

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 .

This representation form may be submitted by:

- downloading the form and e-mailing to 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^h 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 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 .

| | | |
|-----------------|-------------------|--------------|
| Office Use only | Date received: | I.D. number: |
| | Date acknowledged | Rep number: |

| Part A - Personal Details | | |
|--|----------------------------------|----------------------------|
| | You | Your agent (if applicable) |
| Title | ████ | |
| First Name | ████ | |
| Last Name | ████ | |
| Job / Position Title (if applicable) | ████████████████ ████████████ | |
| Company / organisation (if applicable) | ████████████████ ██████████ | |
| Address line 1 | | |
| Address line 2 | | |
| Address line 3 | | |
| Address line 4 | | |
| Address line 5 | | |
| Postcode | | |
| e-mail | ████████████████████ | |
| Telephone landline | | |
| Telephone mobile | ██████████ | |
| Do you wish correspondence to be sent to: | You <u>Yes</u> | Your agent |
| What is your preferred means of contact (Council preference is for e-mail) | You | Your agent |
| | e-mail <u>Yes</u> | e-mail |
| | written | written |
| Signed | ██████████ | |
| Date | <u>29/07/22</u> | |

| Part B – Your Representation (Please use a new form for each representation) | | Ref / para |
|---|--|-----------------------|
| Please state which MAC / IMAC number your representation relates to: | MAC | |
| | 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) | |
| | Dee Catchment Phosphorous Reduction Strategy | <u>X</u> |
| | Statement of Common Ground NRW | |
| Is your representation support or objection? | Support | <u>X</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) | | |
| <p><u>1.3.3 – There should be a further measure related to reducing the phosphate contributed by agriculture.</u></p> <p><u>2.1.6 – Note that this is described by NRW as a living document so will be updated.</u></p> <p><u>3.2.1 – I’m not clear on how identifying the key sources of P deliver phosphate reduction, surely its what you do to reduce the sources of P which delivers a reduction.</u></p> <p><u>Water quality benefits of SuDS P21</u> <u>This should include an explanation of what proportion of phosphates can be treated in this way, as I believe/suggest that the contribution of phosphates from surface water runoff is very small.</u> <u>Including ‘Integrated Buffer Zones’ within the SUDS section suggest that they are associated with new development, and although on larger strategic housing sites they could be used they are more likely to be used by the agricultural sector. This should be explained.</u></p> <p><u>3.3.3 The diagram should explicitly include developer representatives in the Stakeholder Group.</u></p> | | |

3.3.4 the following paragraph is misleading 'The water company has indicated these would take 6-9 months to install.' Is this talking about temporary dosing, or installing the equipment needed? It might only take this long to build but the works may also have to fit into the AMP programme which currently means it may not be able to start until AMP8 in 2025.

3.3.5 It should be noted that NRW have indicated that the review of permits across Wales could take at least 12 months, and although they have suggested a prioritisation exercise could deliver these reviews early there is currently no indication of how this will work in practise and who will be prioritised.

3.3.7 I'm not sure what this is trying to say, it seems to be a mix of wider benefits and statements of what impact P reduction will have. I'd suggest extra wording being added to provide further explanation. For instance, what benefit does reducing surface water flow to combines sewers have, in reality this is required on nearly all new development already anyway.

3.3.9 SuDS is a requirement of law anyway and I believe/suggest that it makes very little difference to the level of P entering the water course, as the main polluter from new build is the foul drainage which can't be treated on site by SuDS, wetlands or tree planting. There seems to be a lot of unnecessary detail included around SuDS.

Figure 3.11 is not at a useable scale/size, the inserts at Appendix A are also very difficult to read.

3.3.43 I would suggest rewording the wording at the end of the first bullet point as it's not true to say WwTW improvements won't deliver wider benefits as they would not only treat the new homes planned but also improve treatment of the existing homes served by the plant.
Is it right to say wetland 'provide the greatest P reduction effectiveness' or is it that they offer the best wider environmental and societal benefits?

4.1.1 within the same paragraph the document says, 'are achievable in practise' and 'which in principle could be delivered' the two would seem contradictory.

4.1.3 See comments to para. 1.3.3 above.

Timescales

4.4.26 In summary, all these preliminary wetland locations shown in these figures would be subject to determine their technical feasibility, viability, deliverability and longevity, including maintenance, ownerships and replacement, if applicable. No detailed discussions have taken place with DCWW or the relevant landowners. Based on experience elsewhere this could take 2-3 years., such a time scale needs to be made clear.

4.4.42 as well as encouraging existing property and business owners by offering suitable incentives to do so. How would this be achieved in practise, could the document provide some examples?

4.5.4. Dŵr Cymru Welsh Water (DCWW) is currently undertaking source apportionment modelling in the Dee catchment - the results should be available at the end of 2021. Date needs updating a date still not available {Looks like it will be July 2022}.

4.5.9 – 5.5.16 Dŵr Cymru Welsh Water (DCWW) – Is any of this funding currently specific to Flintshire and Wrexham? If so, please identify schemes.

4.5.17 – 4.5.21 Welsh Government same question as above?

5.1.9 [REDACTED] notes the para. states ‘it is not intended that the DCS is publicly consulted on, it is an agreed way forward but is not the only option available to developers.’ [REDACTED] raise concerns about this approach particularly if the document is to be treated like an SPG as mentioned in an earlier paragraph or relied on as a document where a decision is appealed, if not consulted on it will have very little weight.

5.1.12 ‘and use of a phosphorus calculator if this was a chosen option’ what other option is there?

5.1.23 Why should it only be housing that pays what justification is there for this, if the payment is based on phosphates produced by the development which would appear to be the only fair way then this can equally apply to all new development creating phosphates.

5.1.31 Step 1 – Phosphorus Budget - This should include reference to a developer providing a site-by-site calculation using a calculator (as you are aware the hope is that we will soon have a Wales wide calculator agreed by the key stakeholders)

Delivery of DSC funded solutions – there appears to be no commentary other than at para. 5.1.47 relating to the timing of these measures and how this will link to planning permissions. The issue is that planning has to be granted to secure the S106 contribution, but then development will not be able to take place until the necessary quantity of mitigation for each development has been put in place. The idea of the LPA forward funding needs to be explained in more detail.

5.1.46 ‘.. there are short term options. While these may not be sustainable solutions, they could provide a stopgap solution subject to ensuring the longer-

term solutions are delivered and are effective.' What are these? They need to be explained.

5.2.2 'Funding sources are usually allocated on an annual basis, and it is therefore not possible to detail the amounts of funding available from a specific source or the amount allocated to Category 2 measures from that fund. It can be assumed however that all sources of funding' detailed in this section are significant amounts or will be of significant benefit.' Is it fair to suggest funding will be significant in the future, is this know or supported by nay evidence?.

Table 5.1 needs updating.

Table 5.2 introduces the phrase 'Short-term category 1 measures' however these are not identified or explained in the document this being the case how can it be said when they will be implemented?

The document needs to explain how/if the granting of planning permissions and the timing of these will be linked to the timetable identified in Table 5.2.

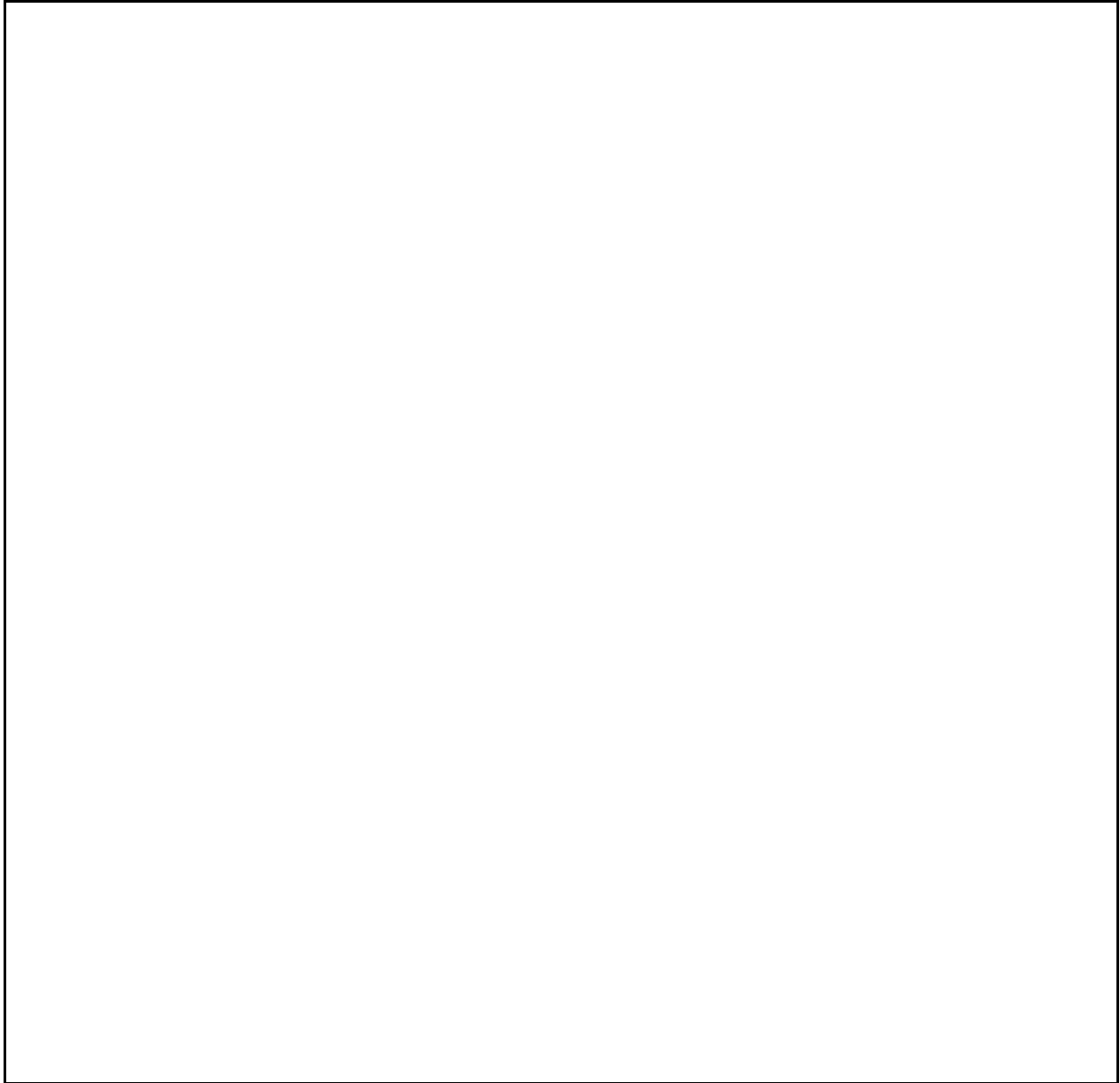
There appears to be very little or no slippage in the timings identified, however the document has many times stated that there are significant unknowns at this stage in the process. What happens if there is slippage?

5.4.1 Monitoring of scheme – who will do this and who will pay for it and who will be responsible for noncompliance and the associated additional treatment. Potential issue of timing between housing delivery and when under delivery is identified.

| | | |
|--|-----|----------|
| Do you think any changes are required to the Plan? | Yes | <u>X</u> |
| | 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)

See comments above



| Part C - Tests of Soundness | | |
|--|--|--|
| If you are objecting to a MAC which Test of Soundness do you think it fails? | Legal and Regulatory Procedural Requirements | |
| | Test 1 Does the Plan fit? (is it clear that the LDP is consistent with other Plans?) | |
| | Test 2 Is the Plan appropriate? (Is the Plan appropriate for the area in the light of evidence?) | |

| | | |
|--|--|--|
| | Test 3 Will the Plan deliver? (Is the LDP likely to be effective?) | |
|--|--|--|

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:

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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 | <u>X</u> |
| If you wish to speak please indicate in which language you would like to heard | I wish to be heard in Welsh | |
| | I wish to be heard in English | <u>X</u> |
| | Other – please specify: | |

Notes

Further information relating to the Matters Arising Changes consultation can be found at 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>