

FLINTSHIRE LDP EXAMINATION,
MATTER 3- Policy STR 3.

SUBMISSION ON BEHALF OF ELAN HOMES LTD AND LINGFIELD HOMES AND PROPERTY DEVELOPMENTS LTD.

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Prepared:



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Contents

Purpose and Background.	3
The Inspectors Questions.	3
Conclusions.	9

Purpose and Background.

1. This document adds further to the submissions set out by letter of 08 November 2019 in response to consultation on the Deposit LDP.
2. The statement is prepared to succinctly clarify elements of that submission in response to examination document INSP006A and the specific questions the inspectors have at this stage raised in response the Councils submission.
3. By way of some limited contextual update, Elan Homes Ltd has, since the LDP was placed on deposit, nearly completed its development at Kinnerton Meadows in Higher Kinnerton. A further planning application for an additional 95 dwellings adjacent to that development - some 200 metres or thereabouts to the south east of Warren Hall Strategic Development Site (Policy STRAT 3b) was refused Planning Permission at Flintshire County Council Planning Committee on 03 March 2021. That site is part of candidate site HK003. Elan Homes Ltd and Lingfield Homes and Property Development Ltd will make further submissions on the suitability of that site for allocation if the Inspector Invites further submissions on that matter.
4. In preparing this submission regard has been given to Examination Document SOCG007 Warren Hall and the suite of additional supporting documents .

The Inspectors Questions.

5. The Inspectors structure the examination to focus responses via a series of questions., They seek through those questions to establish responses on the following Key Issues.:

Is the growth strategy coherent and based on a clear and robust preparation process?

And

Is it realistic and appropriate in the light of relevant alternatives and is it based on robust and credible evidence?

6. I review and provide my clients response to the specific questions raised for those two key issues those below.
 - a) *What is the justification for adopting an aspirational growth strategy, led by an ambitious target for new jobs?*
7. The designation of the Wrexham-Deeside Corridor as a National Growth Area (Future Wales 2040) is supported. The North Wales Growth Deal confirm both the economic opportunity and potential of the North Wales Region and the strategic location of Flintshire in delivering North Objectives. However the existence of the North Wales Economic Ambition Board confirms the risks and challenges in delivering the confidence and conditions necessary to enable and deliver development allocated in Development Plans that has to date not been capable of being delivered despite the strategic and locational advantages of proximity to labour, transport and communications etc.
8. My clients support the Council aspiration to growth to meet those objectives whilst recognising that environmental and other constraints in the County (AONB, Flooding etc) have spatial consequences. However it is crucial that the employment led strategy is underpinned and supported by housing to ensure Placemaking is delivered and employment is located near to and has a suitably large and local pool of resident labour.
9. In terms of housing growth and delivery, the Council continues to set out¹ that the AABR will peak at 597 units in 2023-24 before trailing off significantly to 279 units in 2029-2030. This throttling back is a true reflection of a failure to address historic undersupply, a failure to provide flexibility in the LDP through reliance on a small number of Key Strategic and Allocated Sites delivering in the later phases and in my client view risks the economic ambition failing through an absence of sufficient and suitably located housing to meet the aspiration.
10. Crucially, my client has previously set out that the UDP undersupplied by some 2012 units. The inspectors consider that a matter of sufficient importance to hear evidence (Matter 7) on UDP under-delivery separately. However that cannot be considered in isolation. There is no doubt that housing delivery in the early years of the LDP was a reaction to the “cork” in the bottle being

¹ Examination Document FCC002 February 2021

released (via a series of appeals focussed on and addressing Housing Land Supply under TAN 1(since revoked) or where UDP allocations and windfalls only came forward at the end of or post expiry of the UDP (eg Northern Gateway).

11. The LDP Housing Trajectory therefore draws strongly on delivery from planned but un-delivered housing growth which should be apportioned to the UDP phase (and which in fact respond to that UDP under-delivery). The Council places significant reliance on these consents as delivering the LDP Housing Trajectory in its early phases. The Inspectors cannot however disregard the evidence (ie the JHLAS of November 2015) which showed Flintshire had a land supply of 1.3 years, nor that much of this early phase development is in effect displaced demand from the UDP. The LDP growth figure makes no allowance for that undersupply and simply disregards it by resetting the housing delivery figure to zero from 2015 onwards.
12. The true housing figure to allow even for "catching up" should be 6950 + 2012 amounting to a minimum of 8972 units. Even if the flexibility allowance included in the LDP were to be achieved, the plan will fail to meet **past and future** planned-for housing growth. The Inspector should address that matter and require additional housing land be provided to secure economic, housing and National Growth objectives.
13. The Growth Strategy is therefore at significant risk of failing to provide the necessary housing near to jobs to minimise commuting, secure walkable places, and the true growth requirements for the county.
 - a) When were i) the Northern Gateway site and ii) the Warren Hall site granted outline planning permission? Have circumstances changed significantly since then?
 - b) And
 - 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?
14. My client deals with these two questions concurrently.

15. Emerging Local Development Plan programmes in NW England are slowing delivery rates due to the impact of COVID impact and economic uncertainty in the release of both labour and materials across the Housebuilding industry.
16. The Council sets out the current planning status for Warren Hall in SoCG007. At the time of completing this document, the Council had not issued a SoCG for the Northern Gateway (see eg Table 18 Development Plan Manual). However, even since the LDP was placed on deposit, circumstances have changed significantly, not least the Covid-19 Pandemic, its potential risk to delivery and Welsh Government objectives (in response to the Pandemic) to Build a Better Wales. Delivery rates on the Northern Gateway (and other sites) are expected to slow for 2021-2022 in response to labour, materials, market and associated factors. Elan Homes Ltd understands that deals for the next couple of phases at the Northern Gateway are yet to start on site from a sales perspective. This further brings into question the delivery of 120 units this year on site 2021/2022.
17. In respect of STR3B, the Council omits to state that outline planning permission relates to the smaller site comprised in the UDP allocation and that the passage of time is such that it is no longer "extant" even for that part of the site. A new planning permission would be required at Warren Hall - recognised in the Planning Strategy.
18. Attached at Appendix 1 is the NORTH WALES GROWTH DEAL OVERARCHING BUSINESS PLAN 2020-25. This was approved by Flintshire County Council in December 2020. The Inspectors attention is drawn to Figure A.1 Growth Deal Delivery Timescale which sets out the Procurement Project Delivery (2022- end 2025) and Operation And Benefits Realisation Phases (post 2025).
19. The development rates set out in SoCG 007 and Housing Delivery Paper FCC002 are unrealistic and do not reflect the times necessary to procure or deliver either commercial or residential phases.
20. I have carried out a headline review of the expected (minimal) timescales required to deliver the first dwelling at Warren Hall. I have assumed the LDP is adopted in December 2021 and make allowances for various stages based on experience of delivering projects in North Wales (and Flintshire). I use

Welsh Government published planning application performance data in Flintshire² as a guide. This in my view represents an absolute best case scenario for the Council.

Warren Hall Housing Planning Procurement.

Indicative Date	Milestone	Timescale	Main actions in period	Other comment
1/12/2021	LDP Adopted	4 months	JR period,,	
1/4/2022	WG ID Development Partner	3 months	Contracts, legals etc	
1/7/2022	EIA screening + Pre-application with. FCC	4 months	EIA Screening opining, + Statutory pre-app.	CJC/ SDP Delivery agreement
1/11/2022	Additional reporting activities Plus Welsh Government Technical Scrutiny and Design Review and other/HAG	6 months	Updated major app reporting to support PAC + Design review etc.	
1/5/2023	Commence PAC plus review responses and update reporting.	3 months	Standard expected period	
1/8/2023	Lodge Outline Planning Application and Infrastructure Enabling works (Full)	8 months	OPP consenting +S106.	264 days (WG data on FCC processing for Major apps)
1/5/2024	Prepare phase 1 Reserved Matters	6 months	Complete Design Coding and carry out detailed design and Potential further Design Review prior to lead in to Phase 1 RM submission	
1/11/2024	Reserved Matters Phase 1 submitted.	6 months	Average determination period.	See above
1/5/2025	SAB approval and Discharge of Conditions for phase 1 RM	4 months	Procure and submit.	
1/9/2025	Commencement and construct first dwellings.	7 months	Site prep and Phase 1 Infrastructure for phase, 1 and unit 1 build out	
1/5/2026	Unit 1 housing ready for sale/ occupation.			

21. Assuming no slippage from any of these milestones, it is unlikely there would be housing delivered at Warren Hall before late Spring 2026. As a minimum,

² https://gov.wales/sites/default/files/publications/2020-01/planning-services-annual-performance-report-2018-to-2019_.pdf. Welsh Government January 2020.

housing units for years 2023-24 (30), 2024-25 (45) and for robustness 2025-2026 (45). **A total of 120 units should be excluded from the Housing Trajectory.**

22. The Inspector can make provision for that and other shortfalls by seeking additional allocations on unconstrained and deliverable site in sustainable locations such as Higher Kinnerton.
23. The Planning Strategy for Warren Hall is set out at SoCG007 para 7.4. My client expresses significant concerns that National Placemaking outcomes would not be delivered at Warren Hall unless employment land and community hub uses are guaranteed to come forward in parallel with housing. Delivering housing and enabling infrastructure **only** whilst leaving employment and community hub element delivery to “subsequent reserved matters for employment development” in response to market demand, carries a high risk that the economic and community benefits would not be delivered.
24. The Inspectors may wish to make separate judgements on the Planning Strategy (soCG007 para 7.4) for Warren Hall and to test further whether the risk of a single use housing development outside any established settlement is consistent with National Placemaking Principles.

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

25. As set out above, delivery rates on the Northern Gateway (and other sites) are expected to slow for 2021-2022 in response to labour, materials, market and associated factors. Elan Homes Ltd understands that deals for the next couple of phases at the Northern Gateway are yet to start on site from a sales perspective. This further brings into question the delivery of 120 units this year on site 2021/2022.
26. The Council has produced a masterplan alongside its Deposit Stage proposals for Warren Hall. This has no specific status beyond an indication of how the site could be developed. It does not comprise SPG and now Development

Brief, Design Code or other formal guidance has been produced to date. Some allowance is made for these in my timing submissions above.

Conclusions.

27. For the reasons set out above, Policy STR 3 remains demonstrably unsound.