

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

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

This representation form may be submitted by:

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

This form has several parts:

Part A - Personal details

Part B - Your representation

Part C – Tests of Soundness

Part D – Supporting Information and Documents

Part E – Appearance at Examination Hearing Session

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

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

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

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

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

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

<b>Part A - Personal Details</b>		
	<b>You</b>	<b>Your agent (if applicable)</b>
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	Your agent
What is your preferred means of contact (Council preference is for e-mail)	You	Your agent
	e-mail	e-mail
	written	written
Signed		█
Date		<b>22/07/2022</b>



Do you think any changes are required to the Plan?	Yes	X
	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)

**Please refer to submitted Written Representation**



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

	<b>Test 3 Will the Plan deliver?</b> (Is the LDP likely to be effective?)	X
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:		
<b>Please refer to submitted Written Representation</b>		
N.B. The Tests of Soundness are set out in Table 27 para 6.27 of Development Plans Manual Edition 3 available here <a href="https://gov.wales/development-plans-manual-edition-3-march-2020">https://gov.wales/development-plans-manual-edition-3-march-2020</a>		

<b>Part D - Supporting Information / Documents</b>		
Have you included any more detailed or supporting documents alongside your representation?	Yes	
	No	X
Please list in the box below the supporting information and documents submitted as part of your representation		
<b>Please refer to submitted Written Representation</b>		

<b>Part E Appearance at Any Future Hearing Session</b>		
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	X
	Yes – I wish to appear and speak in person	
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	
	Other – please specify:	

## Notes

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

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

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

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

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

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

## GDPR / Privacy Statement

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

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

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

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





Andrew Farrow  
Chief Officer (Planning Environment & Economy)  
Flintshire County Council  
County Hall  
Mold  
Flintshire  
CH7 6NB

LED/04  
22<sup>nd</sup> July 2022

Dear Sirs

**REPRESENTATION TO FLINTSHIRE LOCAL DEVELOPMENT PLAN  
MATTERS ARISING CHANGES MAC CONSULTATION  
ON BEHALF OF [REDACTED]**

We write on behalf of our Client, [REDACTED] in response to the publication of the Matters Arising Changes MAC consultation. This consultation follows the public examination into the emerging Flintshire Local Development Plan (“LDP”) at a series of Hearing Sessions. It is understood that the MAC’s have been agreed with the LDP Inspector, and are required in order to make the emerging LDP ‘sound.’

This Representation is submitted primarily having regard to our Client’s land interests in the settlement of Ewloe, off Liverpool Road, for which they currently have a detailed planning application pending determination for residential development (Application Ref. 062820). Ewloe is identified as a Local Service Centre in the emerging LDP, a Tier 2 settlement. The proposed development comprises a mix of 130 no. affordable homes (it is a fully affordable scheme). The land in question is located in the open countryside, immediately adjacent to the settlement boundary of Ewloe.

In view of the above, this Representation responds only to the MAC’s which are directly relevant to our Client’s land and development interests in Ewloe.

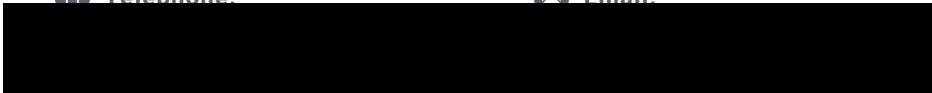
We trust that the comments contained within this Representation will be afforded full and proper consideration by the Council and the LDP Inspector prior to adoption of the LDP.



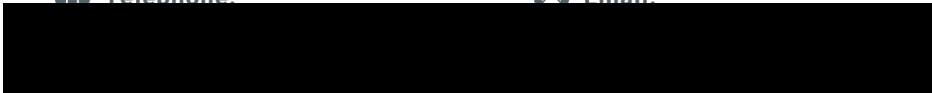
 Address:



 Telephone:



 Email:



## Planning Policy Wales 11

In preparing the LDP, consideration needs to be given to the guidance set out in Planning Policy Wales 11 (PPW11) adopted in February 2021 and the Local Development Plans Manual (LDPM) Edition 3 published in March 2020. The former focuses on policy preparation and the delivery of sustainable development, and the latter on the procedural aspects of Plan preparation.

To inform the examination process, Table 27 of the LDPM sets out the three tests of “soundness” to which plan-making should accord. We consider whether the emerging Flintshire LDP is considered to conform with these tests of soundness later in this Representation.

### MAC012

This modification is supported and a positive change. It is important that the LDP sets out to meet the full range of housing needs across the County, from market to affordable and older persons accommodation in a range of house types, sizes and tenures. As a developer, our Client is committed to deliver a range of housing which is designed to meet identified needs in the County; this includes affordable housing provision comprising a mix of tenures, to be managed by a Registered Provider/Housing Association.

### MAC028

Our Client support this modification. It clearly demonstrates the importance of affordable housing delivery across Flintshire during the Plan period.

Notwithstanding this, it is considered that it should be presented as an “*at least*” figure, re-enforcing the firm commitment to affordable housing delivery.

Accordingly, it considered that Part (iii) of Policy STR1 should be amended to read:

***“7,870 new homes to meet a housing requirement of 6,950, of which at least 2,265 will be affordable”***

### MAC029

Linked to the aforementioned comments, and proposed amendment to Policy STR1, the proposed modifications to Policy STR2 are considered to be crucial. Our Client supports the proposed modifications.

Firstly, in respect of the changes to criteria (a) under the Tier 1 settlements, there is no reason why the Main Service Centres, identified as the most sustainable locations in the County, cannot accommodate exception schemes for affordable housing. These are places where people want to live, where they have

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access to jobs, public transport and services, and where there is inevitably an unmet affordable housing need. It is positive that the potential to deliver affordable housing exceptions schemes in those locations has now been recognised through the proposed modifications.

In respect of the proposed deletion of the wording “*small-scale*” from criteria (b), (c) and (d), again this is a positive change and one which our Client very much welcomes and supports. The use of “*small-scale*” was potentially a major constraint to the delivery of exception sites; our Client knows through experience that small-scale schemes for affordable housing are a) difficult to secure land from a willing landowner most of whom seek a higher financial return from their land, and b) of a scale that some Registered Providers/Housing Associations consider them too small to pursue/take-on.

In total, the settlement hierarchy identifies 46 settlements in Tier 2 and 4, comprising the Local Service Centres, Sustainable Settlements and Defined Villages. This covers a large area of the County, and where there are unmet affordable housing needs. The Applications by Area and Property Type data issued by the Housing Strategy Team at Flintshire County Council illustrates the number of people on the waiting list for an affordable property in multiple areas (noting that the same people can express interest more than one location). The need for a property is high in a number of the settlements, and thus it is vital that the LDP comprises a policy mechanism which allows for the delivery of affordable housing schemes beyond just the typical approach of being delivered as a small percentage of market-led housing schemes.

Our Client specialises in the delivery of affordable housing, be it affordable rent, shared ownership, or Over-55 accommodation, working alongside Registered Providers/Housing Associations. They have live projects in Flintshire at present at the Northern Gateway Strategic Site, where they are delivering 100 dwellings on behalf of Clwyd Alyn. Our Client has worked closely with the Officers at Flintshire County Council in order to bring this development forward. As outlined earlier, they are also actively promoting land in the open countryside adjacent to the settlement boundary of Ewloe for a 100% affordable housing scheme, working alongside Wales and West. This is subject to a live planning application (Ref. 062820).

Our Client is aware through their relationship with the Registered Providers/Housing Associations that there is a real appetite to deliver affordable housing across Flintshire, and that one of the biggest constraints to delivery is planning policy. By making the proposed modifications to Policy STR2, this will provide a much-needed policy mechanism and route by which to boost affordable housing delivery across all parts of Flintshire. It is a positive and sound change.

### **MAC037**

The commitment to undertake an annual review of housing land supply in Flintshire, and housing delivery, is supported. It is crucial that the Council is fully up to speed on housing delivery rates across the County such that it can respond/adapt quickly and positively to any change in circumstances that could impact on achieving the minimum housing requirement of 463 dwellings per annum during the Plan period.

## MAC079

This modification to Policy HN4 is supported by our Client. The deletion of the word “*rural*” is wholly consistent with the wider changes to Policies STR2 and HN4-D.

## MAC080

The deletion of the wording “*tier 2, 3 and 4 settlements*” and “*rural areas*” is supported. This is consistent with the proposed modifications to Policies STR2 and HN4.

It is noted that the modified policy wording refers to affordable housing “*...in rural areas will only be permitted, where...*”

Our Client considers that the wording “*rural areas*” should continue to be omitted from the modified wording to the Policy.

As documented above in our comments on MAC029, the proposed modifications to Policy STR2 will now allow for affordable housing exception sites adjacent to the Tier 1 to 4 settlements listed in the settlement hierarchy. This is a positive change; however, not all of these can be viewed as “*rural areas*” - some of them clearly are not.

Accordingly, it is considered that the introductory wording should be amended to read:

***“Outside settlement boundaries, proposals to delivering affordable housing consistent with Policies STR2 and HN4 will only be permitted, where....”***

## Concluding Comments

Our Client welcomes the modifications which are proposed and commented on as part of this Representation. As a specialist affordable housing developer, our Client is pleased to note the positive changes that are proposed in the LDP to facilitate the delivery of affordable housing across the County, noting that delivery will be controlled by appropriate policy criteria and compliance with the wider relevant policies of the LDP and other material planning considerations.

In respect of the three tests of soundness set out in Table 27 of the LDPM, it is considered that the proposed modifications specifically commented on by our Client in this Representation will ensure that the LDP fits, is appropriate and will deliver. The wider modifications will naturally also have to satisfy these tests of soundness.

We welcome the opportunity to submit this Representation and look forward to the LDP hopefully moving closer towards adoption. Should you require any points of clarity, please do not hesitate to contact us.

Yours Sincerely

