

The Flintshire Local Development Plan Inspectors' Report and Adoption of the Plan

Flintshire County Council
Tuesday 24th January 2023

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Inspectors' Final Report

- Received 15th December 2022 and EIP closed
- Very positive and supportive outcome
- The LDP (with MACs) is sound
- Core of Plan recognised as appropriate and deliverable:
 - Vision and Objectives
 - Strategy and growth level
 - Site selection and sustainability/deliverability
- Report highlights key conclusions – consistent support – ***“Plan founded on robust and credible evidence”***
- Provides helpful commentary on each allocated site
- All MACs confirmed e.g. Clarification of affordable housing target, status of Deeside Plan, Warren Hall

Adoption Process

- Council has 8 weeks to adopt the Plan from date of final IR
- Report to Informal Cabinet 4th January 2023
- Special PSG 6th January 2023 – Full endorsement
- Political Group Member Briefings – positively received
- Publication of IR w/b 9th January + supporting documents -
- Report to Cabinet 17th January 2023 – fully endorsed LDP adoption
- Report to County Council 24th January 2023 – plan then operational
- Publish formal adoption statement and final plan

Legal Duty

- To have an up to date development plan in place – Planning and Compulsory Purchase Act 2004
- To make decisions on applications in accordance with the up to date Plan
- September 29th 2020 – the Council agreed to submit the Plan for Examination on the basis that it considered it sound and appropriate for adoption
- Inspectors' Report found the plan to be sound and is binding on the Council
- No reason not to adopt the plan
- Adoption is of the **plan as a whole**

Consequences of not adopting

- Not adopting increases vulnerability to speculative development in any ward
- Will still see LDP sites developed as they are 'sound' plus others not in plan – EIP considered many 'alternative sites' (waiting in the wings)
- LDP is not just about housing but range of other policies - economic development, minerals and waste management, protecting the environment, climate change, preventing development in inappropriate locations
- Prevents the Council playing a role in a Strategic Development Plan

Post Adoption

- Publish adoption statement and supporting documents
- Make interim final plan available for DM purposes
- Arrange printing and distribution of final plan
- Plan Monitoring and review

Recent Correspondence

- Concerns raised Re the LPA working with site promoters – this is normal practice
- Advice from Welsh Government provided in Planning Policy Wales (PPW) and Development Plans Manual (DPM):
- PPW para 3.42 **“Planning Authorities and developers are encouraged to work together collectively to identify land in the most appropriate locations for development, which takes into account all relevant policies and is deliverable within the plan period”**

Recent Correspondence

- Development Plans Manual:
- Para 3.36 - **“An LPA must use the candidate site process to gather suitable evidence from site promoters to robustly demonstrate the sustainability, deliverability and financial viability of sites”**
- Para 3.38 - **“it is vital that site promoters...are made aware of their role and what is expected of them”**
- Para 3.39 - **“The LPA should make available as much information as possible to assist site promoters through the candidate site process”**

Recent Correspondence

- Para 3.41 - “An LPA should ensure that assistance is available to help and enable site promoters to access all necessary information”
- Para 3.43 - “All parties need to cooperate to ensure the best information can come forward to assist decision making” - “the key objective an LPA should establish is whether a site promoter has a serious intention to develop the site”
- Para 3.60 - “It is the duty of site promoters to engage positively in the plan preparation process at all stages, working with the LPA to ensure that the relevant information is available at the appropriate stage”