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Flintshire County Council,
Ty Dewi Sant,
St. Davids Park,
Ewloe,

28/07/2022

For the attention of: Mr Andy Roberts

Dear Andy,

RE: FLINTSHIRE LOCAL DEVELOPMENT PLAN (LDP) – MATTERS ARISING CHANGES CONSULTATION

Thank you for the above consultation, which we received on 16/6/2022.

We note that the following documents have been provided as part of the consultation:

- Schedule of Matters Arising Changes (MAC) (June 2022)
- Integrated Impact Assessment MAC Addendum (December 2021)
- Habitats Regulations Assessment MAC Addendum (November 2021)
- Dee Catchment Phosphorus Reduction Strategy (November 2021)
- Statement of Common Ground (Reference: SOCG012) (November 2021)

Our advice is provided in our role as a statutory consultee for the purposes of the LDP under the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005, and 'Appropriate Nature Conservation Body' (ANCB) for the purposes of the Conservation of Habitats and Species Regulations 2017.

We have reviewed the documents provided and have the following advice.

Protected Sites - River Dee and Bala Lake Special Area of Conservation (SAC)

In relation to policy EN15 (as set out in the Schedule of the MACs), we welcome the inclusion of this amended policy which secures implementation of mitigation to demonstrate that proposals would not have an adverse effect on the integrity of the SAC.

We welcome the work undertaken by the Council in the development of the Dee Catchment Phosphorus Reduction Strategy (DCPRS) and the progress made in the preparation of this 'first version', dated November 2021. As stated in the Statement of Common Ground (SOCG012) prepared with yourselves, we support the approach being taken in developing the DCPRS and are satisfied that, in principle, the proposed strategic approach to the delivery of mitigation is acceptable. We are satisfied that the DCPRS contains a range of

measures that could deliver phosphorus reductions which are technically feasible and could potentially be delivered.

We support the Council's commitment (as detailed in SOCG012) to continue to develop the DCPRS prior to Plan Adoption and as you know, we have separately provided you with detailed comments to assist in this regard (email from Tom Lewis dated 27th June 2022). With respect to further revisions prior to Plan adoption, we advise that the milestones need to be updated. Robust milestones are required to ensure that Category 1 measures do not "use up" measures that may have been identified as Category 2 measures for restoring the SAC to favourable condition. The milestones also need revised deadlines for delivery and additional detail to explain who will be responsible for delivery.

As explained in SOCG012, the DCPRS is a living document, and it will further evolve over the lifetime of the LDP with regular reviews to reflect learning and to take account of any new evidence or information that may be available. We also note the intention that it will further develop under the umbrella of the Nutrient Management Board for the Dee. We welcome this approach and look forward to providing further advice and guidance as part of this work.

Other MAC matters

We note that the Schedule of the MACs also details a number of amendments that have been made in response to matters set out in our Statement of Common Ground dated January 2021 (SOCG006). These include matters relating to flood risk, protected sites, and protected landscapes. We have reviewed the Schedule and are satisfied that the detailed amendments are in accordance with that agreed in our SOCG006.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

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