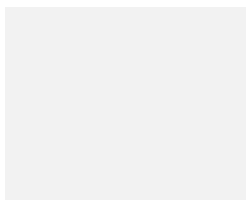


Habitats Regulations Assessment to inform the assessment of the Flintshire Local Development Plan

HRA Matters Arising Changes Addendum – Adoption Update

JANUARY 2023

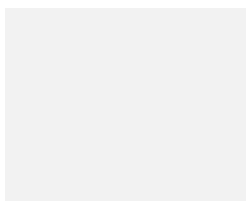
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Habitats Regulations Assessment to inform the assessment of the Flintshire Local Development Plan

HRA Matters Arising Changes Addendum – Adoption Update

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Date JANUARY 2023

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V1	November 2021	CW	ST	MG	MG	First draft for client review
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V3	January 2023	CW	ST	ST	MG	Update following LDP adoption
V4	January 2023	CW	ST	ST	MG	Final following LDP adoption

This report dated 11 January 2023 has been prepared for Flintshire County Council (the “Client”) in accordance with the terms and conditions of appointment dated 01 January 2021 (the “Appointment”) between the Client and Arcadis Consulting (UK) Limited (“Arcadis”) for the purposes specified in the Appointment. For avoidance of doubt, no other person(s) may use or rely upon this report or its contents, and Arcadis accepts no responsibility for any such use or reliance thereon by any other third party.

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Appendices

Appendix A

Schedule of Matters Arising Changes

Appendix B

Schedule of Inspector's Matters Arising Changes

1 Introduction

1.1 Background

This Habitats Regulations Assessment (HRA) Report Addendum has been prepared by Arcadis Consulting (UK) Limited (Arcadis) on behalf of Flintshire County Council (FCC) as part of their review of the Flintshire Local Development Plan 2015 – 2030 (hereafter referred to as the ‘LDP’). This report is an addendum to the October 2020 Flintshire LDP Habitats Regulations Assessment¹ (hereafter referred to as the ‘Submission HRA’) required to address Matters Arising Changes (MACs) and new Natural Resources Wales (NRW) policies. Issues pertaining to water quality with regards to phosphate reduction have been addressed separately to other MACs due to their potential significance.

1.2 The Local Development Plan

FCC is currently preparing its LDP covering the timeframe 2015 to 2030. Once adopted, the LDP will replace the existing Flintshire Unitary Development Plan (UDP) and will become the framework against which decisions on planning applications are taken.

The LDP includes the following sections:

- Policy index;
- Forward;
- Introduction;
- Strategic Policies;
 - Creating Sustainable Places and Communities;
 - Supporting a Prosperous Economy;
 - Meeting Housing Needs;
 - Valuing the Environment;
- Development Management Policies;
 - Creating Sustainable Places and Communities;
 - Supporting a Prosperous Economy;
 - Meeting Housing Needs;
 - Valuing the Environment;
- Monitoring;
- Appendices; and
- Technical Terms and Glossary

1.3 Habitats Regulations Assessment

This report is an addendum to the Flintshire Local Development Plan Habitats Regulations Assessment (October 2020)² (hereafter referred to as ‘the Submission HRA’), which was prepared to consider the impacts of the September 2019 Deposit LDP on European sites, as required under the Habitats Regulations³.

¹ Available at: <https://www.flintshire.gov.uk/en/PDFFiles/Planning/Key-Process-Documents-Policy/LDP-KPD-HRA2-Dep-HRA-Screen-Rep-Oct-2020.pdf> [Accessed: 09/11/21]

² Available at: <https://www.sirfflint.gov.uk/en/PDFFiles/Planning/Key-Process-Documents-Policy/LDP-KPD-HRA2-Dep-HRA-Screen-Rep-Oct-2020.pdf> [Accessed: 11/11/21]

³ Available at: <https://www.legislation.gov.uk/ukSI/2017/1012/contents/made> [Accessed: 11/11/21]

This Addendum will take account of the recently published (May 2021) NRW policy position on phosphates in rivers, and subsequent advice to planning authorities⁴. In addition, this Addendum will consider the Matters Arising Changes. The full schedules of Matters Arising Changes can be found in Appendices A and B, which screen in or out each change.

This Addendum should be read and interpreted alongside the Submission HRA document and the IIA Addendum, which also considers the effects of the Matters Arising Changes on the LDP.

1.4 The need for an Addendum

All potential effects of the LDP alone and in combination were screened out in the Submission HRA. While potential effects on water quality were assessed in greater detail for the Dee Estuary Special Protection Area (SPA)/ Ramsar site and the River Dee and Bala Lake Special Area of Conservation (SAC), this was for construction impacts only. Operational impacts were not considered, as Dŵr Cymru Welsh Water (DCWW) and other utilities were discharging wastewater well within permitted levels (for example these are currently permitted at phosphate 1mg l⁻¹). However, new monitoring has shown that a number of waterbodies within the River Dee SAC and Bala Lake SAC are failing to achieve their Water Framework Directive (WFD) objectives. New targets have been set, which require Phosphorus discharges to be lower than current levels. Therefore, this Addendum to the Submission HRA is necessary, to consider the potential adverse effects of additional development on operational water quality, with regard to phosphate levels. Within this HRA Addendum, general Matters Arising Changes that are not related to the rescreening for water quality with regards to phosphates have been considered separately to changes that have the potential to affect water quality with regards to phosphates.

1.5 Updates following the Inspector's Report

To note, two Matters Arising Changes have been amended by the Inspector in her report dated 15th December 2022: MAC58 and MAC61. It was determined that MAC58 was not necessary, and the Inspector supported MAC61 subject to the deletion of the final sentence. The Inspector introduced a further Inspector Proposed Matters Arising Change IMAC2 which introduced additional text to para 11.9 accompanying Policy HN3 on the subject of affordable housing and viability. The details of these three amendments are set out in Table 1 below. It was determined that these changes would not affect this HRA Addendum, as Policy PE1 and HN3 were already screened out from any additional HRA assessment.

Table 1: Extract from Inspectors' Report Highlighting Relevant Changes

MAC Number	Policy in LDP	Details of Change
MAC058	PE1	Not accepted as described in report. The suggested additional wording 'with the exception of the Northern Gateway site which is allocated for B2 and B8 uses and the Warren Hall site which is suitable for B1 and B2 uses' should not be added at the end of the introductory wording of PE1.
MAC061	PE1	The following sentence suggested at the end of MAC61 is not accepted. 'All sites are intended to accommodate B1, B2 and B8 employment development with the exception of Warren Hall which is B1 and B2 only'.

⁴ Available at: <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/our-role-in-planning-and-development/advice-to-planning-authorities-for-planning-applications-affecting-phosphorus-sensitive-river-special-areas-of-conservation/?lang=en> [Accessed: 16/11/21]

IMAC Number	Section in LDP	Details of Change
IMAC2	Para 11.9	<p>After the second sentence, insert '<i>That said it is clearly recognised that viability can go up or down over time and in turn this may provide opportunities to vary the level of provision in relation to the target thresholds. Equally it is acceptable in principle for an applicant to voluntarily seek to exceed the target thresholds in the policy or to propose an affordable led scheme.</i>'</p>

2 Screening Matters Arising Changes

2.1 Introduction

The Flintshire Local Development Plan 2015-2030 is presently the subject of Examination in Public. The Council has compiled a draft schedule of Matters Arising Changes primarily as a result of Action Points arising from the Examination Hearing Sessions that have already taken place, and which have been agreed with the Inspector at the end of each session. The Matters Arising Changes should therefore be read in conjunction with the updated Action Points available on the Examination website.

The Matters Arising Changes also include a number of other changes arising from i) the Council's responses to representations where the Council suggested a revision to the Plan, ii) the agreed Statement of Common Ground with NRW and iii) further revisions referenced in the various Council Hearing Statements. The suite of changes are those which were not specifically discussed at Hearing Sessions but which are considered by the Council to add clarity to the Plan and assist with demonstrating its soundness. The Council sought and secured through the Programme Officer, the agreement of the Inspectors to include these changes within the draft schedule for discussion at the hearing session.

2.2 Types of Matters Arising Changes

The Matters Arising Changes fall into three main categories:

2.2.1 1 – Matters Arising Changes

The Matters Arising Changes (MACs) are the main changes to the Plan. They comprise changes of varying substance which relate to policy wordings, explanatory text and proposals maps which the Council considers necessary to demonstrate the soundness of the LDP. These changes use the prefix 'MAC' and are individually numbered in Plan order.

2.2.2 2 – Inspectors Matters Arising Changes

These are changes to the Plan proposed by the Inspectors in order to make the plan sound. These need to be shown separately as Inspectors Matters Arising Changes (IMACs). They set out the key changes to the Plan in respect of policy STR3B and the Warren Hall site in terms of i) the Inspectors deletion of the housing element i.e. 300 units and ii) other changes arising from other Action Points relating to Warren Hall (including splitting STR3 into separate policies). These have been presented in one place rather than being split between the IMAC and MAC tables, for ease of reference. These changes use the prefix 'IMAC' and are individually numbered in Plan order.

2.2.3 3 – Minor Editing Changes

The Minor Editing Changes (mec) are editing changes to the Plan which do not affect the meaning or implementation of a policy. They include editing changes relating to the introduction of PPW11 and the revocation of TAN1. They also include general editing changes to the written statement, particularly the introductory chapters, to explain its redrafting from a Deposit Plan for consultation, to the adopted version of the Plan.

For clarification going forward, Matters Arising Changes will be referred to as 'MACs', Inspectors Matters Arising Changes will be referred to as IMACs, and 'Matters Arising Changes' will be used when discussing the entirety of the Matters Arising Changes Process, which includes both MACs, IMACs and mecs.

As the mecs primarily focus on minor editing changes, these changes would not be expected to alter the essence of the LDP, they would also not be expected to alter the IIA findings, and as such, this IIA Report only considered the MACs and IMACs.

2.2.4 Summary of MAC

The majority of the MACs are minor editing changes which do not affect the meaning or implementation of a policy and sets out amendments to the LDP to take into account Planning Policy Wales – Edition 11.

The amendments include change to policy wordings, explanatory text and proposals maps which are considered necessary to demonstrate soundness of the LDP and generally strengthen the protection of European Sites.

The MACs include the deletion of six employment sites from Policy PE1. The deleted sites include:

- PE1.4 Greenfield Business Park Phase II
- PE1.5 Greenfield Business Park Phase III
- PE1.6 Broncoed Industrial Estate
- PE1.8 Adjacent Mostyn Docks
- PE1.10 Antelope Industrial Estate
- PE1.12 Rowley's Drive

The proposed use at Site STR3B has also changed, with the previously proposed 300 homes removed from the allocation. Other changes that need to be carefully considered in this report include additions to Policies PE2, EN6 and EN15.

2.3 MAC Screening

The MACs and IMACs made to the LDP are presented in full in the Appendices. Appendix A of this report comprises the Schedule of MACs. Appendix B comprises the Schedule of IMACs. The two tables set out the proposed changes, the reason for each Matter Arising Change (set out by the Council) and whether each change has been screened into the HRA, as determined by Arcadis.

The Matters Arising Changes have been screened under the Habitats Regulations and all have been screened out of further assessment according to the categories referred to in the HRA Handbook with the exception of those policies relating to potential changes with regard to phosphates and water quality. Those that have been screened out, have not been considered further.

These have been subject to further consideration through a dedicated screening assessment as set out below.

3 Screening Water Quality with Regards to Phosphorus

3.1 Phosphorus Compliance Failures

NRW published a 'Compliance Assessment of Welsh River SACs against phosphorus targets' report⁵, which set new targets for phosphates with regards to SACs. In total, 107 water bodies were assessed, 39% passed the new targets and 61% failed. Most failing water bodies were in mid and south Wales, with the River Dee having localised failures. The magnitude of these failures is low to moderate on three water bodies associated with the SAC, the Mynach, Meloch and Ceiriog to Alwen (Figure 1).

Waterbody ID	Waterbody Name	Site	Target ($\mu\text{g l}^{-1}$)	Median ($\mu\text{g l}^{-1}$)	Annual Mean ($\mu\text{g l}^{-1}$)	Largest Outlier ($\mu\text{g l}^{-1}$)	Mean (Outlier Excluded) ($\mu\text{g l}^{-1}$)	BOD / N / NH ₃ confirm outlier	Failure Type
GB111067051990	Mynach	300	10	17	25	88	-	-	Consistent
GB111067051960	Meloch	496	10	5	20	239	8	No	Episodic
GB111067052060	Dee - Ceiriog to Alwen	70	10	9	15	85	12	-	Episodic

Figure 1: Sensitivity testing for failing water bodies on the River Dee Sac (from NRW Compliance Assessment of Welsh River SACs against phosphorus targets' report)

Although this NRW assessment did not look at potential sources of phosphates, the relatively limited scale and extent of these failures suggested that it may be possible to tackle these issues in a relatively targeted way with relevant stakeholders without the need for large-scale investment. It is also recommended by NRW that actions be taken to increase the resilience of the river habitat to nutrient pressures. New targets have been set across the catchment ranging for phosphorus (P) from 10 to 40 $\mu\text{g l}^{-1}$.

3.2 NRW Advice

With reference to Local Development Plans, NRW advice⁶ states that:

'Where the wastewater treatment works has capacity to accommodate additional wastewater and any additional phosphorus from the proposed development (in- combination with other planned development) within existing discharge permit limits, the planning authority should review the appropriate assessments carried out for the extant environmental permit(s), along with any new information or changes in circumstances to be certain there will be no adverse effect on site integrity.'

NRW wrote to FCC on 30th April 2021 to confirm that:

'We advise that allocations for development that are proposed to be connected to a mains wastewater treatment works which has capacity to accommodate the additional wastewater and any additional phosphate from the proposed development (in-combination with other planned development) within existing discharge permit limits will require a HRA. In such cases, you should review the appropriate assessments carried out for the extant environmental permits, along with any new information or changes in circumstances, to be certain there will be no adverse effect on site integrity. To assist you with this, we are sourcing copies of the

⁵ Available at: <https://naturalresources.wales/evidence-and-data/research-and-reports/water-reports/compliance-assessment-of-welsh-river-sacs-against-phosphorus-targets/?lang=en> [Accessed: 16/11/21]

⁶ Available at: <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/our-role-in-planning-and-development/advice-to-planning-authorities-for-planning-applications-affecting-phosphorus-sensitive-river-special-areas-of-conservation/?lang=en> [Accessed: 16/11/21]

appropriate assessments that support the relevant extant environmental permits from our Permitting Team and will forward these to you as soon as possible.'

At a meeting between NRW, FCC and Arcadis on 23rd June 2021, NRW officers confirmed that there was very little headroom in the remaining areas of the River Dee and that any rise in phosphate levels, even within the previous discharge limits, would risk exceeding these new standards. NRW advised that the Council could not rely on the earlier HRA undertaken by NRW for the receiving Wastewater Treatment Works (WwTW) for the purpose of the plan HRA. In the production of this Addendum and the evolution of the approach to assessment a number of consultations have taken place between NRW, FCC and Arcadis, to help develop the strategy.

3.3 Water Quality Phosphates Re-Screening

Policies and allocations previously screened out due to their lack of construction pathway or due to their likely scale, distance from the River Dee SAC have been screened in for further consideration where this includes occupation that could contribute to phosphates entering into the sewage system. NRW provided detailed advice as to the nature of that screening process detailed in the sections below.

3.3.1 Advice for the review of local development plans (LDPs) (from NRW)

All LDPs should be screened to determine whether any policies are likely to have a significant effect on a river SAC.

Policies can be screened out as not likely to have a significant effect in relation to increased phosphorus loading if there are no pathways for increased phosphorus impacts.

Any LDP policies relating to schemes for private sewage treatment systems should ensure no adverse effects on the integrity of any river SACs where:

- discharges are direct to surface waters; or
- discharges are to ground and do not meet the screening criteria set out in this document.

Allocations for development that are proposed to be connected to a mains WwTW and have the potential to increase phosphorus loading, should be assessed as follows:

1. Allocations where there is capacity for additional wastewater

Where the WwTW has capacity to accommodate additional wastewater and any additional phosphorus from the proposed development (in-combination with other planned development) within existing discharge permit limits, the planning authority should review the Appropriate Assessments (AA) carried out for the extant environmental permit(s), along with any new information or changes in circumstances to be certain there will be no adverse effect on site integrity.

2. Allocations where capacity for additional wastewater is planned

Where the WwTW does not currently have sufficient treatment capacity but it is planned under the Asset Management Plan (AMP) - the planning authority should undertake an Appropriate Assessment or a review of the Appropriate Assessment already carried out for extant environmental permits (along with any new information or changes in circumstances) to be certain that there will be no adverse effect on site integrity. Considering the Dutch Nitrogen ruling, a conclusion of no adverse effect on site integrity can only be made where future improvements or enhancements within the AMP are certain at the time of Appropriate Assessment.

3. Allocations where there is no capacity for additional wastewater

Where the WwTW has no capacity in place or planned within the current AMP period the planning authority should undertake an Appropriate Assessment.

3.3.2 Screening approach

In the letter of the 30th of April, NRW confirmed that potential phosphate entering the tidal reaches of the River Dee could be screened out:

“you also confirm that the rest of the housing allocations (STR3A, STR3B, HN1.2, HN1.3, HN1.4, HN1.7 and HN1.8) are proposed to be connected to the Chester, Connah’s Quay, Flint or Queensferry WwTWs. You also confirm that these WwTWs discharge into the tidal section of the River Dee. As the phosphate standards, upon which our Interim Planning Advice is based, apply to freshwaters only, we are therefore satisfied that these sites can be screened out of your HRA with respect to assessing phosphate discharge impacts on the River Dee and Bala Lake SAC”.

Employment allocations were also screened out. Only residential developments and other commercial/employment developments that involve overnight accommodation, such as hotels, or new tourism attractions that are connected to a WwTW were included in the nutrient budget assessment. This is because that anyone living in the local WwTW catchments assessed in Flintshire also work and uses facilities in these catchments. Therefore, wastewater generated by that person can be calculated using the population increase from new homes and other overnight accommodation, to avoid double counting. However, new tourism attractions and tourism accommodation are exceptions as these land uses attract other people into the local catchments and generate additional wastewater and consequential nutrient loading to the impacted River Dee freshwater catchment. Flintshire CC has confirmed that there are no commercial/employment LDP sites that will currently fall into such categories, and therefore, only residential allocations are included in the calculations to avoid double counting.

With regard to Policies, NRW advised that ... *“It will be for the Inspectors to decide whether the inclusion of the protective policy EN6 and EN15 enables them to conclude that the LDP policies (with the exception of the policy allocations which are dealt with separately below) would not have an adverse effect on the SAC”.* These policies are discussed further in Chapter 4.

The results of this policy screening are presented in Table 2, allocations in Table 3.

Table 2: Policies Screened in for further consideration

LDP Policies	Justification
Policy EN6: Sites of Biodiversity Importance Policy EN15: Water Resources	These policies are designed to protect and enhance (where possible) the natural and cultural environment within Flintshire so were previously screened out. However, following the advice of NRW these policy wordings were not considered to be strong enough to ensure protection with regards to potential Phosphate impacts and are therefore screened in.
PE4: Farm Diversification	This policy supports farm diversification through development of existing farm complexes. Any such development would be <i>small-scale and specifically related to the farm operation or farm diversification scheme... In the case of new build, the buildings are of a scale, siting, design and materials appropriate to the site and surroundings.</i> Given the new Phosphate targets small farm expansion could have an adverse in combination effect with other new development.
PE12: Tourist Accommodation, Facilities and Attractions	Although this policy could lead to development, any such development would be small-scale and within existing areas of settlement. However, given the new Phosphate targets small farm expansion could have an adverse in combination effect with other new development.
HN4: Housing in the Countryside HN4-A: Replacement Dwellings HN4-B: Residential Conversion of Rural Buildings	These policies relate to development within the countryside. Although these policies could lead to development, they are likely to be small-scale in nature. However, given the new Phosphate targets small farm expansion could have an adverse in combination effect with other new development.

LDP Policies	Justification
HN4-C: Infill Development in Groups of Houses HN4-D: Affordable Housing Exceptions Schemes	
STR3: Strategic Sites STR10: Tourism, Culture and Leisure HN1: New Housing Development Proposals HN8: Gypsy and Traveller Sites	These policies and their associated allocations related to development which has the potential to discharge into the River Dee catchment.

Table 3: Allocations screened in for detailed assessment

Allocations	Description
HN1.1, HN1.5, HN1.6, HN1.9, HN1.10 and HN1.11	These are proposed to be connected to the Hope, Mold or Buckley mains WwTW and have the potential to have an effect.
HN8.2	HN8.2 is proposed to be connected to the Hope WwTW. The Hope WwTW has capacity and phosphate consents in place, however it discharges into a freshwater part of the River Dee and Bala Lake SAC that may be sensitive to phosphate inputs.

3.4 Water Quality Phosphates Screening Conclusion

In an already exceeding system, and with regard to NRW advice, it would not be possible for development provided for within the plan that added wastewater to the system to conclude no adverse effect to the integrity of the SAC. Following these assessments and consultations it was concluded that the screened in policies and allocations should be subject to the preparation of information for an Appropriate Assessment under the Habitats Regulations to determine whether the updated advice from NRW requires further amendments to the plan and associated policies in addition to proposed mitigation.

4 Appropriate Assessment

4.1 Approach to incorporation of further mitigation measures to a plan

4.1.1 Overview

The remaining policies or and allocations brought forward for information for Appropriate Assessment are presented in Table 2 and Table 3.

In order to deliver the LDP with confidence that alone and in combination with other plans there would be no increase in the amount of P entering the Dee two approaches were taken:

1. The consideration as to stronger policy wording with regards to the protection of the River Dee SAC; and
2. The production of a Dee Catchment Phosphate Reduction Strategy (DCPRS) to present the requirements and mitigation across the catchment produced in collaboration with Wrexham Borough Council

The wording of Policies EN6 and EN15 were also re-examined, the potential developments resulting from the remaining policies were examined as a whole and via particular allocations that were screened in for detailed assessment.

The DCPRS examines the potential sources of P, not only from the respective LDPs, but from wider catchment sources and provides potential solutions to the overall reduction of P. Nutrient budgeting for the LDP inputs were assessed to provide an indication as to the level of solutions required. By demonstrating the existing opportunities for LDP and wider P mitigation in conjunction with additional strengthening of policy shows that the aspirations in the LDP can be delivered without adversely affecting the integrity of the SAC and meeting NRW's new Phosphate targets.

4.1.2 Case law

Case law has established some important principles in respect of the reliance on mitigation measures as part of the HRA of a plan (as opposed to a HRA of a project). In the case of a project, it is necessary to have the details of proposed mitigation measures clearly established before being able to rely on them to conclude that a project will have no likely significant effect, or no adverse effect on integrity. However, in line with the strategic nature of a plan, it is necessary to outline an overall framework within which later projects can be successfully delivered without requiring abnormal derogations from compliance with existing legislation.

As set out in section C.5.1. of the HRA Handbook⁷, as a general principle for both plans and projects:

“all ‘mitigation measures’ should be effective, reliable, timely, guaranteed to be delivered and as long-term as they need to be to achieve their objectives. Any doubt about the effective, reliability, timing, deliver or duration of mitigation measures, should be addressed by the competent authority before relying on such measures during the appropriate assessment and integrity test stages”.

The effect of the Dutch nitrogen case (Case C293/17 and C 294) ruling⁸ provides that the expected benefits of mitigation measures should be certain at the time of assessment. However, this ruling should be considered in conjunction with the standards of certainty established by earlier Waddenzee ruling⁹, when ascertaining ‘no adverse effect on the integrity’ of a site. In particular, whilst the ‘expected benefits’ of mitigation measures

⁷ Available at: <https://www.dtapublications.co.uk/> [Accessed: 16/11/21]

⁸ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:62017CA0293> [Accessed: 16/11/21]

⁹ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:62002CJ0127&from=EN> [Accessed: 16/11/21]

should be certain 'at the time of the assessment', taken together with what is known of the impacts, overall, the standard that remains to be met is that there remains no reasonable scientific doubt as to adverse effects on the integrity of the site.

With specific reference to the HRA of a plan, case law has established that it is acceptable in principle to include policies within a Local Plan which are **conditional** upon certain **conditions** being met. In the case of *Feeney v Oxford City Council*¹⁰, in respect of the assessment of land use plans under the Habitats Regulations, the use of a '**safeguard**' relating specifically to a particular policy within the Core Strategy was subject to considerable scrutiny. The High Court ruled that:

"There is nothing wrong in approving something in principle which may not happen in the future, if the condition is not satisfied (para 96)..."

The conditional approval is a permissible and lawful course of action (para 99)"

In support of this premise, an approach which potentially relies upon matters being finalised after the adoption of the plan was specifically endorsed by the High Court in the case of *Abbotskerswell v Teignbridge* (2014)¹¹. In this case, the Inspector:

"did not consider that safeguards proposed in the plan – the strategic mitigation strategy, settlement and site mitigation plans – had to be in place in advance of adoption of the Local Plan".

The Court ruled in para 84 that *"the Inspector was entitled to conclude that the Local Plan met the statutory requirements and was sound"*.

In addition, a nutrient neutrality approach has been subject to scrutiny in the High court in the case of *Wyatt v Fareham BC*¹².

The Wyatt case also explored the issue of certainty, and ruled that the presence of uncertainty can be addressed by ruling out the possibility of relevant harm to a high standard, thereby removing any reasonable scientific doubt. Paragraph 105 states:

'By requiring the competent authority effectively to rule out, to a very high standard, the possibility of relevant harm, the requirement under both articles 6(2) and (3) of the Habitats Directive is fully satisfied.'

In the Wyatt case this was achieved by including a sufficient level of precaution (namely underestimating the effectiveness of mitigation measures) to counterbalance the uncertainties, and this approach was endorsed by the ruling. It is important to note that the uncertainty in this case did not concern uncertainty about whether proposed measures would be effective, rather uncertainty in how otherwise robust mitigation measures might be quantified and applied in a strategic manner.

This case is discussed further in section 4.3.

Finally, in the case of *NANT v Suffolk Coastal District Council* (2015)¹³, the Court of Appeal ruled that:

"the important question in a case such as this is not whether mitigation measures were considered at the stage of CS [Core Strategy] in as much detail as the available information permitted, but whether there was sufficient information at that stage to enable the Council to be duly satisfied that the proposed mitigation measures could be achieved in practice".

¹⁰ Available at:

<http://pages.wiltshire.gov.uk/corestrategydocument?directory=Sustainability%20Appraisal%20and%20Habitat%20Regulation%20Assessment&filerref=31> [Accessed: 16/11/21]

¹¹ Available at: <https://www.bailii.org/ew/cases/EWHC/Admin/2014/4166.html> [Accessed: 16/11/21]

¹² Available at: <https://www.townlegal.com/wp-content/uploads/2021-EWHC-1434-Admin-28-May-2021.pdf> [Accessed: 19/11/21]

¹³ Available at: <https://www.eastsuffolk.gov.uk/assets/Planning/Suffolk-Coastal-Local-Plan/Core-Strategy-and-DMP/No-Adastral-New-Town-Ltd-v-SCDC.pdf> [Accessed: 16/11/21]

Therefore, when considering mitigation measures to inform a plan HRA, the key question is whether there is sufficient information to determine that the proposed mitigation measures **could** be relied upon to prevent an adverse effect to the integrity of European sites.

4.1.3 Potential policy amendments and mitigation

The HRA Handbook states that '*Further mitigation measures that may be introduced during or after the 'appropriate assessment stage may be case specific policy restrictions or policy caveats.*

To be an appropriate restriction or caveat [...], enabling the plan-making body to ascertain no adverse effect on the integrity of a European site, the restriction must be –

- *case-specific;*
- *explicit; and*
- *added to the policy and not merely added to the explanatory text or commentary, or not merely inserted into the implementation or monitoring chapters.'*

Therefore, a combination of strengthened embedded policy and a clear mitigation strategy could be sufficient to demonstrate no adverse effect.

4.2 Policies EN6 and EN15 Revision

In order for the provisions of EN6 and EN15 to continue to serve as mitigation measures for the screened in policies, a revision to the wording was necessary to provide for a strategic approach to the delivery of phosphorus reduction measures.

4.2.1 Policy EN6: Sites of Biodiversity and Geodiversity Importance

The first paragraph of Policy EN6 has been amended to provide greater clarity of the wording of the policy in regard to international nature conservation designations. Reference to the requirement of a Habitats Regulations Assessment for a development proposal if likely significant effects on an internationally designated site is potential, has been removed. This has been replaced with the requirement for development not to lead to the potential for adverse effects on the integrity of sites of international nature conservation importance.

EN6: Sites of Biodiversity and Geodiversity Importance

~~Development likely to significantly affect any site of international importance, either alone or in combination with other plans or projects, will be subject to a Habitat Regulations Assessment (HRA). Development will only be permitted where it is possible to ascertain no adverse effect on the integrity of the Site or where there are Imperative Reasons of Overriding Public Interest and compensatory measures are secured.~~

Development will not be permitted that would result in an adverse effect on the integrity of sites of international nature conservation importance. Proposals where adverse effects on site integrity cannot be ruled out would not be supported.

Development likely to impact the special features of a Nationally Designated Site will only be granted in exceptional circumstances where appropriate compensation can be provided.

Development proposals that would have a significant adverse effect on locally designated sites or site with other biodiversity and / or geological interest, including priority species, will only be permitted where:

- a. it can be demonstrated that the need for the development outweighs the biodiversity or geological importance of the site; and
- b. it can be demonstrated that the development cannot reasonably be located elsewhere; and
- c. any unavoidable harm is minimised by effective mitigation to ensure that there is no reduction in the overall biodiversity value of the area. Where this is not feasible compensation measures designed to create, restore and enhance biodiversity must be provided.

Development that results in the restoration, enhancement and creation of habitats will be supported especially where this promotes the resilience of ecosystems.

4.2.2 Policy EN15: Water Resources

Policy EN15 has been updated to reflect ongoing work on a joint basis with Wrexham County Borough Council in relation to the issue with phosphates. The amended policy as set out below should be considered alongside the following documents:

- the Dee Catchment Phosphorous Reduction Strategy (DCPRS)
- a draft Statement of Common Ground with NRW
- Habitats Regulations Assessment (HRA) Addendum

EN15: Water Resources

Development affecting water resources will only be permitted if:

- a. it would not have a significant adverse impact on the capacity and flow of groundwater, surface water, or coastal water systems;
- b. it would not pose an unacceptable risk to the quality of groundwater, surface water, or coastal water;
- c. it would have access to adequate water supply, sewerage and sewage treatment facilities which either already exist, or will be provided in time to serve the development, without detriment to existing abstractions, water quality, fisheries, amenity or nature conservation; **and**
- d. **there is no adverse effect on the integrity of the River Dee and Bala Lake SAC in particular through the treatment of waste water.**

To ensure no adverse effect on the integrity of the River Dee and Bala Lake SAC, development creating waste water discharges will be required to demonstrate there is no increase in phosphorus levels in the SAC.

This can be achieved through implementation of mitigation measures and associated supplementary planning guidance. Mitigation will involve, either:

- 1. Delivery of measures specified in the Dee Catchment Phosphorus Reduction Strategy (DCPRS), which will require:**
 - i. Developer contributions/community infrastructure levy funds to deliver measures identified within the DCPRS to reduce phosphorus levels within the catchment.**
 - ii. Phasing of development to meet the delivery milestones within the DCPRS, and delaying development if milestones have not been met;**

OR

- 2. Using alternative mitigation approaches to those mentioned in 1. above. Where further evidence demonstrates that adverse effects on the integrity of the River Dee and Bala Lake SAC can be avoided using alternative mitigation, these must be agreed with the Council, in consultation with Natural Resources Wales.**

With these changes, EN6 and EN15 as amended will act as both a policy caveat and a policy restriction which can be relied upon to avoid adverse effects to site integrity.

4.3 Dee Catchment Phosphorus Reduction Strategy 2021

Policy EN15 refers to a Dee Catchment Phosphorous Reduction Strategy (DCPRS). This will be the vehicle to deliver the strategic mitigation in the catchment that will be supported by subsequent local action plans for delivery. In order for policy EN15 to be relied upon for HRA purposes, the DCPRS sets out a range of measures that are technically feasible and can reasonably be delivered in relation to the policies and allocations within the LDP and that it can be demonstrated that these measures can be relied upon to avoid adverse effects to site integrity and are achievable in practice.

There are uncertainties that exist in relation to how otherwise robust mitigation measures might be quantified and applied in a strategic manner, the DCPRS therefore overcomes this issue by committing to underestimate the effectiveness of mitigation measures and/or delivering a surplus of mitigation measures, thereby providing the level of ‘certainty’ required to conclude no adverse effects on site integrity.

To ensure that this can be delivered a joint approach has been undertaken with Wrexham and in addition to LDP sources, wider environmental P sources have been considered within the DCPRS.

This requires that the DCPRS contain two distinct categories of measures.

- Category 1 measures – those which allow compliance with the Habitats Regulations and avoid adverse effects from the developments arising from the LDP allocations.
- Category 2 measures – those that will deliver wider phosphorus reductions across the catchment to increase certainty of success.

A range of interventions have been assessed within the DCPRS including nature-based solutions that would be entirely within the control of the Council to deliver including those ranging from street scape Sustainable Drainage Solutions (SuDS) to Integrated Buffer Zones (IBZs) of trees and grasslands protecting watercourses, to constructed wetlands.

Wetlands designed specifically for wastewater treatment have the greatest P removal potential. As such nutrient budgeting mitigation was calculated for these interventions. Table 4 shows the nutrient budget calculations that have been undertaken to demonstrate the additional treatment required to support the LDP. Option 1 presents the calculations for the Wastewater Treatment Works (WwTWs) discharging P at their full permitted amount (which is not the current situation, full details presented in the DCPRS) Option 2 shows the more likely scenario. They also include differing efficiencies of P reduction and options for considering land use change for allocations discharging into the screened in treatment works (i.e. some allocations involved the conversion of agricultural land into residential use and therefore there is a net reduction in P due to the change of use). Full details are presented within the DCPRS. Thus, for the assessed ‘worst-case scenario’ 11.4 ha of constructed wetlands would be required to prevent additional P entering into the system from the proposed LDP allocations.

Table 4: Area requirement - with existing P permit maximum values and maintaining current P performance at WwTWs

WwTW	OPTION 1: Discharging at maximum current P consent limit at WwTWs			OPTION 2: Maintaining current P performance at WwTWs		
	Both Land Use and WwTW discharge impacts considered		Only WwTW discharge considered	Both Land Use and WwTW discharge impacts considered		Only WwTW discharge considered
	Mid P Value Wetland Area (ha)	High P Value Wetland Area (ha)	Indicative Wetland Area (ha)	Mid P Value Wetland Area (ha)	High P Value Wetland Area (ha)	Indicative Wetland Area (ha)
Buckley	3.60	3.47	3.51	1.84	1.71	1.76
Mold	5.27	4.83	5.11	2.72	2.28	2.55
Hope	2.53	2.33	2.48	1.29	1.09	1.24
Totals	11.4	10.63	11.1	5.85	5.08	5.55

* The values in red and green show the largest and smallest wetland area requirement respectively under each option for the sensitivity checking purposes.

The DCPRS also sets out how developer contributions to the category 1 measures will be reasonably secured.

For the River Dee, the Reasons for Not Achieving Good Status (RNAG) are largely due to agriculture and rural land management and Wastewater Treatment Works (WwTW). For WwTW, this is largely due to their inability to completely remove P from effluent before discharging into the surrounding waterbodies (Figure 2).

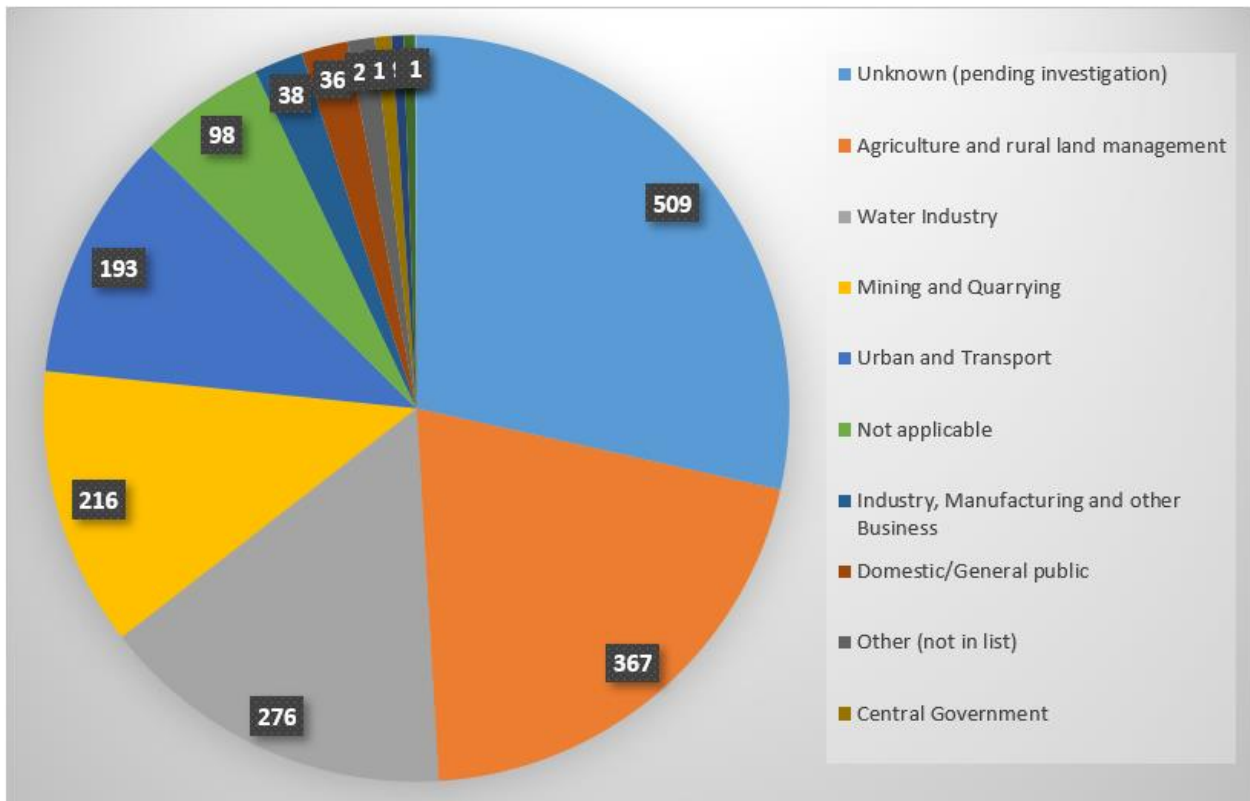


Figure 2: Counts of numbers of Reasons for Not Achieving Good Status (RNAG) on the River Dee 2014 to 2018¹⁴

Category 2 measures are therefore necessary to provide confidence that the delivery of category 1 measures will be effective in an environment with excess P and will not undermine the achievement of the conservation objectives and corresponding duties under Article 6(1) and 6(2). Box 4.1 shows how land that is within the Council's control could potentially contribute to P reduction for category 2 measures. Full details and additional solutions are presented within the DCPRS.

¹⁴ [Water Watch Wales \(naturalresourceswales.gov.uk\)](http://naturalresourceswales.gov.uk)

Box 4.1: Woodland planting, habitat restoration and fencing - adjacent to Buckley WwTW

This preliminary assessment investigates the effectiveness of incorporating new woodland planting and habitat restoration areas within Flintshire County Council owned land, adjoining to existing Buckley WwTW. Wat's Dyke also runs through an area of farmland and woodland to the southeast of Buckley WwTW.



The estimated annual rainfall is between 900 and 1200mm. The FARMSOPER model was first tested to determine the individual effectiveness of proposed woodland planting, habitat restoration and fencing. This showed that woodland planting, habitat restoration and fencing can reduce the annual P load by 17% (from 11.25kg to 9.33kg), 4.4% (from 11.25kg to 10.76kg), and 2.8% (from 11.25kg to 10.93kg) respectively. The fencing test assumed that only 20% of the site was deemed to be fenced off from the watercourses on site, which would stop any livestock South of Wat's Dyke from accessing the dyke or the unnamed watercourse on the southern boundary of the site. This was because it was considered that animals could still access the watercourse (Wat's Dyke) to the north of the fencing area. The model was then run with all three intervention measures in place simultaneously, which showed that they can reduce the annual P load by 20.2% (from 11.25kg to 8.97kg).

The responsibility for delivery and maintenance of the above measures (whether C1 or C2) would be by Flintshire County Council, however there is potential for DCWW adoption. There is also opportunity for riparian planting (yellow) outside the Flintshire County Council owned land along the unnamed watercourse, but this measure was not modelled in this test. Since this is outside the Council owned land it should be treated as a C2 measure, and the delivery and maintenance responsibility would be discussed in liaison with the current landowners and the delivery potential partners discussed in this strategy. The Woodland Investment Grant, Natural Flood Management programme, or one of the other funding opportunities presented etc. (see para 4.518) could provide potential funding sources to implement these measures. These would be investigated further at scheme feasibility stage.

For purpose of clarification, development cannot be held accountable for achieving the phosphate targets, but it is necessary to ensure that the delivery of mitigation measures which serve to create capacity for new development does not prevent or hinder the delivery of wider measures to achieve the phosphate targets for the SAC.

A nutrient neutrality approach has been subject to scrutiny in the High court in the case of Wyatt v Fareham BC¹⁵. The Court accepted the principles of a nutrient neutral approach to inform decision-making under Article 6(3), paragraph 42 concludes that

¹⁵ <https://www.townlegal.com/wp-content/uploads/2021-EWHC-1434-Admin-28-May-2021.pdf>

'The authorisation of an individual project which is no more than environmentally neutral is not inimical to the language and intent of the Habitats Directive and/or the Habitats Regulations'

However, when addressing a complaint that this might hinder the delivery of wider duties under Article 6(2), the endorsement by the Court of a neutrality approach was provided on the assumption that other steps to avoid deterioration were being taken by relevant statutory bodies. The implicit support for a neutrality approach at paragraph 42 was reached on the grounds that Jay J had

'No doubt Natural England and other statutory bodies are taking other steps to avoid further deterioration for the purposes of article 6(2), all of which are outside the scope of this application for judicial review.'

It is therefore considered that in order to rely on a nutrient neutrality approach (through delivery of category 1 measures) the Council will need to be satisfied that other steps are being taken to avoid deterioration for the purposes of Article 6(2). Hence the recommendation that certainty is provided by considering the inclusion within the DCPRS of both category 1 and category 2 measures thus delivering a surplus of mitigation measures, thereby providing the level of 'certainty' required to conclude no adverse effects on site integrity.

Category 1 measures will be sufficient to achieve nutrient neutrality and avoid adverse effects to site integrity from the Local Plan. Responsibility for securing the delivery of category 1 measures therefore lies with the Council. The delivery of wider category 2 measures will provide the necessary assurances that the delivery of development provided for within the Local Plan will not undermine or hinder the achievement of the conservation objectives for the SAC. Delivery of wider category 2 measures is a shared responsibility across statutory bodies. Ultimate responsibility rests with the Welsh Government but NRW Wales have specific powers associated with improving water quality and their role will be central.

Within the DCPRS the level of mitigation required has been identified along with the range of existing and potentially new opportunities that could deliver P reductions. This includes a wide range of existing grants and funding options and the existing and proposed strategies of organisations such as The Life Dee River Project (Box 4.2).

In addition to demonstrations for potential delivery there are delivery milestones for the adoption and implementation of the measures identified within the strategy, with clear criteria against which delivery of milestones can be monitored. In accordance with policy EN15, brakes on development will be triggered should milestones not be met. This policy specific restriction will provide the confidence that adverse effects to site integrity will be avoided. Box 4.3 summarises the core DCPRS recommendations.

Box 4.2: Example of Funded Organisations Working to Improve Water Quality in the Dee

The Life Dee River Project¹ - This is a £6.8 m project to transform the River Dee and its catchment by restoring the river and its surroundings back to their natural state. Funding is already established and can be targeted with support of the NMB of which they will be a member. This will bring many benefits to the environment, most notably improving the numbers of salmon, lamprey and freshwater pearl mussels and the conservation status of the *Ranunculus fluitans* and *Callitriche-Batrachion* vegetation habitat (3260) in the Afon Dyfrdwy a Llyn Tegid / River Dee and Bala Lake SAC by:

- removing the constraints to fish migration and wider ecological connectivity, removing (partially or fully) five weirs and improving fish passage at a further six weirs in the SAC
- restoring or improving natural riverine physical processes, features and habitats in at least 55 km of river. Proposals are to carry out over 6 km of habitat improvement in the river including the addition of more than 4,000 tonnes of gravel, 4,500 tonnes of boulders, and 1,000 tonnes of woody material. At least 35 km of land along the river bank will be restored through managed grazing, fencing and planting, and 2 km of bank protection and historic artificial embankments will be removed or breached.
- improving agricultural and forestry land management practices to reduce the input of nutrients and sediment entering the SAC by installing two river crossings and blocking 21 forest drain culverts which will reduce pollution risk in 600ha of forestry in the SAC catchment and working closely with farmers, we will help improve agricultural practices to reduce the input of nutrients, chemicals and sediment entering the SAC, aiming to facilitate implementation of interventions that reduce nutrient and sediment inputs in at least 20% of targeted farms
- initiating conservation management for the critically-endangered freshwater pearl mussel captive rearing and release of at least 3,000 juvenile FWPM in suitable locations in the SAC
- establishing and building long-term positive relationships with key stakeholders during and beyond the life of the project

Box 4.3 DCPRS Summary Recommendation

The Dee Catchment Phosphorus Reduction Strategy is a key mitigation measure to avoid adverse effects to site integrity. Prior to adoption it will be necessary to demonstrate to an Inspector that measures to avoid adverse effects are achievable in practice. As a minimum, the strategy includes:

- An estimate of the additional phosphorus loading from development provided for within the plan
- An indication of the types of measures which could be delivered to reduce phosphorus
- An estimate of phosphorus reductions that could be achieved.
- Clear delivery milestones (as referred to in policy EN15) against which progress can be clearly monitored.
- How contributions from development could be collected
- Commitment from other parties that will be involved in the Governance, development and delivery of the Strategy through a Statement of Common Ground.

4.4 Applying the integrity test

The purpose of an Appropriate Assessment is to ensure that, prior to the plan being implemented, a judgment can be made as to whether it can be ascertained that the plan would have no adverse effect on the integrity of any European sites (the integrity test).

The sole reason that this addendum has triggered the need for an AA is that the screening of recent changes and the new policy position from NRW on phosphates in rivers means that the provisions of policy EN6 and EN15 could no longer be relied on as mitigation for policies and allocations previously screened out of the assessment.

It is now necessary, as part of the AA, to take account of the additional mitigation measures which might be incorporated into the plan and, in particular the revised EN15.

The DCPRS has been drafted in consultation with NRW and will be followed with a Flintshire specific Action Plan to support implementation. The proposed new Policy EN15 can also be relied upon to avoid adverse effects to site integrity on the basis that:

- A Statement of Common Ground between Natural Resources Wales and FCC will set out agreed matters with regards to the Category 1 and Category 2 measures to be implemented. Whilst there cannot be certainty, it is reasonable for FCC to be duly satisfied that the reductions in phosphorus to avoid adverse effects to the integrity of the River Dee and Bala Lake SAC from the disposal of wastewater '*can be delivered in practice*'.
- The policy specific restriction in policy EN15 that, should the DCPRS not meet its milestones, the development provided for in the plan will be phased or delayed until the necessary milestones are met. The integrity of the SAC will not therefore be at risk in such an event.
- '*There is nothing wrong in approving something in principle which may not happen in the future, if the condition is not satisfied*'. Conditional approval of development provided for in the plan which is reliant on milestones being met in the DCPRS is a permissible and lawful course of action.

By way of clarification, in coming to this conclusion, this assessment record is concerned with the compliance with the Habitats Regulations. The conditional nature of EN15 can be relied upon to avoid adverse effects to the integrity of the SAC (with which the Habitats Regulations are concerned). Whilst it is reasonable for FCC to be duly satisfied that the necessary improvements can be delivered in practice, should there be problems with delivering the DCPRS development provided for within the plan will be delayed (satisfying the Habitats Regulations) albeit with potential implications for plan delivery. Potential issues over plan delivery are separate but would not render the reliance on policy EN15 as incompatible for the purpose of the Habitats Regulations.

5 Overall Conclusion

All other MACs not relating to water quality with regards to Phosphate levels in the River Dee were screened out.

In respect of the potential effects from discharge of wastewater on the River Dee and Bala Lake SAC, following Appropriate Assessment, and taking account of the proposed additional mitigation provided by policy EN15, and demonstrated within the DCPRS, it can be concluded that all policies will have no adverse effect on the integrity of the SAC.

Policy EN15, as amended, and the delivery of mitigation through the DCPRS, can be relied upon to avoid adverse effects to site integrity as a result of the discharge of wastewater.

In reaching this conclusion regard has been given to section C.5 of the HRA Handbook and the principles which should be applied to the consideration of 'mitigation measures' within the framework of an Appropriate Assessment. Principle 5 in section C.5.1 reads as follows:

“To be taken fully into account, at the appropriate stages, all ‘mitigation measures’ should be effective, reliable, timely, guaranteed to be delivered and as long term as they need to be to achieve their objectives”.

With reference to this principle the plan-wide EN6 and EN15 together will be effective as all proposals coming forward under the plan will be required to demonstrate compliance with EN6. It is reliable as it is explicit in the protection afforded to all European sites. It is timely and guaranteed to be delivered as it has been incorporated into the plan itself; it will therefore be effective for the entire plan period. As such, there will be no residual effects from the adoption of the LDP and the potential for adverse effects in combination are ruled out and no further assessment is required.

It is therefore the conclusion of this HRA addendum that, with the proposed policy amendments (and delivery of the mitigation described therein), the changes to the Deposit Plan, in light of (NRW evidence etc) do not alter the conclusions of the main HRA. All changes which are potentially relevant have been subject to screening process and it is therefore appropriate to conclude that the LDP plan will have no adverse effect on the integrity of any European sites.

Appendix A

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
Contents					
MAC 001	Contents Section 4	Remove Section 4 and re-number subsequent Section numbers. Amend subsequent paragraph references throughout the Plan accordingly.	Part of relocation of Section 4 of written statement	Out	Not Material (NM)
MAC 002	Appendices	Add a new appendix as section 16 ' Appendix 3 - Housing Tables '.	To reflect the incorporation of housing tables in written statement as per DPM3.	Out	NM
MAC 003	Appendices	Add a new appendix as section 17 ' Appendix 4 – Housing Sub Market Area Maps '.	To reflect the incorporation of Housing Sub Market Area maps in the written statement.	Out	NM
1.					
MAC 004	Policy Index	Amend EN11 Green Barriers to 'EN11 Green Wedges '	Conformity with PPW11	Out	NM
MAC 005	Policy Index	Amend 'STR3 Strategic Sites' into two separate policies as follows: <ul style="list-style-type: none"> STR3A Strategic Site: Northern Gateway STR3B Strategic Site: Warren Hall 	To have a distinct policy for each site	Out	NM
How to Use / Navigate and Interpret the Deposit Plan					
MAC 006	3.21	Amend 7 th bullet point from 'Green Barriers' to 'Green Wedges '	Conformity with PPW11	Out	NM
Strategic Context					
MAC 007	3.25 c. Local Context	Following para 3.25, at the end of the 3 rd bullet point under c) 'Local Context' which relates to ' <i>The Deeside Plan (2017)</i> ' add the following text ' <i>The Deeside Plan provides an overarching framework to guide actions over the next thirty years and pulls together a wide variety of objectives, plans and strategies grouped according to the key themes of economic growth, transport, housing, skills and employment and the environment.</i> '	To provide further detail on the Deeside Plan.	Out	NM
Key Issues and Drivers for Change					
MAC 008	3.30 Table	In 11 th point replace 'green barriers' with 'green wedges '	Conformity with PPW11	Out	NM
MAC 009	3.35	In the table following para 3.35 replace 'In Flintshire, we need to plan for' with ' Planning Challenges '.	To add clarity to the purpose of the table	Out	NM
Forming the Plan's Strategy from This Context					
MAC 010	3.38	Amend the LDP Vision in para 3.38 by replacing 'balance which provides for' with ' balance between '. Include 'and natural environment' after 'heritage'.	To improve the clarity of the Plan Vision.	Out	NM

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		The vision reads as follows: “The LDP is about people and places. It seeks to achieve a sustainable and lasting balance which provides for balance between the economic, social, and environmental needs of Flintshire and its residents, through realising its unique position as a regional gateway and area for economic investment, whilst protecting its strong historic and cultural heritage and natural environment ”.			
MAC 011	3.41	In Objective 10 following para 3.41 replace ‘Redefine’ with ‘ Repurpose ’. The revised Objective reads ‘ Redefine Repurpose the role and function of Flintshire’s town centres as vibrant destinations for shopping, leisure, culture, learning, business and transport.’	To reflect the wording used in the Welsh Government publication ‘Building Better Places’.	Out	NM
MAC 012	3.41	In Objective 11 following para 3.41 add ‘ full ’ before ‘range of housing needs’. The revised Objective reads ‘Ensuring that Flintshire has the right amount, size, and type of new housing to support economic development and to meet a full range of housing needs’	To ensure that the Plan has the objective of meeting a full range of housing needs.	Out	NM
MAC 013	3.41	In Objective 13 following para 3.41 delete the words ‘and enhance’. The revised Objective reads ‘Promote and enhance a diverse and sustainable rural economy’	To add clarity to the wording and scope of the Objective.	Out	NM
The Preferred Strategy					
MAC 014	3.64	Amend the section heading prior to para 3.64 by deleting ‘Preferred’ and in the opening wording of para 3.64 delete ‘Preferred’. The revised title is ‘The Preferred Strategy’ The revised opening wording of 3.64 is ‘The Plan’s Preferred Strategy...’	To more clearly explain that this section of the Plan relates to the actual Plan Strategy.	Out	NM
MAC 015	3.65	Add the title ‘ Key elements of LDP Strategy ’ after paragraph 3.65, before the table.	In order to provide a heading for the table.	Out	NM
MAC 016	3.65 Table	Update the Housing Growth section as follows: <ul style="list-style-type: none"> Ensuring a housing land supply to provide for 7,950 7870 dwellings to meet an LDP housing requirement of 6,950 dwellings This equates to an average build rate of 463 dwellings per annum over the Plan period. In comparison, the average annual build rate over the last 10 years has been 420 427, and 573 over the last 5 years. Completions in the first three five years of the Plan period have averaged 563 521 (1,694 2609 in total), showing that the Plan is on track in terms of enabling delivery. There is capacity for a further 4774 1221 dwellings on sites with planning permission (commitments) which are either under construction or expected to be delivered within 5 years the Plan period.. Whilst the residual requirement for new sites is 879 855 the Plan has allocated 4874 1775 dwellings on sustainable new sites, providing as a consequence for an overall flexibility of 44.4% 13.2%. This is a generous over-provision and will help ensure the overall deliverability of the Plan’s housing requirement 	To reflect updates to Housing Balance Sheet and other Housing Tables.	Out	Reduction in housing numbers

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
MAC 017	3.65 Table	In the 2 nd bullet point of the spatial strategy section, amend the last sentence as follows: 'The Plan's aim of a 15% 13% flexibility allowance will also help balance this strategic commitment.'	To reflect the updated Housing Balance Sheet.	Out	Reduction in housing numbers
MAC 018	3.65 Table	In the 'Managing Growth' section replace 'Green barriers (wedges)' with ' Green Wedges '.	Conformity with PPW11	Out	NM
MAC 019	3.72	<p>Add the following new paragraphs after paragraph 3.72 and re-number subsequent paragraph: 'PPW11 highlights that 'the built and natural environment is a key determinant of health and well-being' (para 3.19). The LDP is important to the health and well-being of Flintshire's residents as it directly shapes the natural and built environment which subsequently influences the social, economic, environmental and cultural factors which impact on health and well-being. The LDP seeks to promote sustainable development which enhances the health and well-being of Flintshire's residents through the creation of new employment opportunities, affordable housing options and the provision of high quality open spaces and green infrastructure. All of these elements combined can positively influence the health and well-being of communities. The LDP will achieve this by ensuring that the right type of developments take place in the most sustainable locations with the necessary infrastructure in place to support the new and existing community. In addition to this, the LDP can protect communities from inappropriate developments that would have a detrimental impact upon the health and well-being of residents.</p> <p>As part of the process of preparing the LDP a Health Impact Assessment (HIA) has been carried out in partnership with Betsi Cadwaladr Public Health Team. A HIA is not a statutory part of plan preparation but can have a positive effect in shaping the strategy and policies within an LDP which reduce health inequalities. The purpose of the HIA is to consult with health and planning professionals on the potential wider impact of the LDP on the health and well-being of Flintshire's population. The HIA process highlighted the importance of the LDP in protecting and promoting the health and well-being of Flintshire's residents and identified areas where the plan can ensure that this is maximized. Overall the HIA highlighted that the promotion of active travel and the accessibility of new development have a significant impact upon health and well-being, in addition the integration of existing communities and the provision of key infrastructure such as education and health centres should also be given very careful consideration. The requirements of Gypsies and Travellers was also identified as a key area for attention that could impact upon health and well-being'.</p>	To explain how the LDP is important to health and well-being.	Out	NM
MAC 020	3.73	<p>In para 3.73 delete 'Preferred'.</p> <p>The revised wording is 'The Key Diagram below helps to demonstrate the Council's Preferred Strategy'.</p>	To more clearly explain that this section of the Plan relates to the actual Plan Strategy.	Out	NM
MAC 021	3.73/	Add the title ' The Plan Strategy ' to the diagram following para 3.73 on page 36.	To provide a heading for the diagram.	Out	NM
4. Strategic Policies					

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
MAC 022	Para 4.1 / 4.2	Move paras 4.1 and 4.2 to the beginning of section 5 with a heading 'Introduction – Strategic Policies' to provide a general introduction before each of the 4 groups of strategic policies.	Part of relocation of Section 4 of written statement	Out	NM
MAC 023	Para 4.3 to 4.7	Move paras 4.3 to 4.7 to the end of section 3 with a new heading 'Well-being and Ways of Working'	Part of relocation of Section 4 of written statement	Out	NM
MAC 024	Para 4.4	<p>Include the following new paragraph after para 4.4:</p> <p>'In preparing the Plan the Council has had regard to the Ways of Working and each is considered in turn:</p> <ul style="list-style-type: none"> • Collaboration – throughout the Plan's preparation the Council has collaborated with a wide variety of stakeholders particularly through the Key Stakeholder Forum who have a shared responsibility and intention to help meet well-being objectives. The Council has worked in a collaborative manner in terms of establishing joint evidence bases (Employment Land Review and Local Housing Market Assessment) and more recently establishing a common approach to viability assessment. Flintshire also provides a Minerals and Waste planning service to North Wales authorities. • Prevention – The Plan has had regard to existing problems and sought to prevent new problems from occurring whether in respect of the economy, the environment, infrastructure and people's health and well-being. The Plans framework of policies and proposals provide the basis with which to achieve the Well-being goals. • Involvement – In addition to the Key Stakeholder Forum, the Council have also sought to involve a large number of local and specific interest groups, as identified in the appendices to the Delivery Agreement. As the Plan has progressed the emphasis changed from engagement to participation, as explained in detail in the Consultation Report. The additional engagement exercise which comprised the Key Messages document was intended to ensure a firm basis with which to shape the plan's vision, issues and objectives which acted as a platform for formation of strategic options. The Council has also worked with groups such as Flintshire 50+ Action Group, Flintshire Youth Forum, Public Health Wales and the Gypsy and Traveller Community, amongst others. Town and Community Councils have been closely involved throughout all stages of Plan preparing. This ongoing process of engagement has helped inform and refine the Plan as it has progressed, as explained in the Consultation Report. • Long term – Although the Plan is directly concerned with planning for the present Plan period, its preparation has regard to the long term in ensuring that patterns of development are both sustainable and resilient in the long term. • Integration – The preparation of the Plan has sought to draw upon a large number and variety of guidance, plans and strategies at the international, national and local levels, including the Council's Well-being Plan. The Plan's strategy, policy and proposals are considered to sit comfortably within this wider context. For instance, each of the strategic policies is referenced to the well-being goals. The preparation of the Plan has been the subject of a continuous process of independent assessment through the Integrated Impact Assessment which itself was re-scoped in order to ensure it 	To explain how the Council had regard to the 5 Ways of Working as part of the preparation of the Plan.	Out	NM

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MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		incorporated and worked towards achieving the Well-being goals and Ways of Working’.			
5. Strategic Policies – Creating Sustainable Places and Communities					
MAC 025	5.1	Amend the ‘Introduction’ heading prior to para 5.1 to ‘Introduction – Creating Sustainable Places and Communities’	Part of relocation of Section 4 of written statement	Out	NM
MAC 026	STR1	In criteria ii amend 139.67 hectares to 124.97 hectares	To reflect deletions of employment allocations and reduced amount at Warren Hall	Out	Reduction in housing numbers
MAC 027	STR1	In criteria iii amend ‘7,950’ to 7870	To update the Plans total provision of housing to reflect changes to the Housing Balance Sheet (01/04/20) base date and deletion of housing at Warren Hall.	Out	Reduction in housing numbers
MAC 028	STR1	In criteria iii add at end of present wording ‘ of which 2265 will be affordable ’.	To include the Plan’s affordable housing target, having regard to deletion of housing at Warren Hall..	Out	NM
MAC 029	STR2	<p>In policy STR2 make the following changes:</p> <ul style="list-style-type: none"> In criteria a) regarding Tier 1 settlements add a new criteria ‘iv. Exceptions Schemes for affordable housing adjoining settlement boundaries’ In criteria b iv, c iv and d ii delete the word ‘small scale’ <p>The revised policy wording is as follows:</p> <p>STR2: The Location of Development New development will be directed to the following locations:</p> <p>i. Allocated Sites; ii. Principal Employment Areas as detailed in policy PE2; iii. Sustainable settlements based on the first three tiers of the settlement hierarchy, as detailed in the attached table:</p> <p>a. Tier 1 - Main Service Centres will be the main locations for new housing development which reinforces and contributes to sustainable settlements. Provision will include:</p> <p>i. Allocations ii. Windfall market housing iii. Affordable housing on sites above an area / units threshold</p>	To enable exceptions housing schemes on the edge of Tier 1 settlements and to ensure consistency with policy HN4-D.	Out	NM

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		<p>iv. Exception schemes for affordable housing adjoining settlement boundaries</p> <p>b. Tier 2 - Local Service Centres will be the locations for more modest levels of new housing development. Provision will include:</p> <ul style="list-style-type: none"> i. Allocations ii. Windfall market housing iii. Affordable housing on sites above an area / units threshold iv. Small Scale Exceptions Schemes for Affordable Housing adjoining settlement boundaries <p>c. Tier 3 - Sustainable Settlements will be the locations for housing development related to the scale, character and role of the settlement. Provision will include:</p> <ul style="list-style-type: none"> i. Allocations ii. Windfall market housing iii. Affordable housing on sites above an area / units threshold iv. Small Scale Exceptions Schemes for Affordable Housing adjoining settlement boundaries <p>d. In Tier 4 Defined Villages housing development will only be permitted within settlement boundaries related to the scale, character and role of the settlement and which delivers local needs affordable housing. Provision will include:</p> <ul style="list-style-type: none"> i. Windfall market housing (only permitted when essential to delivering affordable housing) ii. Small Scale Exceptions Schemes for Affordable Housing adjoining settlement boundaries <p>e. In Tier 5 Undefined villages housing development will be limited to sensitive small scale housing development in the form of infill or rounding off where local needs affordable housing only is provided.</p>			
MAC 030	STR2 5.13	<p>Insert DPM Table 16 (Background Paper 10A – Table 4A) as part of explanation to policy STR2.</p> <ul style="list-style-type: none"> • Reword the last two sentences of para 5.13 as follows: ‘The Preferred Strategy detailed a broad brush distribution of housing, based on the settlement and spatial strategy, and is set out below. This compares well with the actual apportionment of growth in the Deposit Plan and in the adopted Plan as set out in the first table below, taking into account completions during the first three years of the LDP period, commitments as at April 2018, the housing allocations and anticipated windfalls. A more detailed breakdown is set out in the Housing Land Supply Background Paper. The second table below, in line with the Development Plans Manual 3, shows a more detailed spatial breakdown of supply.’ • Amend the table by adding a third column ‘Adopted Plan’ with figures of Tier 1 – 47%, Tier 2 35%, Tier 3 – 15%, Tier 4 – 2%, Tier 5 – 1%’ • Add a further table below the above table to give a detailed breakdown: 	To accord with DPM3 and to update the explanatory text and to take account of the deletion of housing at Warren Hall.	Out	NM

Schedule of Matters Arising Changes

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		<p>Summary of Spatial Distribution of Housing as at 1.4.20</p> <table border="1"> <thead> <tr> <th colspan="2"></th> <th colspan="6">Settlement Hierarchy</th> </tr> <tr> <th></th> <th>Components of Housing Supply</th> <th>Tier 1</th> <th>Tier 2</th> <th>Tier 3</th> <th>Tier 4</th> <th>Tier 5</th> <th>Totals</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Total completions (small & large)</td> <td>1489</td> <td>579</td> <td>433</td> <td>67</td> <td>41</td> <td>2609</td> </tr> <tr> <td>B</td> <td>*Units under construction</td> <td>162</td> <td>71</td> <td>19</td> <td>2</td> <td>0</td> <td>**254</td> </tr> <tr> <td>C</td> <td>*Units with Planning permission</td> <td>535</td> <td>108</td> <td>255</td> <td>43</td> <td>26</td> <td>967</td> </tr> <tr> <td>D</td> <td>New Housing Allocations</td> <td>863</td> <td>1851</td> <td>246</td> <td>0</td> <td>0</td> <td>2960</td> </tr> <tr> <td>E</td> <td>Windfall sites (large & small)</td> <td>702</td> <td>173</td> <td>173</td> <td>21</td> <td>11</td> <td>1080</td> </tr> <tr> <td>F</td> <td>Total Housing Provision</td> <td>3751</td> <td>2782</td> <td>1126</td> <td>133</td> <td>78</td> <td>7870</td> </tr> </tbody> </table> <p>* Relates to large sites of 10 or more units only **Excludes units under construction on Allocated sites (which are included in the row D figures)</p>			Settlement Hierarchy							Components of Housing Supply	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Totals	A	Total completions (small & large)	1489	579	433	67	41	2609	B	*Units under construction	162	71	19	2	0	**254	C	*Units with Planning permission	535	108	255	43	26	967	D	New Housing Allocations	863	1851	246	0	0	2960	E	Windfall sites (large & small)	702	173	173	21	11	1080	F	Total Housing Provision	3751	2782	1126	133	78	7870			
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MAC 031	STR3	<p>Split policy STR3 into two separate policies and amend Policy Index:</p> <p>For STR3A Northern Gateway:</p> <ul style="list-style-type: none"> In second sentence of opening part of policy wording replace 'Two' with 'The following' and replace 'sites' with 'site'. Delete the policy wording relating to STR3B Warren Hall Amend para 5.19 as follows: <ul style="list-style-type: none"> Replace 'The two strategic allocations are both sites' with 'This strategic allocation is a site' Replace 'but where it is vital to revisit both sites in different ways' with 'but where it is vital to revisit the site' Replace 'ensure that they come forward' with 'ensure that it comes forward' Delete para 5.20 Delete para 5.23 Delete para 5.24 Delete 'Warren Hall Masterplan and Delivery Statement' in the Policy Context Table Re-number paragraphs 	To add clarity by having a dedicated policy and explanation for each site.	Out	Discharging into the Tidal Dee, see section 3.3.2.																																																																

Schedule of Matters Arising Changes

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		<ul style="list-style-type: none"> • Include an Indicative Masterplan as part of the explanation for the site (illustrative masterplan diagrams in LDP-EBD-STR3A.1 and LDP-EBD-STR3A.2). • Add a reference at the end of para 5.19 'The Council produced early planning guidance in respect of the Northern Gateway site and this assisted in working proactively with the two developers in bringing forward subsequent development proposals. The comprehensive framework of planning outline permissions supported by applications for discharges of conditions and reserved matters provides the basis for guiding and determining subsequent planning applications on remaining phases of the strategic site. <p>For STR3B Warren Hall the changes are set out in IMAC01.</p>			
		<p>The complete revised policy wording and explanatory text STR3A is as follows:</p> <p>STR3A Strategic Site: Northern Gateway Mixed Use Development Site: Employment, housing, commercial, community facilities: The majority of new development in Flintshire during the Plan period will be provided by a combination of commitments and new sites located in accordance with the sustainable settlement hierarchy. The following key strategic site will make an important contribution to the overall provision for growth in Flintshire over the Plan period:</p> <ol style="list-style-type: none"> i. 1,325 new homes, including affordable ii. 72.4 hectares of B2/B8 employment land iii Commercial development hub adjacent to A550 iv. District Centre(s) to serve local convenience needs v. Strengthened and raised River Dee flood defences vi. Provision of internal road infrastructure vii Provision of land and a contribution to extending Sealand CP School viii Sustainable drainage/flood management solution ix Provision of green infrastructure network x. Sensitive re-use of John Summers Listed buildings and grounds <p>The settlement audit work which underpins the settlement hierarchy reflects the geographic diversity of the County, ranging from larger towns to small rural hamlets. The County is unlike many others in Wales as there is no single settlement which is dominant in terms of size and function. Instead there are several main towns and the urban area of Deeside where a number of settlements are in close proximity to one another. Given the polycentric settlement and development pattern, and as a general rule the lack of suitable new strategic sites, the Council's focus in the Plan is on ensuring that the existing strategic site commitments are fully enabled to deliver development, before considering further strategic scale allocations.</p> <p>The relative lack of strategic sites, compared to other LDP's in Wales, should not necessarily be seen as a weakness. The experience of other large sites in Wales suggests they can be difficult to get off the ground and are not delivering development as anticipated. This can have a negative effect on securing and maintaining a 5 year housing land supply from adoption onwards despite the purpose and intention of such sites being soundly based. The adjoining LPA's of Wrexham and Cheshire West and Chester (CWAC) both have planned strategic urban extensions delivering the bulk of new housing in Wrexham and as part of the green belt release on the south western edge of Chester. Further afield, Denbighshire also has a large urban extension at Bodelwyddan. The bulk of the 'new allocations' or residual requirement element of the Plan's overall housing provision will therefore be delivered by a range of deliverable housing allocations that are below the scale of strategic sites. This should enable sites to be delivered and ensure a 5 year housing land supply at adoption and through the Plan period.</p>			

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments											
		<p>The strategic allocation is a site where the principle of development has been secured through outline planning consents but where it is vital to revisit the site to ensure that it comes forward and contributes to the economic growth of the County and also contribute to meeting its housing needs. The Northern Gateway site is a mixed use strategic site at the heart of the Enterprise Zone. The mix and quantum of development has changed since the allocation in the UDP because the two halves of the site are in separate ownership and are being promoted separately and market demand has changed since the site was first allocated. It is considered that a renewed allocation as part of the LDP is required to re-promote the sites which will result in increased market confidence in the scheme, on the back of considerable public sector infrastructure investment. As part of the framework of planning permissions relating to the site, an approved Masterplan Framework Document, prepared in 2012 sets out agreed parameters and principles for the development of the site.</p> <p>The Northern Gateway site represents a large area of brownfield and under-utilised land adjacent to Deeside Industrial Park and Garden City. The site is located adjacent to the A494 Trunk Road and in close proximity to the Wrexham Bidston and North Wales Coast railways lines. It therefore sits at the heart of a sub-regional economic hub and at the Gateway to Flintshire and Wales. The site forms a key part of the Deeside area, being designated as an Enterprise Zone. The promotion of the site as a mixed use development enhances the sustainability credentials arising from its location.</p> <p>The mixed use site provides for 1,325 new homes and will include affordable housing. The site benefits from two outline permissions and is a 'commitment' but the 1,325 dwellings will be included as a strategic allocation within the housing balance sheet, rather than as a commitment, in order to avoid double counting. In terms of employment land the site will deliver some 72.4ha of B2 and B8 employment land, which reflects the general nature of employment development in the locality and the fact that B1 high quality employment land is available elsewhere in the County. In order to support the employment and housing development the scheme will provide a commercial hub and district centre adjacent to the A550. Land will also be provided along with a financial contribution to enable the provision of an extension to the existing primary school. Infrastructure investment has taken place by strengthening and raising the River Dee flood defences and internal access roads are also being delivered by Welsh Government. A sustainable drainage and flood management scheme will also be secured as part of the detailed design of the scheme.</p> <p>Policy Context</p> <table border="1" data-bbox="436 995 1682 1441"> <tbody> <tr> <td data-bbox="436 995 741 1190">LDP Objectives</td> <td data-bbox="745 995 1682 1190"> 8. Facilitate growth and diversification of the local economy and an increase in skilled high value employment in key sectors. 9. Support development that positions Flintshire as an economically competitive place and an economic driver for the sub-region. 10. Ensure that housing development takes place in sustainable locations where sites are viable and deliverable and are supported by the necessary social, environmental and physical infrastructure. </td> </tr> <tr> <td data-bbox="436 1193 741 1273">PPW11</td> <td data-bbox="745 1193 1682 1273"> Para 4.1.37 Para 4.8.4 Paras 5.4.14 – 5.4.15 </td> </tr> <tr> <td data-bbox="436 1276 741 1331">Well Being Goals</td> <td data-bbox="745 1276 1682 1331"> A prosperous Wales A resilient Wales </td> </tr> <tr> <td data-bbox="436 1334 741 1441">Key Evidence</td> <td data-bbox="745 1334 1682 1441"> Flintshire and Wrexham Employment Land Review Study Flintshire Further Employment Growth Scenario Assessment PPW11 TAN23 </td> </tr> </tbody> </table>				LDP Objectives	8. Facilitate growth and diversification of the local economy and an increase in skilled high value employment in key sectors. 9. Support development that positions Flintshire as an economically competitive place and an economic driver for the sub-region. 10. Ensure that housing development takes place in sustainable locations where sites are viable and deliverable and are supported by the necessary social, environmental and physical infrastructure.	PPW11	Para 4.1.37 Para 4.8.4 Paras 5.4.14 – 5.4.15	Well Being Goals	A prosperous Wales A resilient Wales	Key Evidence	Flintshire and Wrexham Employment Land Review Study Flintshire Further Employment Growth Scenario Assessment PPW11 TAN23			
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		<p>Deeside Plan Topic Paper 7 – Spatial Strategy Topic Paper 8 – Economy and Employment Topic Paper 10 – Population, Household Growth and Housing Northern Gateway Masterplan and Development Statement</p> <p>Monitoring The monitoring framework is set out in Chapter 21 Monitoring.</p> <p>Detailed Policies This strategic policy will need to be read alongside a broad range of detailed policies on relevant and specific issues.</p>			
MAC 032	STR5	<p>Add the following wording at the end of para 5.36 ‘Future Wales The National Plan 2040 sets out in Policy 23 –’ North Wales Metro: The Welsh Government supports the development of the North Wales Metro and will work with Transport for Wales, local authorities and other partners to enable its delivery and maximise associated opportunities.’ This will involve:-</p> <ul style="list-style-type: none"> Enhanced and integrated rail and bus services across North Wales/Cheshire Enhanced Borderlands line with direct and faster services between Wrexham and Liverpool and integration with Merseyrail services Additional stations and potential extensions Upgrades of Wrexham General and Shotton stations Further rail extension and/or re-openings to be considered (Source: A Railway for Wales – Meeting the Needs of Future Generations, 2019)’ 	To ensure that the Plan references the North Wales Metro.	Out	NM
6. Strategic Policies – Supporting a Prosperous Economy					
MAC 033	6.1	Amend the ‘Introduction’ heading prior to para 6.1 to ‘Introduction – Supporting a Prosperous Economy’.	Part of relocation of Section 4 of written statement	Out	NM
MAC 034	STR9 6.24	<p>Amend para 6.24 accompanying policy STR9 to read as follows: ‘Core Retail Areas (CRA) have previously been used in the UDP to delineate the primary shopping areas where retail development is encouraged and non- A1 development is controlled to ensure the availability of premises for retailing. In recognising the dynamic changing trends in retailing such as increases in home delivery services and internet retailing can impact upon the role of town and other centres, the CRA policy and their associated boundaries have been reviewed to assess whether it is still an effective means of ensuring that a focus of retail uses is retained in key parts of Flintshire’s town centres. In order to ensure greater consistency with PPW10 it is proposed that the policy tool be retitled ‘Primary Shopping Areas’. The Retail Study identifies that there is only a small need for further comparison retail floorspace (508 sq m net) over the Plan period and a negative need for convenience retail floorspace. Following the expiry of one of the retail commitments in the Retail Study at Saltney retail park, the comparison need has increased to 4028 sq m net. However changes to the retail industry in recent years have made it difficult to predict the most appropriate areas to allocate for retail uses, particularly given the large number of centres within the County. Since there are options for comparison retail sites within the plan area, the council is also working to encouraging appropriate retail uses and the plan has a flexible approach to retail windfall sites it is considered that no retail allocation is needed necessary or appropriate. The implementation of the Plan’s retail policies will be</p>	To provide an updated commentary on the need for retail floorspace and the Plan’s approach regarding of not allocating sites.	Out	NM

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MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		informed by its evidence base for example health checks, and existing town centre masterplans and the up to date Retail Study’.			
MAC 035	STR10	Amend criteria i by adding after ‘tourism’ the words ‘, cultural and leisure ’. The revised wording of criteria a is ‘Supporting new and extended tourism, cultural and leisure development which is appropriate to its location and enhances the existing offer within Flintshire;’	To ensure that the policy wording reflects the policy title.	In	Bringing additional overnight stays into the area.
7. Strategic Policies – Meeting Housing Needs					
MAC 036	7.1	Amend the ‘Introduction’ heading prior to para 7.1 with ‘Introduction – Meeting Housing Needs’.	Part of relocation of Section 4 of written statement	Out	NM
MAC 037	STR11 and 7.8	<p>Amend policy STR11 as follows:</p> <ul style="list-style-type: none"> • In introductory policy wording beginning ‘The delivery of....’ replace ‘will be expected to’ with ‘should’. • In criteria ii) replace ‘Making’ with ‘Make’ • Delete the final paragraph of the policy wording and relocate to the end of para 7.8. <p>The revised policy wording is:</p> <p>As part of implementing the Sustainable Settlement Hierarchy, and to ensure that communities have access to sufficient, good quality, affordable housing to meet a range of needs and support economic growth, new housing will be directed to sustainably located, economically viable and deliverable housing sites.</p> <p>The delivery of new housing on these sites will be expected to should:</p> <ol style="list-style-type: none"> Facilitate the provision of affordable housing relative to local needs and viability; Make making the most efficient use of land through appropriate density of development; Provide balanced developments through a mix of housing units; Make provision for specific housing needs, where appropriate, including for example small family and elderly housing, extra care and supported accommodation, live-work units; Provide or contribute to physical, environmental and social infrastructure necessary to integrate new development into communities; Ensure in rural areas, that genuine and proportionate needs for housing are met in a sustainable manner. <p>The availability of housing land will be monitored and maintained over the plan period as part of the Annual Monitoring Report (AMR) process, to ensure a continuous and adequate supply to enable the delivery of the overall housing requirement. This will involve maximizing the delivery of sustainable and viable commitments already within the landbank, balanced against the allocation of sustainable, viable and deliverable new sites.</p>	To improve the clarity of the policy wording and reasoned justification and to update following revocation of TAN1.	Out	NM

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		The revised wording of para 7.8 is as follows: 7.8 A home is a vital part of people’s lives as it affects their health and well-being, quality of life and the opportunities open to them. The Welsh Government’s approach, set out in the National Housing Strategy is to: provide more housing of the right type and offer more choice; improve homes and communities, including the energy efficiency of new and existing homes; and improve housing-related services and support, particularly for vulnerable people and people from minority groups. The availability of housing land will be monitored and maintained over the plan period as part of the Annual Monitoring Report (AMR) process, to ensure a continuous and adequate supply to enable the delivery of the overall housing requirement. This will involve maximizing the delivery of sustainable and viable commitments already within the landbank, balanced against the allocation of sustainable, viable and deliverable new sites.																																											
MAC 038	STR11 Housing Balance Sheet	Update Housing Balance Sheet as below:	To reflect Action Points arising from Sessions and site updates including the deletion of housing at Warren Hall.	Out	NM																																								
		<p>Appendix 2 – Updated Housing Balance Sheet as at 1/4/20</p> <table border="1"> <thead> <tr> <th>Element</th> <th>Amount</th> <th>Notes</th> </tr> </thead> <tbody> <tr> <td>REQUIREMENT</td> <td>6,950</td> <td></td> </tr> <tr> <td>Less completions 15-16</td> <td>662</td> <td>Includes large and small site completions.</td> </tr> <tr> <td>Less completions 16-17</td> <td>421</td> <td>Includes large and small site completions.</td> </tr> <tr> <td>Less completions 17-18</td> <td>608</td> <td>Includes large and small site completions.</td> </tr> <tr> <td>Less completions 18-19</td> <td>454</td> <td>Includes large and small site completions.</td> </tr> <tr> <td>Less completions 19-20</td> <td>464</td> <td>Includes large and small site completions.</td> </tr> <tr> <td>Revised Requirement:</td> <td>5,259</td> <td></td> </tr> <tr> <td></td> <td>4,341</td> <td></td> </tr> <tr> <td>Less commitments</td> <td>1774 1221</td> <td>This reflects a review of large sites whereby only sites with planning permission as at 01/04/20 which are considered to be realistically capable of development, are included. The figures do not include the 1,325 consented units at Northern Gateway, nor the consented units on the allocated sites at Broad Oak Holding, Connah’s Quay, Chester Road Penymynydd as these are included in the strategic sites and allocations figures. Housing commitments are detailed in Appendix 1.and shown on the proposals map.</td> </tr> <tr> <td>Revised Requirement</td> <td>3,488</td> <td></td> </tr> <tr> <td></td> <td>3,120</td> <td></td> </tr> <tr> <td>Less future Small sites allowance 600 (<10 units) 60 pa</td> <td>720 600</td> <td>Small sites allowance represents a conservative but realistic allowance of 60 units per annum (as per UDP) over the remaining Plan period.</td> </tr> </tbody> </table>			Element	Amount	Notes	REQUIREMENT	6,950		Less completions 15-16	662	Includes large and small site completions.	Less completions 16-17	421	Includes large and small site completions.	Less completions 17-18	608	Includes large and small site completions.	Less completions 18-19	454	Includes large and small site completions.	Less completions 19-20	464	Includes large and small site completions.	Revised Requirement:	5,259			4,341		Less commitments	1774 1221	This reflects a review of large sites whereby only sites with planning permission as at 01/04/20 which are considered to be realistically capable of development, are included. The figures do not include the 1,325 consented units at Northern Gateway, nor the consented units on the allocated sites at Broad Oak Holding, Connah’s Quay, Chester Road Penymynydd as these are included in the strategic sites and allocations figures. Housing commitments are detailed in Appendix 1.and shown on the proposals map.	Revised Requirement	3,488			3,120		Less future Small sites allowance 600 (<10 units) 60 pa	720 600	Small sites allowance represents a conservative but realistic allowance of 60 units per annum (as per UDP) over the remaining Plan period.		
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Revised Requirement	3,488																																												
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Less future Small sites allowance 600 (<10 units) 60 pa	720 600	Small sites allowance represents a conservative but realistic allowance of 60 units per annum (as per UDP) over the remaining Plan period.																																											

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change		Reason	HRA Screening Conclusion	Comments
		Less future Windfall allowance (>10 units)	600 480*	Windfalls allowance (large sites) represents a conservative but realistic allowance of 50 units per annum (as per UDP) over the remaining Plan period. Windfalls allowance (large sites) represents a conservative but realistic allowance. The Housing balance sheet at Deposit included an allowance of 600 units over the remaining 12 yr Plan period, equating to an average of 50 pa or 60 per annum assuming no completions in the first year & reduced completions in the second & third years. The figure of 480 is based on this same figure of 60 per annum over the remaining 8 years (assuming no completions in the first two years as now advised in Ed. 3 of the Manual).		
		Residual Requirement	2,168 2,040			
		Less LDP Strategic Allocations	1294 1185	Includes Northern Gateway 1,325 units and Warren Hall 300. However Northern Gateway discounted by 331 units which may be delivered beyond the Plan end date – 131 units on Praxis and 200 units on Pochin. Comprises Northern Gateway Strategic site of 1325 units, discounted by 140 units which may be delivered beyond the Plan end date.		
		New allocations Requirement	874 855			
		LDP Allocations	1874 1775	See Policy HN1 (3014 less 54 completions, less 1185 on Strategic allocation) See Site Allocations Policy Table		
		Overallocation / flexibility	4000 920	This equates to a flexibility allowance of 13.2% based on the overall housing requirement of 6,950		
8. Strategic Policies – Valuing the Environment						
MAC 039	8.1	Amend the 'Introduction' heading prior to para 8.1 with 'Introduction – Valuing the Environment'.		Part of relocation of Section 4 of written statement	Out	NM
MAC 040	8.7	Replace 'EN11 Green Barriers' with 'EN11 Green Wedges '		Conformity with PPW11	Out	NM
MAC 041	STR13	<p>In the second paragraph of the introductory STR13 policy wording replace 'will' with 'should'.</p> <p>In the third paragraph of the introductory wording replace 'To achieve this all development will' with 'Development should'.</p> <p>The revised introductory policy wording is:</p>		To add clarity to the policy wording.	Out	NM

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		<p>‘... Development willshould identify, respect, protect, enhance and connect Flintshire’s environmental assets, to create a multifunctional network of natural and historic resources.</p> <p>‘To achieve this allDevelopment willshould:’</p>			
MAC 042	STR13	In criteria ii. replace ‘green barriers’ with ‘ green wedges ’	Conformity with PPW11	Out	NM
MAC 043	STR13 Policy context table	In the ‘detailed policies’ section replace ‘green barriers’ with ‘green wedges ’.	Conformity with PPW11	Out	NM
MAC 044	STR14	Change criteria ii in policy STR14 by replacing ‘Supporting’ with ‘ Encouraging ’. The criteria will read “ Supporting Encouraging the use and development of appropriate or suitable brownfield land;”	To improve the clarity of the Plan.	Out	NM
MAC 045	STR16	<p>Amend Policy STR16 as follows:</p> <ul style="list-style-type: none"> • Add the wording ‘in accordance with the criteria set out in Policy EN23’ at the end of criteria i. • Add the wording ‘as identified on the constraints map and applied through Policy EN24’ at the end of criteria ii. • Replace wording in criteria iii with ‘Contributing towards the regional supply of mineral through the allocation of at least 3.543 million tonnes of sand & gravel, and at least 35.928 million tonnes of crushed rock through the extensions to existing quarries as set out in Policy EN25, new sites and in collaboration with Denbighshire County Council and Wrexham County Borough Council’. • In criteria iv. Insert ‘to’ between ‘as’ and ‘minimise’. • Add at the end of criteria vi. ‘in accordance with the criteria set out in Policy EN27’. <p>The revised policy is as follows:</p> <p>Flintshire’s important mineral resources will be sustainably managed by:</p> <ol style="list-style-type: none"> i. Protecting minerals from unnecessary sterilization by directing new development away from areas underlain by mineral of economic importance or where this is not possible through the requirement for prior extraction in accordance with the criteria set out in Policy EN23; ii. Reducing the conflict between mineral development and sensitive development through the use of buffer zones as identified on the constraints map and applied through Policy EN24 ; iii. Contributing towards the regional supply of mineral through the allocation of at least 4.4 at least 3.543 million tonnes of sand and gravel and at least 3.84 35.928 million tonnes of crushed rock through the extension to existing quarries as set out in policy EN25, and in collaboration with Denbighshire County Council and Wrexham County Borough Council; 	To add greater clarity to the policy wording and to improve signposting to other detailed policies	Out	NM

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		iv. Ensuring new mineral extraction is located so as to minimise impacts on communities and the environment; v. Securing appropriate restoration which can deliver specific environmental and community benefits; vi. Maximising the use of secondary and recycled aggregate in accordance with the criteria set out in Policy EN27'			
MAC 046	STR16 Policy context table	Add the following documents to the Key Evidence section: <ul style="list-style-type: none"> • North Wales Regional Aggregates Working Party Report • Regional Technical Statement second review and accompanying appendix for North Wales • Minerals Technical Advice Note 1 (MTAN1) 	To update the policy context for policy STR16	Out	NM
MAC 047	STR16 Para 8.27	Amend para 8.27 as follows: The North Wales Regional Technical Statement and accompanying appendix for North Wales identifies the level of need for mineral at the regional level and then apportions this to individual local authorities. A need for additional sand and gravel as well as crushed rock has been identified in Flintshire as well as a need for crushed rock shared between Flintshire and Wrexham (see Statement of Common Ground – Crushed Rock) within the Regional Technical Statement Second Review . It is proposed to meet the shared need for crushed rock within Flintshire through the extension of existing quarries, rather than through the allocation of a new site, since the tonnage required would not support the creation of a new quarry site and this has been formally agreed with Wrexham, forming part of their LDP Strategy. Detailed allocations are identified within the Plan in policy EN25 and shown on the proposals map. In addition to this, new site development will also be required to meet future demand in addition to the extensions proposed as allocations. Further allocations may be proposed on subsequent reviews of the LDP to meet the identified need of the RTS, and to work in collaboration with neighbouring authorities Denbighshire County Council and Wrexham County Borough Council within the sub-region.	To update the Plan in respect of the requirement for minerals and approach taken in meeting this need.	Out	NM
9. Development Management Policies – Creating Sustainable Places and Communities					
MAC 048	PC1	In opening part of the policy wording of PC1 delete 'generally'. The amended introductory policy wording is 'New development will be generally permitted within settlement boundaries as defined on the Proposals Maps, on allocations and within Principal Employment Areas subject to complying within other Plan policies'.	To improve the clarity of the policy wording which already references the need to comply with other Plan policies.	Out	NM
MAC 049	PC1	In criteria a. of PC1 replace 'policy HN4-A/B/C/D' with ' policies HN4 / HN4A / HN4B / HN4C / HN4D '. The amended wording of criteria a. is 'the specific forms of housing development as set out in policy policies HN4-A/B/C/D HN4 / HN4-A / HN4-B / HN4-C / HN4-D '	To improve the cross references to the housing policies	Out	NM
MAC 050	PC2	In opening wording of Policy PC2 delete ', where appropriate'. The revised introductory policy wording is 'All development should, where appropriate, '	The policy criteria are applicable to all new development.	Out	NM

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
MAC 051	PC3	In opening wording of policy PC3 delete “, where appropriate”. The revised introductory policy wording is ‘All new development should, where appropriate ’.	The policy criteria are applicable to all new development.	Out	NM
MAC 052	PC3	In PC3 include a new criteria ‘h. protect the living conditions of nearby occupiers from any harmful effects of new development including overlooking, harm to outlook, increased activity/disturbance/noise’ .	To provide additional policy wording in respect of maintaining living standards	Out	NM
MAC 053	PC4	In introductory wording of PC4 delete ‘ensure that’. Amend each criteria as follows: a. Replace ‘it is’ with ‘be’ b. Replace ‘it is’ with ‘be’ c. Replace ‘it incorporates’ with ‘incorporate’ d. Replace ‘it makes’ with ‘make’ e. Replace ‘it incorporates’ with ‘incorporate’ The revised policy wording is ‘Development should ensure that ; a. it is be sustainably located and accessible to non – private car means of travel, so as to reduce carbon emissions; b. it is be designed so as to be resilient and adaptable to the effects of climate change; c. it incorporates incorporates planting, landscaping and design features which mitigate the effects of climate change such as increased rainfall events and high temperatures; d. it makes makes efficient use of resources through sustainable construction techniques and materials, including layout, siting and orientation to maximise solar gain, water conservation and waste reduction; and e. it incorporates incorporates renewable energy technologies and carbon sinks where appropriate.	To improve the clarity of the policy wording and avoid repetition.	Out	NM
MAC 054	PC4 9.11 9.13	Amend criteria c by adding reference to a Sustainable Management of Natural Resources (SMNR) approach. The revised wording of criteria c is as follows: ‘it incorporates planting, landscaping and design features within a Sustainable Management of Natural Resources (SMNR) approach which mitigate the effects of climate change such as increased rainfall events and high temperatures;’ Amend the 4th sentence of paragraph 9.11 to read “It would be expected that developments use the Design and Access Statements (DAS) and within those a Sustainable Management of Natural Resources (SMNR) approach , accompanying relevant applications to demonstrate how proposals deliver the intentions of this policy by explaining how the design of the proposal responds to environmental sustainability. ” Add to the end of paragraph 9.13 ‘A Sustainable Management of Natural Resources (SMNR) approach should also include setting out a comprehensive integrated landscape scheme for the development’ .	To ensure that the Plan references SMNR in line with PPW11	Out	NM

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
MAC 055	PC5	<p>In policy PC5 amend the following criteria:</p> <p>In criterion a) delete 'reduce reliance on the car by incorporating' and replace with 'incorporate good access to the more sustainable modes of travel, firstly by walking and cycling, secondly by public transport, then by low emission private vehicle and finally by other private motor vehicle;'</p> <p>In criterion b) replace the existing policy wording with 'not compromise the safe, effective and efficient use of the highway network and not have an adverse impact on highway safety or create unacceptable levels of traffic generation;'</p> <p>In criterion c) replace existing wording with 'where significant adverse effects upon the transport network arising from the proposed development are unavoidable, they must be mitigated by, for example, improvements to transport infrastructure and traffic management'.</p> <p>The revised policy to read as follows: PC5: Transport and Accessibility New development proposals must be supported by appropriate transport infrastructure, and depending on the nature, scale, location and siting of the proposal, will be required to:</p> <p>a. Reduce reliance on the car by incorporating Incorporate good access to the more sustainable modes of travel, firstly by walking and cycling, secondly by public transport, then by low emission private vehicle and finally by other private motor vehicle.</p> <p>b. mitigate any significant adverse effects upon the transport network that arise from the proposed development including improvements to transport infrastructure and traffic management where required; not compromise the safe, effective and efficient use of the highway network and not have an adverse impact on highway safety or create unacceptable levels of traffic generation;</p> <p>c. do not compromise the safe, effective and efficient use of the highway network and do not have an adverse impact on highway safety or create unacceptable levels of traffic generation; where significant adverse effects upon the transport network arising from the proposed development are unavoidable, they must be mitigated by, for example, improvements to transport infrastructure and traffic management;</p> <p>d. provide appropriate levels of parking, servicing and manoeuvring space and in non-residential development, a minimum of 10% of parking spaces to have electric vehicle charging points;</p> <p>e. create well designed people orientated streets and make provision for people with restricted mobility including those with characteristics as defined by the Equality Act 2010;</p> <p>f. safeguard, enhance and expand the active travel network, particularly by means of improving connectivity to and from the proposed development.</p>	To improve the clarity of the policy wording and avoid repetition.	Out	NM
MAC 056	PC6	In opening part of policy wording of PC6 delete 'proposals'.	To improve the clarity of the policy wording and avoid repetition.	Out	NM

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		<p>At end of introductory wording add '.' after 'facilities' and then replace 'as a result of' with 'Proposals should wherever possible:'.</p> <p>Amend each criteria as follows:</p> <ul style="list-style-type: none"> a. replace 'the provision of' with 'provide' b. replace 'the provision of' with 'provide' c. replace 'the provision of' with 'provide' d. replace 'the incorporation of' with 'incorporate'. e. replace 'the development and enhancement of' with 'develop and enhance' f. replace 'the incorporation of' with 'incorporate'. <p>The revised policy wording is as follows:</p> <ul style="list-style-type: none"> a. the provision of provide appropriate walking and cycling routes being an integral part of the scheme and connecting the development with key destinations; b. the provision of provide infrastructure and facilities that promote walking and cycling such as signing, lighting, secure and convenient cycle storage and parking and where appropriate, shower and changing facilities; c. the provision of provide appropriate travel choice information relating to cycling and walking for all or part of journeys as part of Travel Plans; d. the incorporation of incorporate measures to reduce the dominance and speed of vehicles affording increased priority to pedestrians and cyclists; e. the development and enhancement of the Active Travel routes identified on the Integrated Network Map connecting communities to essential services including public transport, employment and education opportunities; f. the incorporation of incorporate existing public rights of way as an integral part of the design and layout of the development. 			
<p>MAC 057</p>	<p>PC8 para 9.24</p>	<p>In para 9.24 remove capital letters from 'police', 'air ambulance', 'military', 'military training jets', 'private business jets' or 'aircraft'.</p> <p>Further revise the explanation to policy PC8 to read:</p> <p>9.24 Airbus currently owns the airport and is the main user. However, other uses include police, air ambulance and military helicopters, military training jets and private business jets, as well as flight training. Alongside Airbus other companies based at Hawarden include Aerocare, Raytheon UK and NWMAS all of whom provide aircraft maintenance facilities on site. Aviation Park Group offer a range of services including Aircraft handling, overnight parking, hangerage and passenger services. There is a need to control the location and scale of development in the vicinity of the flightpaths of aircraft in order to prevent physical obstacles or distraction. A Safeguarding Zone has been identified for Hawarden Airport within which development proposals will be closely scrutinised to ensure that they would not affect the safe and efficient operation of the airport and airfield. Consultation will be carried out with the Civil Aviation Authority.</p>	<p>To improve the reading of the explanatory text.</p> <p>To reflect the agreed wording in Appendix 6 of the Council Response (FCC019) to the Inspector's Post Inquiry Hearings letter (INSP010)</p>	<p>Out</p>	<p>NM</p>

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		<p>9.25 The safeguarding zone for Hawarden Airport is defined on a safeguarding map issued by the Civil Aviation Authority. This defines certain types of development that, by reason of their height, attraction to birds or inclusion of or effect upon aviation activity, require prior consultation with the Airport owner or operator. Government advice in OPDM Circular 1/2003 ‘Advice to Local Planning Authorities on Safeguarding Aerodromes and Military Explosives Storage Areas’ sets out the detailed guidance on how safe and efficient operations can be secured.</p> <p>9.26 In accordance with this Circular, the owner or operator of Hawarden Airport is a statutory consultee for certain planning applications for developments that require safeguarding to protect the safety of the airport’s operation.</p> <p>9.27 The owner or operator of Hawarden Airport will assess planning applications and consider their potential impact on whether the development causes: an obstacle; an attraction to birds; any light or reflection that might be confused with or interfere with aerodrome lighting or present a visual hazard; interference with communication systems including radar systems and ground to air communication and whether its construction will present any hazard to flight safety.</p>			
10. Development Management Policies – Supporting a Prosperous Economy					
MAC 058	PE1	<p>Add at the end of the introductory wording of PE1 ‘with the exception of the Northern Gateway site which is allocated for B2 and B8 uses and the Warren Hall site which is suitable for B1 and B2 uses’.</p> <p>The revised wording is ‘The following sites, as defined on the proposals map, are allocated for B1, B2 and B8 employment uses, with the exception of the Northern Gateway site which is allocated for B2 and B8 uses and the Warren Hall site which is suitable for B1 and B2 uses:”</p>	To clarify that the Northern Gateway site is not suitable for B1 uses and that Warren Hall site is not suitable for B8 uses.	Out	NM
MAC 059	PE1	<p>In the table accompanying policy PE1 delete the following sites:</p> <ul style="list-style-type: none"> • PE1.4 Greenfield Business Park Phase II • PE1.5 Greenfield Business Park Phase III • PE1.6 Broncoed Industrial Estate • PE1.8 Adjacent Mostyn Docks • PE1.10 Antelope Industrial Estate • PE1.12 Rowley’s Drive <p>As a result of the deletion of these six employment allocations update the table under PE1 and re-number the remaining allocations:</p> <ul style="list-style-type: none"> • STR3A Northern Gateway Mixed Use Development Site 72.40ha • STR3B Warren Hall 19.1ha • 1 Broughton Aerospace Park 5.72ha • 2 Broughton Manor Lane / Hawarden Park Extension 18.20 • 3 Buckley Drury New Road 1.40ha • 4 6 Mold Mold Business Park 3.90ha 	To reflect the lack of sufficient evidence to demonstrate that the effects of flooding can be acceptably managed on these allocations as explained in section 1.5 of the NRW SoCG and to reflect the reduced employment area at Warren Hall.	Out	This policy allocates employment sites only.

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments																																																																					
		<ul style="list-style-type: none"> 5 9 Queensferry Chester Road East 3.15 6 12 Saltney River Lane 1.10ha <p>The table of allocations will be revised as follows:</p>																																																																								
		<table border="1"> <thead> <tr> <th>Ref No.</th> <th>Site</th> <th>Area (ha.)</th> </tr> </thead> <tbody> <tr> <td>STR3A</td> <td>Northern Gateway Mixed Use Development Site</td> <td>72.40</td> </tr> <tr> <td>STR3B</td> <td>Warren Hall Mixed Use Development Site</td> <td>19.1ha</td> </tr> <tr> <th>Ref No.</th> <th>Settlement / Location</th> <th>Site</th> <th>Area (ha.)</th> </tr> <tr> <td>1</td> <td>Broughton</td> <td>Chester Aerospace Park</td> <td>5.72</td> </tr> <tr> <td>2</td> <td>Broughton</td> <td>Manor Lane/Hawarden Park Extension</td> <td>18.20</td> </tr> <tr> <td>3</td> <td>Buckley</td> <td>Drury New Road</td> <td>1.40</td> </tr> <tr> <td>4</td> <td>Greenfield</td> <td>Greenfield Business Park, Phase II</td> <td>4.20</td> </tr> <tr> <td>5</td> <td>Greenfield</td> <td>Greenfield Business Park, Phase III</td> <td>4.40</td> </tr> <tr> <td>6</td> <td>Mold</td> <td>Broncoed Industrial Estate</td> <td>0.70</td> </tr> <tr> <td>7 4</td> <td>Mold</td> <td>Mold Business Park</td> <td>3.90</td> </tr> <tr> <td>8</td> <td>Mostyn</td> <td>Adjacent Mostyn Docks</td> <td>3.00</td> </tr> <tr> <td>9 5</td> <td>Queensferry</td> <td>Chester Road East</td> <td>3.15</td> </tr> <tr> <td>10</td> <td>Rhydymwyn</td> <td>Antelope Industrial Estate</td> <td>4.10</td> </tr> <tr> <td>11 6</td> <td>Saltney</td> <td>River Lane</td> <td>1.10</td> </tr> <tr> <td>12</td> <td>Shotton</td> <td>Rowley's Drive</td> <td>0.70</td> </tr> <tr> <td colspan="3" style="text-align: right;">Total</td> <td>139.67</td> </tr> <tr> <td colspan="3"></td> <td>124.97</td> </tr> </tbody> </table>	Ref No.	Site	Area (ha.)	STR3A	Northern Gateway Mixed Use Development Site	72.40	STR3B	Warren Hall Mixed Use Development Site	19.1ha	Ref No.	Settlement / Location	Site	Area (ha.)	1	Broughton	Chester Aerospace Park	5.72	2	Broughton	Manor Lane/Hawarden Park Extension	18.20	3	Buckley	Drury New Road	1.40	4	Greenfield	Greenfield Business Park, Phase II	4.20	5	Greenfield	Greenfield Business Park, Phase III	4.40	6	Mold	Broncoed Industrial Estate	0.70	7 4	Mold	Mold Business Park	3.90	8	Mostyn	Adjacent Mostyn Docks	3.00	9 5	Queensferry	Chester Road East	3.15	10	Rhydymwyn	Antelope Industrial Estate	4.10	11 6	Saltney	River Lane	1.10	12	Shotton	Rowley's Drive	0.70	Total			139.67				124.97			
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MAC 060	PE1 / para 10.1	<p>Add at the end of paragraph 10.1 in the plan: 'The Deeside Enterprise Zone is vitally important to the employment aspirations of the plan. The DEZ has been designated by Welsh Government to continue to develop as a major centre for advanced manufacturing on an international scale by ensuring that the Zone builds on its strengths in key sectors, encourages investment and re-investment in order to compete with locations on a global scale. Further information on the Deeside Enterprise Zone can be found here.'</p> <p>Within the table under PE1 add a column at the right hand edge of the table with the title 'Location with Deeside Enterprise Zone?' Add a '✓' for the following sites to explain that they are within the Deeside Enterprise Zone: STR3A Northern Gateway PE1.1 Chester Aerospace Park PE1.2 Manor Lane / Hawarden Park, Broughton PE1.9 Chester Road East, Queensferry</p>	To explain the importance of the Deeside Enterprise Zone to the Plan Strategy and to clarify which employment allocations are within the DEZ.	Out	NM																																																																					
MAC 061	PE1 10.1	Delete para 10.1 and the accompanying table and replace with 'The Plan allocates 124.97ha of land for employment development. This comprises the two strategic mixed use sites at Northern Gateway and Warren Hall and several other more local allocations. The Plan	To reflect changes to employment allocations in PE1 including reduced	Out	NM																																																																					

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		provides a range of employment sites in terms of location, size and type to suit a variety of investments needs. All sites are intended to accommodate B1, B2 and B8 employment development with the exception of Warren Hall which is B1 and B2 only.'	employment area at Warren Hall.		
MAC 062	PE1	Include an additional paragraph at the end of the reasoned justification to PE1 with the wording 'Any development proposals on sites that may be located within a flood risk zone causing constraint will require further investigation in terms of firstly, avoidance of flood risk through layout and design measures and secondly, through a detailed site specific FCA at the development management stage. The SFCA undertaken in respect of employment allocations and areas does not assess each allocation in detail as this can only be done as part of the project design and development management stages. This seeks to ensure that flood risk areas can be avoided and mitigation measures can be put in place to address flood risk and comply with the relevant national flood risk policy and policy EN14'.	To clarify how proposals within employment allocations will deal with flood risk.	Out	NM
MAC 063	PE2	Add at the end of the policy wording 'Development must also avoid adverse effects on European Sites' . The revised policy wording is as follows: 'Within principal employment areas, as defined on the proposals map and listed below, the following types of employment development will be permitted: a. B1 business use; b. B2 general industry; c. B8 storage and distribution provided that the proposal is of an appropriate type and scale for both the site and its surroundings. Development must also avoid adverse effects on European Sites.'	To provide further policy protection where Principal Employment Areas are adjacent to European Sites.		
MAC 064	PE2	Further to the additional policy wording referenced in section 1.1 of the NRW SOCG006 above, make the following additional changes: <ul style="list-style-type: none"> • Add to policy wording after 'surroundings', 'and satisfies other Plan policies' • Add 'Within these areas,' before the wording in 1.1 above • Add the following subsequent policy wording 'Any development proposals on sites that may be located within a flood risk zone causing constraint will require further investigation in terms of firstly, avoidance of flood risk through layout and design measures and secondly, through a detailed site specific FCA at the development management stage'. <p>The final policy wording combining the changes in 1.1 and 1.6 (as shown in Appendix 1 of the Council Hearing Statement M11.01 is as follows:</p> <p>Policy PE2: Principal Employment Areas Within principal employment areas, as defined on the proposals map and listed below, the following types of employment development will be permitted:</p> <ul style="list-style-type: none"> • B1 business use; • B2 general industry; • B8 storage and distribution 	To clarify how proposals within employment allocations will deal with flood risk.	Out	NM

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		provided that the proposal is of an appropriate type and scale for both the site and its surroundings and satisfies other Plan policies. Within these areas, development must also avoid adverse effects on European Sites. Any development proposals on sites that may be located within a flood risk zone causing constraint will require further investigation in terms of firstly, avoidance of flood risk through layout and design measures and secondly, through a detailed site specific FCA at the development management stage.			
MAC 065	PE2 10.3	Replace the present wording of para 10.3 with 'Through policy PE2 it is considered that by identifying key areas where primarily existing employment development can be safeguarded and where new employment development in relation to this will generally be acceptable, the Plan aims to provide a greater degree of certainty and consistency and avoid the need to identify numerous small allocations or commitments. The policy is applicable to the use of land, new build, conversion, redevelopment and extension or expansion. Within these areas, employment development will generally be acceptable, unless it is allocated for a specific use by virtue of another policy. However, it will still be necessary for proposals to be of a type and scale which respects the local environment and amenity of other land uses and residents and satisfies other policies throughout the Plan. In particular, development proposals must demonstrate at planning application stage how flood risk considerations can be fully assessed through further detailed assessment. The SFCA undertaken in respect of Principal Employment Areas is a high level assessment and does not assess each area in detail as this can only be done as part of considering individual development proposals as part of the specific project design and development management stages. This seeks to ensure that flood risk areas can preferably be avoided and mitigation measures can be put in place to address flood risk and the consequences of flooding, comply with the relevant national flood risk policy and policy EN14' .	To clarify how proposals within employment allocations will deal with flood risk.	Out	NM
MAC 066	PE6 Para 10.13	Add at the end of para 10.13 accompanying policy PE6, the following text: 'It is recognised that there may be ancillary uses such as a convenience store, café, gym or other uses which are complementary to employment development and these will be considered on their individual merits' .	To provide further clarification on how other uses within employment sites will be considered	Out	NM
MAC067	PE10	Add at the end of the Policy Title 'and Local Convenience Shops' and add at the end of the second policy paragraph 'In settlements without a defined district or local centre, or where there is no opportunity within a defined local or district centre, local convenience shops will be supported elsewhere within settlement boundaries provided that proposals are appropriate in scale to the locality' . The revised policy wording is: PE10: District and Local Centres and Local Convenience Shops Within the designated District Centres of Connah's Quay, Queensferry and Saltney proposals which maintain or improve the range and quality of shopping provision or complimentary	To clarify that local convenience shops may also be acceptable elsewhere within settlements in order to meet local food shopping needs.	Out	NM

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		commercial and leisure facilities will be supported provided it is appropriate in scale and enhances the centre. Small scale retail and other commercial uses intended to meet the day to day needs of the local neighbourhood will be directed towards suitable sites or premises within the Local Centres identified in Policy PE7. In settlements without a defined district or local centre, or where there is no opportunity within a defined local or district centre, local convenience shops will be supported elsewhere within settlement boundaries provided that proposals are appropriate in scale to the locality.			
MAC 068	PE10 10.25	Amend the second sentence of para 10.25 as follows: As a consequence proposals other than A1 for retail and non-retail commercial uses may be more difficult to satisfactorily accommodate in such Local Centres, and the importance of safeguarding residential amenity will be a key consideration.	To add clarity to the text within para 10.25 by assessing all uses within Local Centres on their individual merits.	Out	NM
MAC 069	PE13	The opening part of criterion a to be reworded to read 'The development of static caravan accommodation will not be permitted outside in the Talacre, Gronant and Gwespyr area (as defined on the proposals map). Elsewhere in the County proposals will be permitted where.' The revised wording is ' The development of static caravan accommodation will not be permitted in the Talacre, Gronant and Gwespyr area (as defined on the proposals maps). Elsewhere in the County proposals will be permitted where: '	To clarify where in the County new static caravan development may or may not take place.	Out	NM
MAC 070	PE13	Amend the wording of criteria a.i. and add a new criteria c.vi. making reference to proposals having no adverse effects on European Sites. The revised policy wording of the two criteria is as follows: a.i. 'there would be no material harm to the landscape character and environmental quality of the surrounding area and no adverse effects on European Sites , either individually or cumulatively with other sites in the vicinity; and' c vi. ' the proposal has no adverse effects on European sites '.	To strengthen the policy protection in respect of European Sites.	Out	NM
MAC 071	PE14	Amend the policy wording as follows 'Development proposals within or adjoining the Greenfield Valley, as designated on the proposals map, will be permitted where they do should not detract from the tourism potential of the Valley or harm areas or features of landscape, nature conservation or historic value'.	To clarify that the policy is not promoting development at Greenfield Valley	Out	NM
MAC 072	PE14	Add at end of policy wording ' Within or adjoining the Greenfield Valley, development must also avoid adverse effects on European Sites. ' The revised policy wording is as follows: Development proposals within or adjoining the Greenfield Valley, as designated on the proposals map, will be permitted where they do not detract from the tourism potential of the Valley or harm	To strengthen the policy protection in respect of European Sites at Greenfield Valley.	Out	NM

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MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		<p>areas or features of landscape, nature conservation or historic value. Within or adjoining the Greenfield Valley, development must also avoid adverse effects on European Sites.'</p>			
MAC 073	New policy	<p>Add a new Telecommunications Policy located in the Supporting a Prosperous Economy section under reference PE15:</p> <p>PE15: Telecommunications and Digital Technology Infrastructure Proposals for telecommunications and digital technology infrastructure will be assessed in the context of technical and operational requirements and permitted where:</p> <ul style="list-style-type: none"> i. The development contributes towards the objectives of future proofing development and regeneration proposals or forms part of the planned development of a wider network; ii. The development incorporates all reasonable measures to minimise any significant adverse impact due to the siting and external appearance of the apparatus, and the design minimises impact caused by its visual appearance; iii. There would be no significant adverse effect on natural heritage, the historic environment, or amenity of neighbouring residents; iv. The application is accompanied by evidence of compliance with Government guidelines on health impacts of telecommunications infrastructure. <p>Explanation: Facilitating digital communications is key to Flintshire’s plans to accelerate growth in the County in the context of the Growth Deal which recognizes the need to ‘Upgrade digital networks and infrastructure access the region to support the functionality, competitiveness and growth of the indigenous business sector..’. Modern, fast, affordable and secure telecommunications and future proofed digital connectivity infrastructure can stimulate business innovation, enable high-value economic activity and drive-up productivity. For residents, it can transform their communications, home computing, on-line shopping, entertainment facilities, as well as enable effective home working. The potential benefits that telecommunications and digital communications can offer individuals and organisations are recognised, for example in terms of working from home, which can assist in creating a sustainable future by reducing the need to travel.</p> <p>Telecommunication facilities may have special needs and technical considerations, which require them to be installed in particular locations to work effectively. However in sensitive locations the erection of telecommunication towers and antennae can have a significant adverse effect on the quality of the urban and rural environment. Clear guidance with respect to the development of telecoms infrastructure is contained within section 5.2 of PPW11 and TAN19 Telecommunications, which is not repeated in this policy. Applications for telecoms and digital infrastructure developments will therefore be assessed against National Planning Policy and Guidance. In accordance with national planning policy, the Council encourages operators to share telecoms masts. Operators will be required to submit evidence that opportunities for mast sharing and alternative sites have been fully explored. Careful siting, design and disguise, including landscaping and screening, can make developments less obtrusive and enable them to blend in with their surroundings.</p>	To ensure conformity with requirements of PPW11	Out	NM

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11. Development Management Policies – Meeting Housing Needs																																																																																																																								
MAC 074	HN1 11.2	Add at the end of para 11.2 'The following table shows a summary of the Plan's housing allocations in line with the advice in Development Plans Manual 3'.	To present the up to date position in relation to housing allocations and to take account of deletion of housing at Warren Hall.	Out	NM																																																																																																																			
<table border="1"> <thead> <tr> <th colspan="8">Site Allocations Policy Table (as at 01.04.20):</th> </tr> <tr> <th rowspan="2">Site Name</th> <th rowspan="2">Settlement Tier</th> <th rowspan="2">Total Units in plan period</th> <th rowspan="2">Total Affordable Units in plan period</th> <th colspan="3">Delivery timescale</th> <th rowspan="2">Units Beyond the plan period</th> </tr> <tr> <th>Years 1-5</th> <th>6-10</th> <th>11-15</th> </tr> </thead> <tbody> <tr> <td>Northern Gateway</td> <td>Garden City Tier 2</td> <td>1185</td> <td>237</td> <td></td> <td>620</td> <td>565</td> <td>140</td> </tr> <tr> <td>Well Street</td> <td>Buckley Tier 1</td> <td>140</td> <td>56</td> <td></td> <td>93</td> <td>47</td> <td></td> </tr> <tr> <td>Broad Oak Holding, Mold Road</td> <td>Connah's Quay Tier 1</td> <td>32</td> <td>9</td> <td></td> <td>32</td> <td></td> <td></td> </tr> <tr> <td>Highmere Drive</td> <td>Connah's Quay Tier 1</td> <td>150</td> <td>53</td> <td></td> <td>60</td> <td>90</td> <td></td> </tr> <tr> <td>Northop Road</td> <td>Flint Tier 1</td> <td>170</td> <td>26</td> <td></td> <td>60</td> <td>110</td> <td></td> </tr> <tr> <td>Maes Gwern</td> <td>Mold Tier 1</td> <td>160</td> <td>48</td> <td>27</td> <td>133</td> <td></td> <td></td> </tr> <tr> <td>Land between Denbigh Rd & Gwernafield Rd.</td> <td>Mold Tier 1</td> <td>238</td> <td>95</td> <td></td> <td>118</td> <td>120</td> <td></td> </tr> <tr> <td>Holywell Road /Green Lane</td> <td>Ewloe Tier 2</td> <td>298</td> <td>119</td> <td></td> <td>73</td> <td>225</td> <td></td> </tr> <tr> <td>Ash Lane</td> <td>Hawarden Tier 2</td> <td>288</td> <td>101</td> <td></td> <td>63</td> <td>225</td> <td></td> </tr> <tr> <td>Wrexham Road</td> <td>HCAC Tier 2</td> <td>80</td> <td>24</td> <td></td> <td>50</td> <td>30</td> <td></td> </tr> <tr> <td>Cae Isa, A5119</td> <td>New Brighton Tier 3</td> <td>92</td> <td>37</td> <td></td> <td>75</td> <td>17</td> <td></td> </tr> <tr> <td>Chester Road</td> <td>Penymynydd</td> <td>181</td> <td>27</td> <td>27</td> <td>154</td> <td></td> <td></td> </tr> </tbody> </table>						Site Allocations Policy Table (as at 01.04.20):								Site Name	Settlement Tier	Total Units in plan period	Total Affordable Units in plan period	Delivery timescale			Units Beyond the plan period	Years 1-5	6-10	11-15	Northern Gateway	Garden City Tier 2	1185	237		620	565	140	Well Street	Buckley Tier 1	140	56		93	47		Broad Oak Holding, Mold Road	Connah's Quay Tier 1	32	9		32			Highmere Drive	Connah's Quay Tier 1	150	53		60	90		Northop Road	Flint Tier 1	170	26		60	110		Maes Gwern	Mold Tier 1	160	48	27	133			Land between Denbigh Rd & Gwernafield Rd.	Mold Tier 1	238	95		118	120		Holywell Road /Green Lane	Ewloe Tier 2	298	119		73	225		Ash Lane	Hawarden Tier 2	288	101		63	225		Wrexham Road	HCAC Tier 2	80	24		50	30		Cae Isa, A5119	New Brighton Tier 3	92	37		75	17		Chester Road	Penymynydd	181	27	27	154		
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MAC Ref	Policy / Para	Matters Arising Change						Reason	HRA Screening Conclusion	Comments
			Tier 3							
		TOTALS		3014	832	54	1531	1429	140	
MAC 075	HN3	<p>In introductory policy wording replace 'starting point' with 'target'.</p> <p>The revised introductory wording is 'Affordable housing contributions will be sought on developments of 10 or more units in accordance with the following quotas which should be taken as a starting point target for negotiation on a site by site basis subject to detailed viability considerations:'</p>						To clarify that the % affordable housing requirements are expressed as a 'maximum'	Out	NM
MAC 076	HN3	<p>Add following new paragraph after para 11.9 and renumber subsequent paragraphs:</p> <p>11.10 As outlined in policy HN3 affordable housing will be expected to be delivered on site in the first instance. Where it can clearly be evidenced by the developer that on site provision is not appropriate then off-site contributions towards affordable housing will be accepted and secured with a S106 legal agreement. An updated affordable housing SPG will set out the formula for calculating off site commuted sums for affordable housing, this formula will ensure that the commuted sum received is equivalent to the percentage of affordable housing that should have been delivered on site. It will also set out how commuted sum payments will be used where the development results in the requirement to provide a part unit.</p>						To explain the Plan's approach in respect of commuted sums for affordable housing.	Out	NM
MAC 077	HN3	<p>Insert table showing the components of affordable housing supply (Table 3 in BP7 October 2020 version) into the written statement after policy HN3 as follows:..</p>						To explain the spatial components of affordable housing supply and to take account of deletion of housing at Warren Hall.	Out	NM
			Tier 1 - Main Service Centres	Tier 2 - Local Service Centres	Tier 3 - Sustainable Settlements	Tier 4 - Defined Villages	Tier 5 - Undefined Villages	Total Affordable Housing Provision		
		Affordable Housing on Allocated Sites	287	481	64	0	0	832		
		Affordable Housing on Large & Small Windfall Sites	197	48	48	21	11	325		
		Affordable Housing on Committed Sites	212	118	119	9	15	473		
		Completions 01/04/2015 to 01/04/2020	-	-	-	-	-	635		
		Total Affordable Housing Provision	696	647	231	30	26	2265		

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MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		Average annual delivery rate per annum over LDP period (2015-2030)		151	
MAC 078	HN3	Add at end of second sentence of para 11.9 'The sub market areas are illustrated in the maps in Appendix 4'.	To reference the inclusion of the housing sub market area maps in the written statement	Out	NM
MAC 079	HN4	In criteria 'f delete 'rural'. The revised criterion f is 'it is for affordable housing rural exception sites on land adjoining the settlement limits (see policy HN4-D)'.	To reflect the terminology in para 4.2.34 of PPW11	Out	NM
MAC 080	HN4-D	In opening policy wording delete 'for tier 2, 3 and 4 settlements,'. The revised introductory policy wording is 'Outside settlement boundaries for tier 2, 3 and 4 settlements, proposals to develop affordable housing in rural areas will only be permitted, where.'	To simplify the introductory policy wording which applies to all settlements with a settlement boundary.	Out	NM
MAC 081	HN7	Delete present wording of criteria e) of HN7 and replace with ' the cumulative impact of development would not adversely affect the character of the locality or residential amenity '.	To add clarity to the policy wording in respect of the cumulative impacts of HMO's	Out	NM
MAC 082	HN8	Amend table accompanying policy HN8 as follows: <ul style="list-style-type: none"> • HN8.1 Magazine Lane, Ewloe – replace 'extension' with 'remodelling' and replace '6-8' with '9' • HN8.2 Gwern Lane, Cae Estyn, Hope – replace '6-8' with '4' 	To reflect the updated proposals on each site allocation	Out	NM
mec 085	HN8 11.32	Replace PPW10 with PPW11	Updated PPW reference	Out	NM
MAC 083	HN8 11.33	In para 11.33 delete all the text after '... for a small transit site'. The revised wording of para 11.33 is: 11.33 The GTAA (2016) for Flintshire covers the 5 year period 2015-2020 as well as the 15 year Plan period 2015 to 2030 and was approved by the Welsh Government in accordance with Section 102 of the Housing (Wales) Act 2014) on 28/03/17. The approved GTAA identified a need for -5 pitches over the over the 5 year period and 19 pitches over the Plan period, plus a need for a small transit site. However, at the time the original GTAA was prepared, the position was complicated by a number of temporary permissions and undetermined planning applications. In order to provide greater clarity an update of the GTAA was commissioned in June 2018. This update has identified: <ul style="list-style-type: none"> • A need over the 5 year period for 8 pitches • A need over the 15 year Plan period for 26 pitches • A need over the 15 year Plan period for a small transit site 	To provide clarification that the Plan is informed by the approved GTAA and not the subsequent informal update.	Out	NM

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MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
MAC 084	HN8 Para 11.34	<p>In para 11.34 delete 'updated' in the first and second sentence.</p> <p>In para 11.34 in the 3rd sentence add after 'extend' the words 'or remodel'.</p> <p>At the end of para 11.34 add 'The allocation at Magazine Lane, Ewloe is for the reconfiguration of the existing consented site and will provide for an additional 9 pitches and the allocation at Gwern Lane, Ewloe is for the extension of the site for an additional 4 pitches. In conjunction with the 10 pitches at the Riverside site this will provide for a total of 23 pitches which slightly exceeds the GTAA need of 19 pitches. A transit site for 6 pitches has also been allocated at Castle Park, Flint to meet the identified need for a small transit site'.</p> <p>The revised wording of para 11.34 is: '11.34 On the basis of the need identified in the updated GTAA for permanent pitches, the Council have allocated 3 sites as identified above and as shown on the proposals maps. The Riverside extension proposals will involve a reconfiguration of the existing site (20 pitches) to provide a new layout for 30 pitches i.e. a net increase in 10 pitches. The other two allocations for permanent pitches both seek to extend or remodel existing sites and pitches. Both of which have planning permission and have either been implemented or is being implemented. The updated GTAA was also accompanied by an assessment of Council owned sites for both permanent and transit site(s). An earlier focussed Call for Candidate Sites for gypsy sites and minerals / waste sites was undertaken in August 2017 and whilst sites came forward for the latter none were submitted for the former. It has therefore been necessary and practical to evaluate Council owned land and privately owned land in order to identify sites suitable to meet the identified need. The approach is set out in a Gypsy and Traveller Site Selection Background paper. The allocation at Magazine Lane, Ewloe is for the reconfiguration of the existing consented site and will provide for an additional 9 pitches and the allocation at Gwern Lane, Ewloe is for the extension of the site for an additional 4 pitches. In conjunction with the 10 pitches at the Riverside site this will provide for a total of 23 pitches which slightly exceeds the GTAA need of 19 pitches. A transit site for 6 pitches has also been allocated at Castle Park, Flint to meet the identified need for a small transit site.'</p>	To update the Plan in respect of the revised position on residential allocations in terms of meeting the identified need.	In	Bringing additional overnight stays into the area.
MAC 085	HN9	In policy HN9 delete criteria 'a' and 'b' and renumber the remaining criteria.	To reflect the guidance in Welsh Government Circular 005/2018.		
MAC 086	HN9	In the opening part of wording of HN9 delete the wording 'or the extension of existing sites, including land outside of defined settlement limits, will be permitted provided' and replace with ' will be preferred within settlements, or adjoining settlement boundaries where the resulting development would represent a logical extension to the settlement. Where there are no suitable locations within or adjacent to existing settlements, open countryside locations will then be considered. In all instances the proposal should satisfy the following criteria: '	To reflect the guidance in Welsh Government Circular 005/2018.	Out	NM

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MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		<p>The revised policy wording and explanatory wording (as a result of the combined changes) is as follows:</p> <p>'Proposals for new Gypsy and Traveller sites, or the extension of existing sites, including land outside of defined settlement limits will be permitted provided: will be preferred within settlements, or adjoining settlement boundaries where the resulting development would represent a logical extension to the settlement.</p> <p>Where there are no suitable locations within or adjacent to existing settlements, open countryside locations will then be considered.</p> <p>In all instances the proposal should satisfy the following criteria:</p> <p>a. There is a clearly identified unmet need in accordance with the most recently undertaken Gypsy and Traveller Accommodation Assessment;</p> <p>b. There are no suitable alternative sites either with planning permission or allocated for such uses which could accommodate the need;</p> <p>c. a. The site is well related to suitable community facilities and services for the prospective occupants;</p> <p>d. b. The site is capable of being served by utilities including sustainable waste disposal and recovery and emergency services;</p> <p>e. c. The site affords satisfactory amenity standards both for its occupants and for neighbouring land uses;</p> <p>d. The site is not in an area at high risk of flooding given the particular vulnerability of caravans'.</p>			
<p>MAC 087</p>	<p>HN9 11.37 11.38</p>	<p>In para 11.37 delete the last sentence to ensure consistency with the deletion of criteria 'a' and 'b'...</p> <p>The revised explanatory text is as follows:</p> <p>11.37 Despite provision being made in the Plan through allocations, there may be development proposals for Gypsy and Traveller sites submitted during the Plan period, particularly in order to meet a specific need. This policy takes the form of a criteria based policy for assessing such proposals and should be read alongside the Plan's framework of policies. It will be necessary for each applicant to demonstrate that there is a specific need which cannot be met on existing sites or sites with planning permission.</p>	<p>To improve the clarity of the explanatory wording and to reflect the guidance in Welsh Government Circular 005/2018.</p>	<p>Out</p>	<p>NM</p>
<p>MAC 088</p>	<p>HN9 11.38</p>	<p>Delete in first sentence of para 11.38 'be located on or close to main travelling routes for ease of access, and' as this is more applicable to transit sites, and replace with 'The preference will be for sites within settlements but consideration will be given to edge of settlement sites, where the proposed development would represent a logical extension to the form and pattern of built development within the settlement boundary. Only when there are no suitable sites within or on the edge of settlements will sites in open countryside be considered subject to meeting the policy criteria. Sites...'</p> <p>The revised explanatory wording is as follows:</p>	<p>To improve the clarity of the explanatory wording and to reflect the guidance in Welsh Government Circular 005/2018.</p>	<p>Out</p>	<p>NM</p>

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MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		11.38 The preference will be for sites within settlements but consideration will be given to edge of settlement sites, where the proposed development would represent a logical extension to the form and pattern of built development within the settlement boundary. Only when there are no suitable sites within or on the edge of settlements will sites in open countryside be considered subject to meeting the policy criteria. Sites should be located on or close to main travelling routes for ease of access, and should be capable of being serviced with appropriate infrastructure and be well located in respect of accessing services and facilities to meet residents needs. Sites should not be in areas of high flood risk given that caravan development is a highly vulnerable form of development. Proposals should be designed in accordance with advice in Welsh Government Circular 005/2018: Planning for Gypsy, Traveller and Showpeople Sites.			
12. Development Management Policies – Valuing the Environment					
MAC 089	EN1	In the penultimate paragraph of the policy wording add after ‘... Council’s adopted standards’ the words ‘ of 2.4 Hectares per 1,000 population ’ and amend ‘standards’ to read ‘ standard ’. The revised policy wording is: ‘All new residential developments will be required to include provision for public open space or sports and recreational facilities in accordance with the Council’s adopted standards of 2.4 Hectares per 1,000 population and be well related to the development it is intended to serve’.	To state what level of open space provision the Council seeks.	Out	NM
MAC 090	EN2	In opening part of policy wording after ‘including designated’ add ‘ and non-designated ’ and then after ‘... proposals maps’ add ‘ and listed in the table below ’. The revised policy wording is: ‘Development proposals will be required to protect, maintain and enhance the extent, quality and connectivity of the green infrastructure network, including designated and non-designated green spaces (as shown on the proposals maps and listed in the table below), and where appropriate.’	To explain that the policy does not only protect the designated green spaces.	Out	NM
MAC 091	EN2	Add a title ‘ Designated Green Spaces ’ before the table accompanying Policy EN2. Add the following explanatory text The following table details the designated green spaces throughout Flintshire. This is list is not exhaustive and the non-designation of a green space does not mean that it is not protected from development under policy EN2 or EN1. Green spaces are areas of open land identified as being of value to a local community in terms of add to the character of towns and villages and to the enjoyment of local residents. Such areas can be important for wildlife or general recreational value, or simply as the only green area in an otherwise urbanised environment. The designated green spaces may have a number of benefits: <ul style="list-style-type: none"> • for their landscape quality; 	To provide further explanation regarding designated and non-designated green spaces.	Out	NM

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MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		<ul style="list-style-type: none"> for their value as a character feature in a locality; as a visual break in a developed area; as a buffer between incompatible uses; for their importance as part of an existing or proposed network of open areas, or as a link to open countryside. <p>The Open Space Assessment (OSA) records all green spaces in the County including children’s play space, playing fields, outdoor sports facilities, cemeteries and amenity space. It also records School facilities that are unavailable for public use. The OSA will be continually monitored and added to as new green spaces are developed, this will ensure that all green spaces are afforded protection under policies within the LDP.</p>			
MAC 092	EN2	<p>In criteria a add ‘local’ before ‘network’.</p> <p>The revised wording of criteria a is ‘create new green infrastructure linkages from the proposed development to the existing local network;’</p>	To clarify that the policy is only seeking linkages between a development and the local green infrastructure network	Out	NM
MAC 093	EN5	<p>In the first sentence of EN5 policy wording add after ‘AONB’ the words ‘and its setting’.</p> <p>The sentence will read ‘Within the Clwydian Range and Dee Valley AONB and its setting, ...’</p>	To clarify the policy wording regarding the setting of the AONB	Out	NM
MAC 094	EN6	<p>Replace the first paragraph of the policy wording with the following wording, but not to make reference to other legislation [see strike through]. ‘Development will not be permitted that would result in an adverse effect on the integrity of sites of international nature conservation importance, except in the circumstances specified in relevant legislation. Proposals where adverse effects on site integrity cannot be ruled out would not be supported’.</p>	To clarify wording of EN6 regarding international nature conservation designations	In	See section 3.3.2 and section 4.2
MAC 095	EN6	<p>Amend Policy Title as follows: EN6: Sites of Biodiversity and Geodiversity Importance</p>	To add clarity that the policy encompasses geodiversity.		
MAC 096	EN7	<p>In criteria c) replace ‘gain’ with ‘benefit’.</p> <p>The revised wording is ‘it results in a net gain benefit in biodiversity’.</p>	To ensure consistency with terminology in PPW11.	Out	NM
MAC 097	EN11	<p>Reword policy EN11 and explanatory text to refer to green wedges as follows:</p> <p>EN11: Green Barriers Wedges The following areas have been designated as green barriers wedges on the proposals map: [insert table] Within the designated green barriers wedges development will only be permitted for:</p> <ol style="list-style-type: none"> justified rural enterprise needs; essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses of land which maintain the openness of the green barrier wedge and which do not conflict with the purpose of including land within it; limited extension, alteration or replacement of existing dwellings; 	To ensure the Plan’s terminology is consistent with PPW11 in respect of green wedges.	Out	NM

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MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		<p>d. small scale diversification within farm complexes where this is run as part of the farm business; or</p> <p>e. the re-use of buildings provided that:</p> <ol style="list-style-type: none"> i. the original building is substantial, permanent and capable of conversion without major reconstruction; ii. the new use will not have a greater impact on the openness of the green barrier wedge and the purposes of including land within it; and iii. the building is in keeping with its surroundings. <p>Certain other forms of development may be appropriate in the green barrier wedge provided they preserve its openness and do not conflict with the purposes of including land within it. These are: mineral extraction; renewable and low carbon energy generation; engineering operations; and local transport infrastructure.</p> <p>Other forms of development would be inappropriate development unless they maintain the openness of the green barrier wedge and do not conflict with the purposes of including land within it.</p> <p>12.40 Green barrier wedge designations are drawn to ensure protection of the openness of key areas of land in strategic or key locations over the Plan period. Whilst there are other policies in the Plan to control development in the countryside, it is considered important to give added protection to some areas via designation as green barriers wedges as they protect key areas of open countryside between and around settlements.</p> <p>12.41 The green barriers designated in the UDP have been the subject of a robust review as to their fitness for purpose, details of which can be found in a Background Paper: Green Barrier Review. The review involved each green barrier being assessed against the criteria within Planning Policy Wales i.e. that the purpose of a green barrier wedge is to:</p> <ul style="list-style-type: none"> • prevent the coalescence of large towns and cities with other settlements; • manage urban form through controlled expansion of urban areas; • assist in safeguarding the countryside from encroachment; • protect the setting of an urban area; and • assist in urban regeneration by encouraging the recycling of derelict and other urban land. <p>12.42 The review has also had regard to whether each existing green barrier has been the subject of previous or current development pressure. Proposals for new green barriers or extensions to existing green barriers which were put forward as part of Candidate Site submissions have also been assessed in the same manner. The objective is to ensure that in each case a green barrier wedge designation is necessary and justifiable over and above settlement boundary and open countryside policies and fulfils the purpose of green barriers wedges in PPW. The approach to the review and designation of green barriers wedges is in line with guidance with Planning Policy Wales. Although PPW uses the term 'green wedges' rather than 'green barriers', para 3.60 of PPW10 advises 'Local planning authorities need to consider</p>			

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		<p>establishing Green Belts and making local designations, such as green wedges'. The term green barrier is therefore appropriate and in line with national guidance.</p> <p>12.43 Planning Policy Wales provides specific guidance on the consideration of planning applications within green barrier wedge designated areas. It emphasizes the importance of maintaining the openness of the land, provides a presumption against inappropriate development and outlines the very exceptional circumstances when other considerations outweigh the importance of protecting the openness of the land. Given that PPW provides such clear and detailed advice it is not considered necessary for it to be repeated within this policy. Any proposals for inappropriate development in a green barrier wedge will be treated as a departure from the Plan.</p>			
MAC 098	EN13	<p>In policy wording make the following changes:</p> <ul style="list-style-type: none"> • In criteria a) delete 'For large scale', replace 'solar' with 'Solar' and in brackets delete '5', add 'Less than 10' and delete 'and above' • In criteria b delete 'For' • Delete the policy wording 'Land is specifically allocated..... proposals maps' • amend the proposals maps by deleting the two solar allocations. <p>The revisions to the policy wording and reasoned justification are as follows:</p> <p>Renewable or low carbon energy generation development may be permitted for:</p> <p>a. For large scale Solar PV farms (5 Less than 10 MW and above) within the Solar Indicative Local Search Areas identified on the proposals map;</p> <p>b. For small scale and/or community based proposals (less than 5MW) for wind, solar, biomass, energy from waste, anaerobic digestion and hydropower in appropriate locations; subject to satisfying the relevant policy tests below.</p> <p>Land is specifically allocated for solar PV farms at Crumps Yard, Gonnah's Quay and at Castle Park, Flint, as shown on the proposals map.</p> <p>12.46 The Council has undertaken a Renewable Energy Assessment (REA), in line with the Welsh Government guidance to identify the potential for renewable energy generation. This will help work towards achieving the Welsh Governments targets for Renewable Energy Generation as set out in para 5.7.4614 of PPW101 and also contribute to reducing carbon emissions.</p> <p>12.47 In relation to the development of wind farms, the County does not fall within one of the Strategic Search Areas (SSAs) 'Pre-Assessed Areas for Wind Energy' identified by Welsh Government in Future Wales on the basis of substantial empirical research, and considered to be the most appropriate locations with a presumption in favour of large scale for strategic scale on-shore wind farm development (over 2510MW (megawatts)). The REA has therefore focused on the potential for identifying Indicative Local Search</p>	To reflect updated guidance in PPW11 and Future Wales and the grant of planning permission on the two solar allocations.	Out	NM

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		<p>Areas (ILSA) which are suitable to accommodate large scale wind farms of 5MW and above. Having carried out the REA assessment in line with the Welsh Government Toolkit and applying statutory and local constraints, there are no ILSAs for wind farms identified on the proposals map due to the extent of a number of nationally strategic constraints including the NATS Aviation Radar Safeguarding Zone constraint.</p> <p>12.48 In relation to solar, the County has seen in recent years a number of proposals for large scale solar farm developments. The REA has focused on the potential for identifying ILSAs which are suitable to accommodate solar farms of up to 510MW and above. The REA has adopted the same Toolkit based GIS mapping assessment as for wind. From this assessment, 18 initial ILSAs have been were identified for solar potential which have then been refined via a Landscape Sensitivity Assessment to 11 sites shown in the table below, and are shown on the proposals map. Although the REA has focused on wind and solar as the two primary technologies with the greatest spatial impacts, it will has also considered the potential from other sources of energy, such as energy from waste and heat, particularly considering the industrial activity in parts of the County, and the potential from all of the assessed sources is shown in the subsequent table below.</p> <p>Indicative Solar Areas of Search</p> <table border="1" data-bbox="439 855 1227 1289"> <thead> <tr> <th>ILSA Ref</th> <th>ISLA Name</th> <th>Size (ha)</th> <th>Potential Capacity (MW)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Buckley 2 (west)</td> <td>39</td> <td>5</td> </tr> <tr> <td>2</td> <td>Buckley 3 (south)</td> <td>117</td> <td>10</td> </tr> <tr> <td>3</td> <td>Buckley 4 (SE Lane End)</td> <td>28</td> <td>5</td> </tr> <tr> <td>4</td> <td>Coed Talon & Pontybodkin</td> <td>65</td> <td>10</td> </tr> <tr> <td>5</td> <td>Connah's Quay</td> <td>83</td> <td>5</td> </tr> <tr> <td>6</td> <td>Holywell</td> <td>35</td> <td>5</td> </tr> <tr> <td>7</td> <td>Leeswood</td> <td>27</td> <td>5</td> </tr> <tr> <td>8</td> <td>Llanfynydd NW</td> <td>52</td> <td>5</td> </tr> <tr> <td>9</td> <td>Mynydd Isa</td> <td>120</td> <td>5</td> </tr> <tr> <td>10</td> <td>New Brighton</td> <td>217</td> <td>5</td> </tr> <tr> <td>11</td> <td>Penyffordd & Penymynydd</td> <td>89</td> <td>10</td> </tr> <tr> <td>ISLA Total</td> <td></td> <td></td> <td>70</td> </tr> </tbody> </table> <p>12.49 The Council has adopted a pro-active approach in respect of its own land assets and has developed two solar farms on former landfill sites. Two further proposals are being developed at Crumps Yard, Connah's Quay and Castle Park, Flint and these are allocated in the Plan. This is directly in line with the targets for renewable electricity</p>	ILSA Ref	ISLA Name	Size (ha)	Potential Capacity (MW)	1	Buckley 2 (west)	39	5	2	Buckley 3 (south)	117	10	3	Buckley 4 (SE Lane End)	28	5	4	Coed Talon & Pontybodkin	65	10	5	Connah's Quay	83	5	6	Holywell	35	5	7	Leeswood	27	5	8	Llanfynydd NW	52	5	9	Mynydd Isa	120	5	10	New Brighton	217	5	11	Penyffordd & Penymynydd	89	10	ISLA Total			70			
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		<p>generation set by the Welsh Government and the requirement for local ownership of a proportion of this generation.</p> <p>12.50 The policy also sets out a criteria based approach which will enable detailed development proposals to be assessed against a robust set of criteria. This will be particularly useful to enable the assessment of smaller or community based renewable energy proposals of less than 5MW which may arise over the Plan period, as well as larger schemes that may arise that are not within an ILSA but may still be appropriate subject to assessment against the criteria- and provision of suitable mitigation. It is also relevant to note that for proposals of 10MW or more, the determination of these will be made by the Welsh Ministers against policy 18 of Future Wales, under the Developments of National Significance (DNS) process and not by the Local Planning Authority.</p> <p>Insert completed updated tables 28 and 29 From REA [LDP-EBD-RE1} when available.</p>			
MAC 099	EN13 12.50	<p>The following text should be added at the end of para 12.50 of the explanation to policy EN13 'Renewable and Low Carbon Energy Development':</p> <p>'The Council is aware that the energy sector is going through significant changes in the light of the need to de-carbonise energy production. Innovative new energy sources such as hydrogen are being developed and there may be opportunities for such development within the County given its long standing energy production role'</p>	To provide additional commentary in respect of possible new renewable and low carbon energy developments in the County	Out	NM
MAC 100	EN14 New para	<p>Add a new paragraph at the end of the explanation to policy EN14 as follows:</p> <p>'A Flood alleviation scheme for Mold was granted planning permission in 2015. This scheme sought to primarily divert key watercourses in the catchment above Mold to alleviate the existing issues with flooding in parts of the town. When evaluated further on the basis of viability and deliverability, the approved scheme was not capable of being implemented and a review of the options was undertaken for the Council by consultants. A Feasibility study and options map was produced in 2017 and this made a series of recommendations, some of which are currently being taken forward to an advanced business case stage to test feasibility, design and cost.'</p>	To provide an update on the Mold Flood Alleviation Scheme.	Out	NM
MAC 101	EN15	<p>Policy wording of EN15 to be amended as follows:</p> <p>EN15: Water Resources Development affecting water resources will only be permitted if:</p> <ol style="list-style-type: none"> it would not have a significant adverse impact on the capacity and flow of groundwater, surface water, or coastal water systems; it would not pose an unacceptable risk to the quality of groundwater, surface water, or coastal water; it would have access to adequate water supply, sewerage and sewage treatment facilities which either already exist, or will be provided in time to serve the development, without 	To ensure that the policy includes a specific safeguard in respect of phosphates.	In	See section 3.3.2 and section 4.2

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		<p>detriment to existing abstractions, water quality, fisheries, amenity or nature conservation; and d. there is no adverse effect on the integrity of the River Dee and Bala Lake SAC in particular through the treatment of waste water.</p> <p>This can be achieved through implementation of mitigation measures and associated supplementary planning guidance. Mitigation will involve, either:</p> <ol style="list-style-type: none"> 1. Delivery of measures specified in the Dee Catchment Phosphorus Reduction Strategy (DCPRS), which will require: <ol style="list-style-type: none"> i. Developer contributions/community infrastructure levy funds to deliver measures identified within the DCPRS to reduce phosphorus levels within the catchment. ii. Phasing of development to meet the delivery milestones within the DCPRS, and delaying development if milestones have not been met; <p>OR</p> <ol style="list-style-type: none"> 2. Using alternative mitigation approaches to those mentioned in 1. above. Where further evidence demonstrates that adverse effects on the integrity of the River Dee and Bala Lake SAC can be avoided using alternative mitigation, these must be agreed with the Council, in consultation with Natural Resources Wales. <p>Amendments to explanatory wording awaiting final agreement with NRW.</p>			
MAC 102	EN23	<p>In criteria e) add after 'minerals' the text ', including Mostyn Docks and Padeswood Cement Works (as shown on the proposals maps),'.</p> <p>The revised criteria is as follows: 'essential infrastructure that supports the supply of minerals, including Mostyn Docks and Padeswood Cement Works, (as shown on the proposals maps), would not be compromised or would be provided elsewhere.'</p> <p>Add the following additional explanatory paragraph 'Land is also safeguarded through this policy at two sites which have an important existing or potential role as minerals infrastructure. Padeswood Cement Works has an active rail link and has the potential to distribute minerals. Mostyn Docks has the potential to distribute minerals by either train and / or boat. Both sites have the potential to reduce the number of road based minerals journeys and are therefore safeguarded through the policy as transport hubs for minerals.'</p>	To ensure that potential minerals infrastructure which can sustainably move minerals products, are safeguarded in the Plan.	Out	NM
MAC 103	EN25	<p>Update the table accompanying policy EN25 as follows:</p> <ul style="list-style-type: none"> • Ddol Uchaf Quarry – replace '1.4 million' with '900,000'. • Fron Haul Quarry – replace '900,000' with '500,000'. 	To update the Plan in respect of two minerals allocations	Out	NM
MAC 104	12.84	<p>The North Wales Regional Technical Statement (RTS second review 1st Review) and accompanying appendix for North Wales has identified a requirement for Flintshire to allocate at least 1.4 3.543 million tonnes of sand and gravel and at least 3.84 35.928 million tonnes of crushed rock. The allocations identified within Policy EN25 are not sufficient to meet the</p>	To provide an update on the minerals requirement and the approach to meeting it through new	Out	NM

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		identified need over the Plan Period. In relation to crushed rock, the allocations could each, in isolation, meet the requirement identified in the RTS. The decision to allocate both sites has been made in recognition of the economic importance of these sites to Flintshire and the region and to help support their viability over the longer term. In both cases, the mineral would be extracted over a period beyond the LDP and would release mineral which, although currently consented, is currently unavailable due to the practicalities of removing it. Therefore, the council will work in collaboration with Denbighshire County Council and Wrexham County Borough Councils in order to provide the apportionments identified. A Statement of Sub-Regional Collaboration has been entered into in order to provide certainty that the identified need will be met over the plan period.	allocations and a collaboration with Wrexham and Denbighshire.		
MAC 105	EN27 12.90	Add at the end of para 12.90 'The management of secondary and recycled aggregate includes a wide range of processes including crushing, sorting, screening, stockpiling, storage and transfer' .	To clarify the types of uses that take place within the context of secondary and recycled aggregates	Out	NM
13. Monitoring					
MAC 106	Para 13.8	Amend para 13.8 and the accompanying action bullet points as follows: 13.8 If trigger points are hit then it will be necessary to investigate the reasons why policies or proposals are not being implemented as intended or objectives not being met. The process of reflection will help determine what action might be necessary to take. Consideration will need to be given to the delivery of all of the indicators collectively, their interrelationship, and the magnitude of any under delivery. It is acknowledged that some indicators may be more significant than others in terms of delivering the Plan's Strategy and this will be reflected in any future actions. The specific actions that might need to be taken will be dependent on the magnitude of any variance. The Monitoring Framework seeks to include sets out the options from for what actions which might be taken, as stated in Development Plans Manual 3. These include: <ul style="list-style-type: none"> • Continue monitoring (if development plan policies are being implemented effectively) • Training required for Officers / Members (if development plan policies are not being implemented as intended and further training is required) • Further supplementary planning guidance required (if development plan policies are not being implemented as intended and further guidance is required) • Policy Review required (if development plan policies are not being implemented and are failing to deliver) • Plan Review required (if development plan policies are not being implemented and the plan's strategy is not being delivered, this could trigger a formal review in advance of the statutory 4- year review). 	To provide additional guidance in respect of the monitoring actions as specified in DPM3.	Out	NM
MAC 107	Monitoring Table	Update the monitoring table as set out in accompanying document	To update the monitoring table in line	Out	NM

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			with other changes to the Plan								
MAC 108	Monitoring table	<p>Amend the existing Monitoring Indicator MI17 by adding a Monitoring Indicator for each of the four G&T allocations:</p> <p>MI17.1 Magazine Lane, Ewloe Target - 1. Planning permission to be granted on allocated site by 01.04.23 - 2. 9 pitches to be provided by 01.04.25 Trigger Point - 1. No planning permission on allocated site by 01.04.23 - 2. No pitches delivered by 01.04.25</p> <p>MI17.2 Gwern Lane, Cae Estyn, Hope Target - 1. Planning permission to be granted on allocated site by 01.04.23 - 2. 4 pitches to be provided by 01.04.25 Trigger Point - 1. No planning permission on allocated site by 01.04.23 - 2. No pitches delivered by 1.4.25</p> <p>MI17.3 Riverside, Queensferry Target - 1. Planning permission to be granted on allocated site by 01.04.23 - 2. 10 pitches to be provided by 01.04.26 Trigger Point -1. No planning permission on allocated site by 01.04.23 - 2. No pitches provided by 01.04.26</p> <p>MI17.4 Castle Park, Flint Target - 1. Planning permission to be granted on allocated site by 01.04.23 - 2. 6 pitches to be provided by 01.04.26 Trigger Point - 1. No planning permission on allocated site by 01.04.23- 2. No pitches provided by 01.04.26</p>	To provide targets and triggers to inform the monitoring of progress on the G&T allocations.	Out	NM						
MAC 109	Monitoring Table	<p>For MI26 and MI27 make the following changes:</p> <ul style="list-style-type: none"> Replace 'Review of RTS' with 'Regional Technical Statement 2nd review & accompanying appendix North Wales' Replace RAWP Reports' with 'North Wales Regional Aggregate Working Party' 	To add clarity to the information sources within the monitoring table.	Out	NM						
MAC 110	Monitoring Table	In MI19 replace 'green barriers' with 'green wedges '	Conformity with PPW11	Out	NM						
MAC 111	Monitoring Table	In M1 do not include 'over 10%' as is shown in Council Hearing Statement Appendix 1 - revised monitoring table (M20.01).	To conform with DPM3.	Out	NM						
MAC 112	Monitoring Table	Include monitoring indicators for SPG preparation as detailed below:	To ensure that progress on preparation is monitored.	Out	NM						
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		Developer Contributions to Education SPG No 23			
		Extensions and Alterations to Dwellings	Existing SPG No.1 to be reviewed and updated	Within 2 years of the LDP adoption date.	
		Space Around Dwellings	Existing SPG No.2 to be reviewed and updated	Within 2 years of the LDP adoption date	
		Trees and Development	Existing SPG No.4 to be reviewed and updated	Within 2 years of the LDP adoption date	
		Conversion of Rural Buildings	Existing SPG No.1 to be reviewed and updated within 6 months of the LDP adoption date.	Within 2 years of the LDP adoption date	
		Nature Conservation and Development / Great Crested Newt Mitigation Requirements	Existing SPG No.8 and SPG 8a to be reviewed and updated	Within 2 years of the LDP adoption date	
		Affordable Housing	Existing SPG No.9 to be reviewed and updated	Within 1 year of the LDP adoption date	
		New Housing in the Open Countryside, Re: Infill Development in Groups of Housing	Relevant part of SPG No.10 to be reviewed and updated	Within 2 years of the LDP adoption date	
		Parking Standards	Existing SPG No.11 to be reviewed and updated	Within 2 years of the LDP adoption date	
		Retention of Local Facilities	Existing SPG No.24 to be reviewed and updated.	Within 2 years of the LDP adoption date	
		SuDS and the Management of Surface Water in New Development	Existing SPG No.29 to be reviewed and updated	Within 2 years of the LDP adoption date	
		Ciwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB)	Recently prepared and adopted jointly by Flintshire, Denbighshire and Wrexham – no intention to review or update.	n/a	
		Outdoor Playing Space and New Development	Existing draft SPG No.13 to be reviewed and updated	Within 1 year of the LDP adoption date	
		Houses in Multiple Occupation	Existing draft Advice Note to be reviewed and updated within 1 year of the LDP adoption date.	Within 2 year of the LDP adoption date	
		Warren Hall	New SPG to be produced	Within 1 year of the LDP adoption date.	
		Phosphates Developer Contributions	New SPG to be produced in conjunction with the Dee Catchment Phosphorous Reduction Strategy	Within 1 year of the LDP adoption date.	

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MAC 113	Housing Commitments	Update the list of housing commitments as follows:	To reflect updating of Plans Housing Balance Sheet to 01/04/20	Out	NM																																																																																																												
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HC.9	Jubilee Rd, West of Manor Drive	14																																																																																																															
	Adj Mill Lodge	19																																																																																																															
Caerwys																																																																																																																	
	Summerhill Farm	67 59																																																																																																															
Coed Talon / Pontybodkin																																																																																																																	
	Station Yard / Depot	49																																																																																																															
Connah's Quay																																																																																																																	
	Adj Fair Oaks Drive	46 16																																																																																																															
	Territorial House, High Street	11																																																																																																															
	Albion Social Club	30																																																																																																															
Drury																																																																																																																	
	Woodside Cottages	23																																																																																																															
Ewloe																																																																																																																	
	South of the Larches	3 2																																																																																																															
	Greenhill Ave / Springdale	15																																																																																																															
	Boar's Head Inn, Holywell Rd	13 31																																																																																																															
Ffynnongroyw																																																																																																																	
	Crown Inn, Main Road	11																																																																																																															
Flint																																																																																																																	
	Croes Atti	378 220																																																																																																															
	Flint Working Men's Club	15 11																																																																																																															
	Earl Lea Site	73																																																																																																															
	Pandy Grange, Oakenholt	16																																																																																																															
Garden City																																																																																																																	

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		Rear of St Andrews Church	12		
		Gronant			
		East of Gronant Hill	41		
		Gwernymynydd			
		Rainbow Inn, Ruthin Road	44 4		
		Land adj Siglen Uchaf	10		
		Hawarden			
		Land at Friar's Gap	4 2		
		Higher Kinnerton			
		Land at Kinnerton Lane	56 12		
		Holywell			
		Lluesty Hospital	89		
		East of Halkyn Rd	44		
		HCAC			
		Ty Carreg, Stryt Isa	49 15		
		Mold			
		Former Bromfield Timber Yard	122		
		Former Broncoed Works	18 9		
		94 Wrexham Road	2		
		Bryn Awel Hotel	23		
		Mostyn			
		Ffordd Hiraethog, Maes Pennant	10		
		Mynydd Isa			
		Issa Farm	59		
		Rose Lane / Sunnyside	58		
		New Brighton			
		New Brighton Service Station	23		
		Northop Hall			
		Cae Eithin, Village Rd	9		
		Penyffordd			
		Llys Dewi	27		
		Off Rhewl Fawr Road	8		
		Land north of Coed Mor	23		
		Penyffordd / Penymynydd			
		Rhos Road, Penyffordd	40		
		Hawarden Rd., Penyffordd	32		
		Queensferry			
		1-3 Pierce Street	16		
		Rhes y Cae,			
		The Stores House	7		
		Salney			

Schedule of Matters Arising Changes

MAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		Allied Bakeries	71		
		Sychdyn			
		Sewage Works, Wats Dyke Way	43		
		Whitford			
		Altbridge House	41		
		Public Sector			
		Buckley			
		Buckley Health Centre, Padeswood Rd North	24		
		Flint			
		Ystrad Goffa Court	49		
		Holywell			
		East of Halkyn Rd	45		
		Ysgol Fabanod, Perth y Terfyn	55		
		Mynydd Isa			
		Rose Lane / Sunnyside	58		
		Total Commitments	1774 1221		
15. Appendix 2 – Supplementary Planning Guidance					
MAC 114	Appendix 2	Update list of SPG's, add ' Services, Facilities and Infrastructure ' to list of SPG's and add timescales for each, as shown in MAC112:		Out	NM
Appendices					
MAC 115	Appendices	Add a new appendix as section 16 'Appendix 3 – Housing Tables' - renumber '16 – Technical Terms and Glossary' as section 18 with the following tables: <ul style="list-style-type: none"> a) The timing & phasing of allocations b) The timing & phasing of sites with planning permission c) Updated AABR trajectory d) Trajectory graph 	To reflect the incorporation of certain housing tables in the written statement as per DPM3	Out	NM

Appendix B

Schedule of Inspector's Matters Arising Changes

IMAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
STR3B Warren Hall Strategic Site					
IMAC 001	STR3B Warren Hall	Deletion of housing element (300 units) from the strategic site. This leads to a number of consequential changes to the Plan as set out in the IMACs below (including those also arising from other Action Points to the policy):	To reflect the Inspectors concerns that the site is not in a suitable location for housing development.	Out	Site allocation is now employment only.
IMAC001.1	STR3B Policy Title	Amend title of STR3B by deleting 'Mixed Use and 'and housing'. The policy title reads 'STR3B Warren Hall Mixed Use Development Site: Employment and Housing '.	To reflect the deletion of housing element		
IMAC001.2	STR3B Policy wording	In second sentence of opening part of policy wording replace 'Two' with ' The following ' and replace 'sites' with ' site '.	To reflect the splitting policy STR3 into two policies		
IMAC01.3	STR3B	Retain policy wording relating to STR3B Warren Hall from subdivision of original policy STR3 under MAC031	To reflect the splitting policy STR3 into two policies		
IMAC01.4	STR3B Policy criteria	Delete criteria i) '300 new homes, including affordable' and renumber subsequent criteria	To reflect the deletion of housing element and splitting policy STR3 into two policies		
IMAC01.5	STR3B Policy criteria	Amend criteria ii to read ' 22.7 19.1 ha of B1 and high quality B2 employment land'	To reflect the updating of employment element of site		

Schedule of Inspector's Matters Arising Changes

IMAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
			as a result of aerodrome safeguarding considerations and height of development.		
IMAC01.6	STR3B Policy criteria	Amend criteria iii to read ' 1.3ha commercial hub involving comprising hotel, leisure, local centre and retail and local convenience shop, with high quality public realm as a focal point for the development '	To add clarity to the uses within and role of the commercial hub.		
IMAC01.7	STR3B Policy criteria	Amend criteria iv to read 'Strategic landscaping and multi-functional green infrastructure network'	To add clarity to the role of green infrastructure within the site.		
IMAC01.8	STR3B Policy criteria	Amend criteria v as follows 'Sustainable transport links within the site in terms of walking and cycling and provision for bus service and links with nearby settlements and a link with the section of the Mold – Deeside Active Travel route between Penynydd and Broughton...'	To add clarity to the sustainable transport provisions		
IMAC01.9	STR3B Policy criteria	Include a new criteria 'safeguarding built heritage assets within and adjoining the site'	To highlight the need to safeguard heritage assets		
IMAC01.10	STR3B Policy criteria	Include a new criteria ' ecological avoidance and mitigation measures '	To highlight the need for ecological measures.		
IMAC01.11	STR3B Policy criteria	Include a new criteria ' employment development not to exceed 12m in height '	To add clarity to the height of employment development having regard to aerodrome		

Schedule of Inspector's Matters Arising Changes

IMAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
			safeguarding considerations.		
IMAC01.12	STR3B Policy criteria	Include a new criteria ' Appropriately designed SuDs, landscaping, waste management and lighting as part of a scheme of aerodrome safeguarding measures '	To highlight the need for appropriate aerodrome safeguarding measures.		
IMAC01.13	Para 5.17	Delete para 5.17	To reflect the deletion of housing element and splitting policy STR3 into two policies	Out	NM
IMAC01.14	Para 5.18	Delete para 5.18	To reflect the deletion of housing element and splitting policy STR3 into two policies	Out	NM
IMAC01.15	Para 5.19	In para 5.19 delete the text 'The Northern Gateway infrastructure investment' and incorporate the wording from para 5.20.	To reflect the deletion of housing element and splitting policy STR3 into two policies	Out	NM
IMAC01.16	Para 5.19	Amend para 5.19 as follows: <ul style="list-style-type: none"> Replace 'The two strategic allocations are both sites' with 'This strategic allocation is a site' Replace 'has been secured through outline planning consents' with 'has previously been secured through planning consents' Replace 'but where it is vital to revisit both sites in different ways' with 'but where it is vital to revisit the site' 	To reflect the deletion of housing element and splitting policy STR3 into two policies	Out	NM

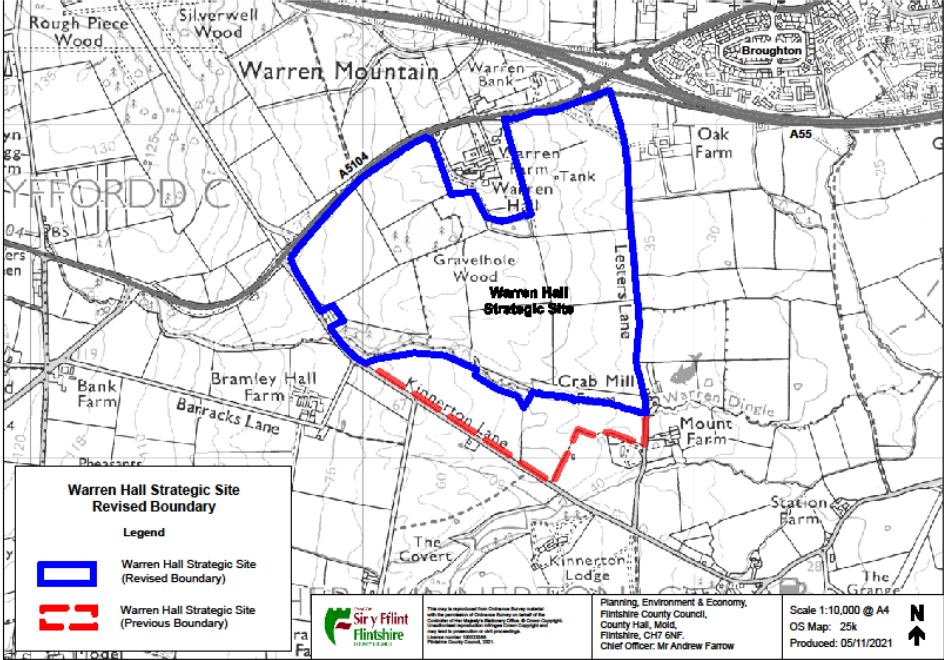
Schedule of Inspector's Matters Arising Changes

IMAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		<ul style="list-style-type: none"> Replace 'to ensure they come forward' with 'it comes forward' In second sentence add after 'has' the word 'previously'. 			
IMAC01.17	Para 5.20	Delete last sentence 'In order to improve the viability and deliverability of the development, the site is being re-presented as an allocation for mixed use development comprising employment, housing and commercial hub as well as an extension to the site area.'	To reflect the deletion of housing element	Out	NM
IMAC01.18	Para 5.21	Delete para 5.21	To reflect the deletion of housing element and splitting policy STR3 into two policies	Out	NM
IMAC01.19	Para 5.22	Delete para 5.22	To reflect the deletion of housing element and splitting policy STR3 into two policies	Out	NM
IMAC01.20	Para 5.23	<p>Amend para 5.23 as follows:</p> <ul style="list-style-type: none"> In third sentence redraft 'As part of this allocation the mix of land uses has been amended and site area extended to 74.63ha to also include housing development and a broader range of supporting uses including convenience retail as part of a commercial hub. Delete the fourth sentence 'The mixed use element will improve the viability and deliverability of the site'. 	To reflect the deletion of housing element	Out	NM
IMAC01.21	Para 5.24	<p>Reword para 5.24 and add a reference to the preparation of a Supplementary Planning Guidance Note so as to read 'The Warren Hall strategic site provides a unique opportunity to embody placemaking principles in creating a large scale, high quality mixed-use development. The Council will, after the adoption of the Plan prepare a Supplementary Planning Guidance Note to provide further details to guide the formulation of detailed development proposals'.</p> <p>Renumber paragraphs accordingly.</p>	To reflect the deletion of housing element and splitting policy STR3 into two policies	Out	NM
IMAC01.22	Policy Explanation	Include an amended Masterplan as part of the reasoned justification to the policy.	To reflect the deletion of	Out	NM

Schedule of Inspector's Matters Arising Changes

IMAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
			housing element and splitting policy STR3 into two policies		
IMAC01.23	Policy Context Table	In 'LDP Objectives' delete 'objective 8'	To reflect the deletion of housing element	Out	NM
IMAC01.24	Policy context Table	In 'Key Evidence' delete 'Topic Paper 10'	To reflect the deletion of housing element	Out	NM
IMAC01.25	Policy Context Table	In 'Key Evidence' delete "Northern Gateway Masterplan and Delivery Statement' in the Policy Context Table'	To reflect the splitting policy STR3 into two policies	Out	NM
IMAC01.26	STR11 / 7.11 Housing Balance Sheet	In Housing Balance Sheet: <ul style="list-style-type: none"> amend 'Less LDP Strategic Allocations' to read 'Less LDP Strategic Allocation' amend the 'Notes' section by deleting reference to 300 units at Warren Hall. [For amended Housing Balance Sheet see MAC038]	To reflect the deletion of housing element	Out	NM
IMAC01.27	Ch13 Monitoring Table	Remove Monitoring Indicator MI16 relating to Warren Hall and re-number subsequent Monitoring Indicators.	To ensure the Monitoring Table reflects changes to the Plan.	Out	NM
IMAC01.28	Proposals Maps	Amend Proposals Map 02 Front and Proposals Map 03 Front by drawing back the strategic site boundary to exclude the housing element. See map below:	To reflect the deletion of housing element	Out	NM

Schedule of Inspector's Matters Arising Changes

IMAC Ref	Policy / Para	Matters Arising Change	Reason	HRA Screening Conclusion	Comments
		 <p>Warren Hall Strategic Site Revised Boundary</p> <p>Legend</p> <ul style="list-style-type: none"> Warren Hall Strategic Site (Revised Boundary) Warren Hall Strategic Site (Previous Boundary) <p>Scale 1:10,000 @ A4 OS Map: 25k Produced: 05/11/2021</p>			

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