than 5 years old within 3 years of adoption. To maintain a supply of land for housing and economic uses beyond 2030 will almost certainly necessitate the sites to come forward outside of the development plan system, as seen in recent years in Flintshire. The plan will not therefore be effective, as the plan period is too short.
- 2.6 The length of the plan period also means that the plan is not sufficiently flexible to respond to changing circumstances. For example, it would not be possible to bring forward sites from later in the plan period (i.e. years 5-10 and 11-15) if there is a failure of delivery in years 1-5, as the entire plan period and associated supply of land will amount to 8 years (at best) from adoption.
- 2.7 Therefore, in relation to the proposed plan period, the LDP fails the following soundness tests:

Test 1: Does the plan fit?

- The plan does not comply with the requirements of the LDP Manual – Edition 3.

Test 3: Will it be effective?

- The plan will not be effective as the plan period is too short.
- The plan is not sufficiently flexible, and there are no contingency provisions if the plan fails to deliver the anticipated quantum of development.

- 2.8 Having regard to the recent history of Flintshire operating without an up-to-date plan, and the length of time it has taken to prepare and adopt the UDP and now the LDP, we consider that the LDP should cover a 15-year plan period from adoption to provide the necessary level of certainty moving forward. However, as an absolute minimum the plan period needs to be extended by at least 2 years to meet the requirements of the LDP Manual. It would be prudent to extend the plan period to at least 2033 to ensure that a 10-year plan period is provided in the event that the LDP cannot be adopted until after 31 March 2022. Furthermore, additional land (including site allocations) will be needed to meet housing and employment needs beyond 2030 if the plan period is extended.

¹ The housing monitoring / trajectory runs from 1 April to 31 March