

**Flintshire Local Development Plan 2015 – 2030
EXAMINATION IN PUBLIC**

**Hearing Session Matter 8
Wednesday 21st April 2021**

**Matter 8: Natural and Built Environment
Strategic Policies – Valuing the Environment
(Including Green Networks and Infrastructure STR13)**

Hearing Statement by Flintshire County Council

Flintshire Local Development Plan (2015 - 2030) Examination in Public

Flintshire County Council Statement: Matter 8: Natural and Built Environment (including Green Networks and Infrastructure STR13)

This statement has been prepared by Flintshire County Council (FCC) in response to the Inspectors' hearing questions:

Key Issue: Do the policies and proposals on this matter achieve the relevant objectives of the LDP in a sustainable manner consistent with national policy? Are they based on robust and credible evidence?

Response:

1. Policy STR13 covers a wide range of differing but often inter-connected elements of the natural and built environment, and seeks to protect and where appropriate enhance these important assets through the application of sustainable development principles. This policy will contribute towards the achievement of the 'Safeguarding the Environment' Objectives within the LDP;

Objective 17. Maintain and enhance green infrastructure networks

Objective 18. Promote good design that is locally distinct, innovative and sensitive to location

Objective 19. Support the safeguarding and sustainable use of natural resources such as water and promote the development of brownfield land

2. The criteria of this policy supports the aspirations of the 'Distinctive and Natural Places' theme in PPW11 and contributes towards the achievement of the well-being goals set out within the Well-being of Future Generations Act (2015). The principles of sustainable development underpin policy STR13 and will ensure that it achieves the three objectives above in a sustainable manner which is consistent with national policy and that ensures that development is sustainable and does not cause harm to the special character of Flintshire's high quality natural and built environment. The key evidence supporting this policy relates to;

- [Habitats Regulation Assessment](#),
- Background Paper 1 [Green Barrier](#)
- Background Paper 2 [Green Infrastructure Assessment](#),
- [Renewable Energy Assessment](#)
- Background Paper 13 [Renewable Energy](#),
- [Open Space Assessment](#)

3. This evidence base highlights the importance of protecting and where appropriate enhancing Flintshire's natural assets, the approach taken by policy STR13 is in line with the fundamental principle of both PPW11 and the Well-being of Future

Generations Act (2015) of trying to create resilient places, which in turn embodies the wider principle of place making.

4. Objectors have raised concerns that policy STR13 does not offer protection for Best and Most Versatile Land (BMV). PPW11 paragraph 3.58 and 3.59 provides protection for BMV land, directing development towards lower grades, however it also sets out the specific circumstances when development may be permitted to take place on BMV land. The Council have not repeated this criteria as part of STR13 as PPW11 affords sufficient protection, and the Development Plans Manual (Edition 3) states in paragraph 3.11 that an LDP should be focused, succinct and relevant to the key issues it is seeking to address. It should not repeat national policy. The manner in which the Council has complied with the guidance on BMV in PPW in producing the plan is set out in background paper 9 [LDP-EBD-BP9](#) and has been carried out in collaboration with the Welsh Government's Agricultural Division, and where in commenting formally on the Deposit Plan, Welsh Government are supportive of the approach taken.

Question a) Is the wording of Policy STR13 unduly onerous; should it be qualified by 'where appropriate'? Is criterion x) necessary, given that playing fields and open space are covered by Policy EN1?

Council's Response:

- a.1 Policy STR13 sets out the high level sustainability principles which seek to protect and enhance Flintshire's natural and built assets. Not all of the criteria set out under policy STR13 will be applicable to all applications, it will depend on the type and location of development that is proposed. However, it is important to highlight these important issues to ensure that all developments have adequately considered them. The weight to be applied to each of the criteria will be considered during the application process where it will be clear which criteria are relevant to the application.
- a.2 To introduce additional wording such as 'where appropriate' could dilute the effectiveness of this policy and reduce the opportunity to achieve these high level sustainability principles across all developments. The current wording is not considered to be unduly onerous as the principles around each of the criteria of policy STR13 are all supported by PPW11, particularly within the 'Distinctive and Natural Places' theme. In addition the Planning (Wales) Act (2015) states that LDP's must be prepared in accordance with the sustainable principles as defined by the Well-being of Future Generations Act (2015), to ensure that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales. The current wording of policy STR13 ensures that all developments consider each criteria as part of their application, and where a criteria is particularly relevant to their application must demonstrate how they comply. To do otherwise and make compliance somehow conditional as requested by some objectors, seems to be seeking to make the delivery of sustainable development somehow conditional, which appears to be contrary to national planning guidance.

a.3 Under the established principle of reading the plan as a whole, it is important that policy STR13 is read in conjunction with the Development Management Policies under the 'Valuing the Environment' section, as these provide further detail in order to assess applications and interpret what is required in different contexts. Overall the approach of STR13 in conjunction with the 'Valuing the Environment' Development Management policies will ensure that new developments are contributing towards achieving the sustainable principles set out within the Well-being of Future Generations Act (2015).

a.4 Criteria x of STR13 is covered by policy EN1 therefore the Council would have no objection to the removal of this criteria.