



SUBMISSION STATEMENT

Matter 20 – Monitoring Framework

Key Issue:

Does the LDP enable adequate monitoring of its effectiveness?

Please refer to J10 POLICYFRAMEWORK Conformity and Consistency Checklist and the J10 SOUNDNESS Checklist for more detail

a) Are clear targets and measurable outcomes in place for effective monitoring of delivery of the development and allocated sites and achievement of LDF objectives?

Annual Monitoring will illustrate how the trajectories

b) Are triggers timely and do they allow for an effective response to be made in the event that remedial action is required? In particular, how will additional sites be brought forward if there is a persistent shortfall in housing delivery?

No.

It is unclear how any additional sites will be brought forward.

FCC have suggested during the Examination that they believe they are allocating which provides a cushion.

They also suggested that sites in the Urban Capacity Study would come forward as windfalls and indeed that it would be their preference that they do prior to having to allow for any out of settlement boundary windfalls

However, this approach is flawed since none of the sites have proven deliverability or viability credentials.

c) Are clear arrangements in place for monitoring and reporting the results?

Apart from the AMR there is likely to be nothing more than figures produced as opposed to qualitative information about the status of allocations and why they are not performing and delivering.

d) Have remedial actions been identified?

No "Plan B" contingency has been provided for; we would recommend Reserve/Plan B sites are identified and that additional land be "safeguarded" for future release of land that has proven deliverability and viability.

Para 3.76 DPM3 states that :

e) Have the main risks to delivery been identified, and how will contingencies be handled?

No plan for contingencies has been made.

We have identified the risks for delivery throughout this Examination and have raised our concerns about plan soundness (lack of it)

PLANNING POLICY FRAMEWORK ASSESSMENT

The following checklist table provides our assessment of National Planning Policy comprising the NDP Future Wales (February 2021) and PPW11 (February 2021) along with the procedure published by WG (DPM3 March 2020) and the recent WG paper entitled Building Better Places (“Placemaking and the Covid Recovery”) published in July 2020.

We have found that the eLDP has failed to follow DPM3 guidance and fails to reflect the specific the NDP or PPW11, to such an extent that when one considers the tests of soundness you arrive at no other conclusion than to find this plan unsound.

PLANNING POLICY FRAMEWORK : Conformity and Consistency Checklist		
FUTURE WALES (NDP)	What the policy document says	J10 Comment
Outcome 1	<i>Emphasis placed upon development being well located in relation to jobs, services and accessible green and open spaces</i>	eLDP has not made the most of the spatial connection between jobs and homes.
Outcome 5	<i>Development plans will enable and support aspirations for large towns and cities to grow, founded on sustainability and urban design principles.</i>	eLDP has not followed this in its hierarchy or site allocations; it has failed to consider the most sustainable places and locations.
Policy 1 : where Wales will grow	<i>Deeside is designated as a National Growth Area, but even beyond this area large scale growth should be focused on the urban areas and development pressures should be channelled away from the countryside and productive agricultural land can be protected.</i>	eLDP fails to protect BMV
Policy 2 : strategic placemaking	<i>The growth and regeneration of towns and cities should positively contribute towards building sustainable places that support active and healthy lives, with urban neighbourhoods that are compact and walkable, organised around mixed-use centres and public transport, and integrated with green infrastructure. Urban growth and regeneration should be based on the following strategic placemaking principles: building places at a walkable scale, with homes, local facilities and public transport within walking distance of each other;</i>	There is nothing compact or walkable about locating development in places such as STR3B (Warren Hall) or indeed some of the other housing allocations (HN1.6 and HN1.7) where reasonable alternatives have not been considered and these will sites have limited credibility associated with sustainability and placemaking aspirations.

DEVELOPMENT PLAN MANUAL (DPM3)	What the policy document says	J10 Comment
Para 3.30 regarding evidence base	<i>Detailed evidence upfront and early in the plan making process is essential to inform the delivery of the preferred strategy and subsequent plan stages. A greater depth of evidence at the candidate site stage is essential.</i>	FCC did not undertake detailed evidence for Green Barrier or BMV this has meant that candidate sites were discounted too early in the plan making process and others were taken forward ignorant of their sustainability, deliverability or technical (GB/BMV) credentials. This is a fatal flaw of the plan, along with not considering reasonable alternatives and discounting them too easily and early on
Para 3.36 regarding key principles behind any evidence to prove and justify allocations	<i>The evidence must enable the LPA to assess the following: can it be freed from all constraints? capable of being delivered?</i>	These core principles have been ignored in both the consideration of candidate

Para 3.75 regarding new sites

process

There is an opportunity to include new sites at this stage.

<p>Para 5.107 Table 18 regarding affordable targets</p>	<p><i>If an affordable housing target is set too high it is unlikely that those levels will be delivered and may impact on the delivery of sites and elongate the development management process. The targets chosen must be realistic and align with the evidence base and the assumptions within it.</i></p>	<p>FCC's assessment of viability is flawed as it assumes rates of affordable delivery that outstrip those of neighbouring areas (CWAC 30%, Wrexham 0 to 30%, Shropshire 10%).</p>
<p>Para 5.109 regarding infrastructure costs and impact upon site viability</p>	<p><i>Where there are costs associated with infrastructure requirements, for example, access improvements or the provision of affordable housing, these should be factored into a viability assessment.</i></p>	<p>Significant utility infrastructure has been identified on a number of key sites, yet no evidence is available to show that any viability has been produced to demonstrate deliverability is proven</p>
<p>Para 5.111 regarding infrastructure partners</p>		<p>Identifies parties such as WG (LQAS re. BMV); Local Health Boards (needed for primary health care facilities), Welsh Water, NRW, etc all of whom should be engaged as early as possible to consider capacity and compliance – yet many have not been engaged at all or if so only at the 1st hour following Deposit and at the point of Submission.</p>
<p>Para 5.119 regarding when investment will happen</p>	<p>New development must bring with it the timely provision of infrastructure. The development plan strategy should identify the phasing of development throughout the plan period, linked directly to the delivery of infrastructure. Evidence needs to be in place to demonstrate how infrastructure supports the housing trajectory.</p>	<p>We can see no evidence of this link and consideration of the strategic and non strategic housing sites and Promoters do not appear to have factored into account infrastructure either in terms of timing and delivery of the allocations or their viability.</p>

PPW11	What the policy document says	J10 Comment
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3.54 : new settlements	<p><i>New settlements should only be proposed where such development would offer significant environmental, social, cultural and economic advantages over the further expansion or regeneration of existing settlements and the potential delivery of a large number of homes is supported by all the facilities, jobs and services that people need in order to create a Sustainable Place. They need to be self-contained and not dormitory towns for overspill from larger urban areas and, before occupation, should be linked to high frequency public transport and include essential social infrastructure including primary and secondary schools, health care provision, retail and employment opportunities. This is necessary to ensure new settlements are not isolated housing estates which require car-based travel to access every day facilities.</i></p>	<p>STR3B is effectively a new settlement yet alternatives exist and have been discounted for no valid reason.</p>
3.59 : BMV	<p><i>When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.</i></p>	<p>The eLDP has flouted this policy and identified BMV on several of its housing allocations, whilst at the same time having ignored all reasonable alternatives.</p>
Para 3.64 : Green Belts and Wedges	<p><i>Around towns and cities there may be a need to protect open land from development. This can be achieved through the identification of Green Belts and/or local designations, such as green wedges. Proposals for both Green Belts and green wedges must be soundly based and should only be employed where there is a demonstrable need to protect the urban form and alternative</i></p>	<p>No demonstrable need has been provided to justify the Green Wedges and moreover, the review undertaken is unfit for purpose, yet Green Wedge is released to satisfy some housing allocations.</p>

	<i>policy mechanisms, such as settlement boundaries, would not be sufficiently robust. The essential difference between them is that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas green wedge policies should be reviewed as part of the development plan review process.</i>	
Para 3.68 : green wedge	<i>Green wedges are local designations which essentially have the same purpose as Green Belts. They may be used to provide a buffer between the settlement edge and statutory designations and safeguard important views into and out of the area. Green wedges should be proposed and be subject to review as part of the LDP process.</i>	The site located off Ruthin Road, Mold does not offer or serve the purposes of being designated as such. It has not been robustly reviewed as part of the eLDP and the review is flawed and unfit.
Para 3.70 : green wedge	<i>Green wedge boundaries should be chosen carefully using physical features and boundaries to include only that land which it is necessary to keep open in the longer term.</i>	There is no justifiable need to keep the site located off Ruthin Road, Mold as open – it serves no purpose in protecting either statutory designations or providing a buffer.
Para 4.1.15 Para 4.1.31 Para 4.1.32 Para 4.1.37 : sustainable transport		FCC have patently failed to address this in identifying c pabavtec6.3(-1.3(t)-2.9(g)2.6())TJ ETa

trajectory when they are due to come

Para 4.2.12 : specialist housing

Para 4.2.19 :
deliverability

As part of demonstrating the deliverability of housing sites, financial viability must be assessed prior to their inclusion as allocations in a development plan. At the 'Candidate Site' stage of development plan preparation land owners/developers must carry out an initial site viability assessment and provide evidence to demonstrate the financial deliverability of their sites. At the 'Deposit' stage, there must be a high level plan-wide viability appraisal undertaken to give certainty that the development plan and its policies can be delivered in principle, taking into account affordable housing targets, infrastructure and other policy requirements. In addition, for sites which are key to the delivery of the plan's strategy a site specific viability appraisal must be undertaken through the consideration of more detailed costs, constraints and specific requirements. Planning authorities must consider how they will define a 'key

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SOUNDNESS ASSESSMENT

The following