

Flintshire County Council

Development Local Plan Examination: Hearing Statement

Our Ref: 2012-067-EIP/M5

Date: 22 March 2021

From: NJL Consulting (Consultee ID 21232396) on behalf of Lavington Participation Corp. and Duncraig Investment Corp.

Matter 5: Principles of Sustainable Development, Design and Placemaking (inc Transport and Accessibility STR5; Services, Facilities and Infrastructure STR6)

Key Issue: Do the policies and proposals on this matter fully achieve the sustainable development and placemaking objectives of the LDP consistent with national policy? Are they based on robust and credible evidence?

Question 5a) Does the LDP place sufficient emphasis on the benefits to sustainability of the use of brownfield land for development? How does the LDP encourage this?

- 1.1 Policy STR14 (Climate change and environmental protection) sets out clear policy support for brownfield development in the context of achieving sustainable development and mitigating environmental impacts. Paragraph 8.16 reinforces the key role of the LDP is to ensure a spatial strategy put in place that reflects locational choices which embed considerations of climate change, biodiversity and ecological resilience, sustainable use of resources and protecting the health, amenity and quality of life of the community.
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- 1.2 Amounts of brownfield land.

Rather, redevelopment of brownfield land will be focused

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sites should come from new greenfield allocations on the edge of settlements as required by PPW11 ³.

Question 5

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1.13 ¶§ SODQQLQJ REOLJDWLRQ PD\ RQO\ FRQVWLWXWH D UHDVVRQ IR
for the development if the obligation is ²

Necessary to make the development acceptable in planning terms; Directly related to the development; and

)DLUO\ DQG UHDVVRQDEO\ UHODWHG LQ VFDOH DQG NLQG WR

1.14 7KHVH WHVWV DUH DOVR UHIOHFWHG LQ 3DUDJUDSK RI ¶3ODG
Circular 13/97 which requires that planning obligations are:

Necessary;

Relevant to planning;

Directly related to the proposed development;

Fairly and reasonably related in scale and kind to the proposed development;

Reasonable in all other respects.

1.15 In terms of calculating developer contributions, these are limited to Supplementary Planning Guidance Notes and on education ⁵, open space ⁶ and public art ⁷. No further information is provided in calculating planning obligations relating to infrastructure.

1.16 Moreover, Community Infrastructure Levy (CIL) has not been adopted by the Council, with paragraph 5.50 of the LDP stating that consideration of viability implications, infrastructure priorities and how contributions are spent will be worked up post adoption of the LDP. Given CIL Regulations came into force on 6th April 2010, it would have been prudent of the Council to provide more clarity over their position on CIL in advance of submitting their Plan for examination, so that more certainty could be provided on viability implications and infrastructure delivery across the Borough.