

Pecyn Dogfen Gyhoeddus

Gareth Owens LL.B Barrister/Bargyfreithiwr
Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



CS/NG

24 Mawrth 2022

Sharon Thomas 01352 702324
sharon.b.thomas@flintshire.gov.uk

At: Cyng David Wisinger (Cadeirydd)

Cynghorwyr: Mike Allport, Bernie Attridge,
Chris Bithell, Derek Butler, Chris Dolphin,
Ian Dunbar, Veronica Gay, Gladys Healey,
Patrick Heesom, Christine Jones,
Richard Jones, Richard Lloyd, Ted Palmer,
Mike Peers, Neville Phillips ac Owen Thomas

Annwyl Syr / Fadam

RHYBUDD O GYFARFOD ANGHYSBELL
PWYLLGOR CYNLLUNIO
DYDD MERCHER, 30AIN MAWRTH, 2022 am **1.00 PM**

Yn gywir

Steven Goodrum
Rheolwr Gwasanaethau Democraidd

Sylwch: Bydd hwn yn gyfarfod dros y we. Bydd y cyfarfod yn cael ei ffrydio'n fyw ar wefan y Cyngor. Bydd recordiad o'r cyfarfod ar gael yn fuan ar ôl y cyfarfod ar <https://flintshire.publici.tv/core/portal/home>

Os oes gennych unrhyw ymholiadau, cysylltwch ag aelod o'r Tîm Gwasanaethau Democraidd ar 01352 702345.

R H A G L E N

1 YMDDIHEURIADAU

2 DATGAN CYSYLLTIAD

3 SYLWADAU HWYR

4 COFNODION (Tudalennau 5 - 8)

I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 2 Mawrth 2022.

5 EITEMAU I'W GOHIRIO

6 MAE ADRODDIAD Y PRIF SWYDDOG (CYNLLUNIO, AMGYLCHEDD AC ECONOMI)

Mae adroddiad y Prif Swyddog (Cynllunio, Amgylchedd ac Economi) yn amgaeedig.

ADRODDIAD Y PRIF SWYDDOG (CYNLLUNIO, AMGYLCHEDD AC ECONOMI) AR GYFER Y PYLLGOR CYNLLUNIO 30 MAWRTH 2022

Rhif yr eitem	Cyfeirnod y Ffeil	DISGRIFIAD
Ceisiadau sy'n cael eu hadrodd er penderfyniad (C = Cymeradwyaeth, G = Gwrthod)		
6.1	061585 - C	Cais i gymeradwyo mater wedi'i gadw'n ôl yn dilyn cymeradwyaeth amlinellol (059635) i godi 100 annedd a'r seilwaith cysylltiedig yn safle Corus Garden City, Glannau Dyfrdwy (Tudalennau 9 - 28)
6.2	063458 - C	Cais Llawn - Estyniad arfaethedig a gwaith ailwampio rhannol i Felin y Wern, Nannerch (Tudalennau 29 - 40)
6.3	063721 - C	Codi Melin Prosesu Papur i gynhyrchu papur sidan (defnydd dosbarth B2 a B8) gyda gofod swyddfa B1a ategol; gwasanaeth ac isadeiledd cysylltiedig yn cynnwys maes parcio, manau parcio i Gerbydau Nwyddau Trwm a manau i gerbydau a cherddwyr; nodweddion lliniaru sŵn; gwaith daear i greu platfformau datblygu; creu nodweddion draenio yn cynnwys gollyngfa newydd i'r Afon Dyfrdwy; gwaith trin dŵr; a thirlunio ar Blot C Safle Airfields (Airfields Delta), Welsh Road, Sealand, Glannau Dyfrdwy (Tudalennau 41 - 60)
6.4	063312 - C	Trawsnewid ac ehangu Uned Ddiwydiannol yn swyddfa a warws ym Mharc Gwledig Llaneurgain, Estate Roads, Llaneurgain (Tudalennau 61 - 70)
6.5	063591 - C	Cais I Gymeradwyo Materion Wedi'u Cadw'n Ôl Yn Dilyn Cais Amlinellol (059635) Yn Safle Corus Garden City, Welsh Road, Garden City (Tudalennau 71 - 92)
6.6	063741 - C	Cais llawn i ddymchwel byngalo ac adeiladau allanol. Codi 3 byngalo newydd (cynllun wedi'i ddiwygio ers yr cais a wrthodwyd - cyfeirnod 060481) yn 26 Queensway, Shotton, Glannau Dyfrdwy (Tudalennau 93 - 102)
6.7	062863 - C	Cais Llawn - Datblygiad Arfaethedig Yn Cynnwys 4 Uned Bwyd A Manwerthu Dosbarth E(A) Ac E(B) A'r Manau Parcio A'r Arwyddion Cysylltiedig Gwesty Gateway To Wales, Welsh Road, Garden City, Glannau Dyfrdwy (Tudalennau 103 - 122)

Sylwch y gall fod 10 munud o egwyl yn y cyfarfod hwn os yw'n para fwy na dwy awr

Nodyn Gweithdrefnol ar redeg cyfarfodydd

Bydd y Cadeirydd yn agor y cyfarfodydd ac yn cyflwyno eu hunain.

Bydd nifer o Gynghorwyr yn mynychu cyfarfodydd. Bydd swyddogion hefyd yn mynychu cyfarfodydd i gyflwyno adroddiadau, gyda swyddogion Gwasanaethau Democrataidd yn trefnu a chynnal y cyfarfodydd.

Gofynnir i bawb sy'n mynychu i sicrhau bod eu ffonau symudol wedi diffodd a bod unrhyw sain gefndirol yn cael ei gadw mor dawel â phosib.

Dylai'r holl feicroffonau gael eu rhoi "ar miwt" yn ystod y cyfarfod a dim ond pan fyddwch yn cael eich gwahodd i siarad gan y Cadeirydd y dylid eu rhoi ymlaen. Pan fydd gwahoddedigion wedi gorffen siarad dylen nhw roi eu hunain yn ôl "ar miwt".

Er mwyn mynegi eu bod nhw eisiau siarad bydd Cynghorwyr yn defnyddio'r cyfleuster 'chat' neu yn defnyddio'r swyddogaeth 'raise hand' sy'n dangos eicon codi llaw electronig. Mae'r swyddogaeth 'chat' hefyd yn gallu cael ei ddefnyddio i ofyn cwestiynau, i wneud sylwadau perthnasol ac yn gyfle i'r swyddog gynghori neu ddiweddarau'r cynghorwyr.

Bydd y Cadeirydd yn galw ar y siaradwyr, gan gyfeirio at aelod etholedig fel 'Cynghorydd' a swyddogion yn ôl eu teitl swydd h.y. Prif Weithredwr neu enw. O bryd i'w gilydd mae'r swyddog sy'n cynghori'r Cadeirydd yn egluro pwyntiau gweithdrefnol neu'n awgrymu geiriad arall ar gyfer cynigion er mwyn cynorthwyo'r Pwyllgor.

Os, a phan y cynhelir pleidlais, mi fydd y Cadeirydd yn egluro mai dim ond y rheiny sy'n gwrthwynebu'r cynnig/cynigion, neu sy'n dymuno ymatal a fydd angen mynegi hynny drwy ddefnyddio'r swyddogaeth 'chat'. Bydd y swyddog sy'n cynghori'r Cadeirydd yn mynegi os bydd y cynigion yn cael eu derbyn.

Os oes angen pleidlais fwy ffurfiol, bydd hynny yn ôl galwad enwau – lle gofynnir i bob Cynghorydd yn ei dro (yn nhrefn yr wyddor) sut mae ef / hi yn dymuno pleidleisio.

Yng nghyfarfodydd Pwyllgorau Cynllunio a Chyngor Sir mae amseroedd siaradwyr yn gyfyngedig. Bydd cloch yn cael ei chanu i roi gwybod i'r siaradwyr bod ganddyn nhw funud ar ôl.

Bydd y cyfarfod yn cael ei ffrydio'n fyw ar wefan y Cyngor. Bydd recordiad o'r cyfarfod ar gael yn fuan ar ôl y cyfarfod ar <https://flintshire.publici.tv/core/portal/home>

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 4

PLANNING COMMITTEE **2 MARCH 2022**

Minutes of the meeting of the Planning Committee of Flintshire County Council held remotely on Wednesday, 2 March 2022

PRESENT: Councillor David Wisinger (Chairman)

Councillors: Mike Allport, Chris Bithell, Derek Butler, Chris Dolphin, Ian Dunbar, Veronica Gay, Gladys Healey, Patrick Heesom, Christine Jones, Richard Jones, Ted Palmer, Mike Peers, Neville Phillips and Owen Thomas

ALSO PRESENT: Councillor Carol Ellis attended as local Member for Agenda item 6.2 (063280)

APOLOGY: Councillor Richard Lloyd

IN ATTENDANCE: Chief Officer (Planning, Environment & Economy), Service Manager - Strategy, Service Manager - Development, Senior Engineer - Highways Development Control, Senior Planning Officers, Solicitor and Democratic Services Officer

55. DECLARATIONS OF INTEREST

None.

56. LATE OBSERVATIONS

The Chairman allowed Members an opportunity to read the late observations which had been circulated prior to the meeting and were appended to the agenda item on the Council's website:

<https://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=490&MId=4996&LLL=0>

57. MINUTES

The minutes of the meeting held on 2 February 2022 were confirmed as a correct record, as moved and seconded by Councillors Ian Dunbar and Chris Bithell.

RESOLVED:

That the minutes be approved as a true and correct record.

58. ITEMS TO BE DEFERRED

The Chief Officer (Planning, Environment & Economy) advised that no items were recommended for deferral but that Agenda Item 6.3 had been withdrawn by the applicant following publication of the agenda.

59. REPORTS OF THE CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY)

RESOLVED:

That decisions be recorded as shown on the Planning Application schedule attached as an appendix.

60. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

None.

(The meeting started at 1pm and ended at 3.05pm)

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Chairman

Meetings of the Planning Committee are webcast and can be viewed by visiting the webcast library at: <http://flintshire.public-i.tv/core/portal/home>

PLANNING COMMITTEE ON 2 MARCH 2022

Tudalen 7

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
062863	Sealand Community Council	Full Application - Proposed development consisting of 4 No. Class E(a) and E(b) food and retail units and associated car parking and signage at former Gateway to Wales Hotel, Garden City	A statement of objection was read out on behalf of local residents Mr & Mrs Cousins. Councillor Christine Jones, local ward Member, spoke against the application.	That the application be deferred, pending a review of HGV delivery arrangements in response to Members' concerns.
063280	Buckley Town Council	Reserved Matters - Erection of 10 Dwellings And Associated Roads, Infrastructure and Parking including Details Of Access, Appearance, Landscaping, Layout And Scale, together with an application to discharge Conditions 1, 3, 4, 5, 6, 7, 8, 10, 11, 13 and 14 of Outline Planning Permission Reference 060811 at Jubilee Villas, 80 Mold Road, Buckley	A statement of objection was read out on behalf of Val Holland, local resident. A statement of support was read out on behalf of the agent. Councillor Carol Ellis, local ward Member, spoke against the application.	That conditional planning permission be granted, in accordance with the officer recommendation, subject to the applicant entering into a Legal Agreement to provide the following: <ul style="list-style-type: none"> • To establish a properly constituted body to take responsibility for the future management and upkeep of the private street. • A financial contribution towards improving local play provision. • Should no such agreement be entered into within 3 months of the date of approval then it is requested that Officers be

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
				<p>granted delegated approval to refuse the application.</p> <p>Also subject to conditions set out in the report, with additional conditions as follows:</p> <ul style="list-style-type: none">• Submission of Demolition Method Statement.• Submission of Service Management Plan.

Eitem ar gyfer y Rhaglen 6.1

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **30TH MARCH 2022**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **APPLICATION FOR THE APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPROVAL REF. 059635 FOR THE ERECTION OF 100 NO. DWELLINGS WITH ASSOCIATED INFRASTRUCTURE**

APPLICATION NUMBER: **061585**

APPLICANT: **CLWYD ALYN HOUSING**

SITE: **FORMER CORUS SITE, GARDEN CITY**

APPLICATION VALID DATE: **2ND SEPTEMBER 2021**

LOCAL MEMBERS: **COUNCILLOR MS C M JONES**

TOWN/COMMUNITY COUNCIL: **SEALAND COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST DUE TO SCALE OF DEVELOPMENT**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is a reserved matters application pursuant to outline planning permission ref: 059635 for an employment led mixed use development and associated infrastructure comprising construction of accesses, roads, footpaths, cycle paths, earthworks, and flood mitigation on land at Former Corus Site, Garden City, Deeside.

The Former Corus Site together with the neighbouring Airfields Site forms part of a long standing aspiration of Flintshire County Council and Welsh Government to bring forward a comprehensive, mixed use redevelopment in this area (referred to as a whole as the Northern

Gateway) taking advantage of the strategic location and the availability of previously developed land.

The original outline consent ref: 050125 was granted planning permission in 2014, and in recent years has been subject to a number of variations, the most recent and applicable in this case is ref. 059635. Permissions have also been approved for the phase 1, 2 and 3 enabling and infrastructure works, along with the associated discharge of conditions attached to the varied consent. Works are now advancing with development having commenced on site in line with the permissions granted, these works prepare the land for development in order to facilitate the delivery of the residential development plots. Members are advised that to date, reserved matters permission has been granted on phase 1a ref 060411 for the erection of 129 no. dwellings to be delivered by Keepmoat Homes. The application before you is referred to as phase 1b in accordance with the approved masterplan, and the delivery of 100 no. dwellings on this site would complete phase 1 of the residential development at the Former Corus Site.

Members are advised that this is a 100% affordable housing scheme, of which the 100 no. dwellings would comprise a mix of 1, 2, 3 and 4 bedroomed properties in a variety of house types and affordability tenures. The house types include apartment units and a small number of bungalow type properties, with the provision aiming to offer accommodation to the over 55's population and a degree of sheltered housing.

This site forms part of the wider mixed use strategic allocation including housing, Policy HSG2A in the Flintshire Unitary Development Plan, the principle of development is therefore considered acceptable in planning policy terms. Issues in respect of PPW good place-making, design, layout, access, residential amenity, interface distances, flood risk and development viability have been resolved.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation to provide the following:

- To secure 100 no. dwellings to be affordable and retained as such in perpetuity.
- Provide that a Management Company is incorporated for the management and future maintenance of the onsite public open space and communal landscaping areas.

Conditions

1. In accordance with approved plans
2. Samples of materials for external finishes
3. Specification for the type, location and amount of play equipment to be provided
4. Site levels shall be set at a minimum of 5.50m AOD
5. Finished floor levels of the proposed dwellings to be set at a minimum of 5.95m AOD
6. Works associated with forming the means of site access shall be kerbed and completed to carriageway base course layer
7. Facilities shall be provided and retained within site for parking and turning
8. Front of garage set back a minimum distance of 5.5m behind the back of footway line or 7.3m from the edge of the carriageway
9. Positive means to prevent the run-off of surface water
10. Detailed layout, design and construction of internal estate road
11. Gradient of access from edge of existing carriageway for minimum of 10m shall be 1 in 24 and a maximum of 1 in 15 thereafter
12. Full Travel Plan
13. Transport Implementation Strategy
14. Submission of active travel plan including off-site pedestrian linkages
15. Completion of off-site highway works prior to occupation

If the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within 6 months of the date of the Committee resolution, the Head of Planning be given delegated authority to REFUSE the application.

3.00 CONSULTATIONS

3.01 Local Member – Councillor Ms C M Jones

Requests committee determination due to size and scale of development.

Sealand Community Council

- The Council has major concerns concerning the proposed raising of height with sand and topsoil. This will cause vast amounts of dust and noise.
- The raising of the height of the site and the consequent higher level of the properties to be built will mean that existing Garden

City properties will be overlooked resulting in a loss of privacy and a reduction in amenity value and an increase in nuisance.

- The Council also requests that all necessary safeguards are put in place during construction to avoid unnecessary negative nuisance to adjacent properties including the risk of structural damage when pile driving is in operation for the construction of foundations. With the nearness to existing properties Council is very concerned that cracks will appear in inner walls.
- The Council has major concerns on the impact of the current drainage of the area which potentially could have a major flooding impact on Garden City Traffic issues are a major concern as all new traffic will be linked into Welsh Road creating additional pressure on the highway's infrastructure
- The Council has major concerns about school provision at Sealand Primary School with the high numbers of new pupils that will be living at the to be built additional properties
- Council has major concern on the impact of local health facilities – GP surgeries and dentists.
- Council would like to see the definite inclusion of the provision of children's play area on the sites in question.

Head of Public Protection

Confirms no adverse comments to make with respect to the proposed development.

Head of Assets and Transportation

Confirms no objection following the receipt of amended information, recommends that any permission granted includes the following conditions:

- Works associated with forming the means of site access shall be kerbed and completed to carriageway base course layer
- Facilities shall be provided and retained within site for parking and turning
- Front of garage set back a minimum distance of 5.5m behind the back of footway line or 7.3m from the edge of the carriageway
- Positive means to prevent the run-off of surface water
- Detailed layout, design and construction of internal estate road
- Gradient of access from edge of existing carriageway for minimum of 10m shall be 1 in 24 and a maximum of 1 in 15 thereafter

- Full Travel Plan
- Transport Implementation Strategy
- Submission of active travel plan including off-site pedestrian linkages

Welsh Government (Trunk Roads)

Welsh Government as highway authority for the A494 trunk road directs that any permission granted by your authority shall include the following conditions:

- *The Highway Works identified in the approved Schedule of Highway Works as being relevant to that particular phase shall be laid out and constructed strictly in accordance with the approved plans (Appendix A – Scheme Drawings) and be substantially complete to the written satisfaction of the LPA in consultation with Welsh Government prior to the first occupation of any building within that particular phase, or in accordance with such other timescales as shall be agreed by the Local Planning Authority.*

The above conditions are included to maintain the safety and free flow of trunk road traffic.

Welsh Water/Dwr Cymru

Confirms that following the receipt of a revised proposed site plan, the development would be situated outside of the protection zone of the raising mains measured 3 metres either side of the centreline. On this basis, Welsh Water raise no objections to the proposed scheme subject to the compliance with the requirements of the drainage related conditions imposed on the outline permission, specifically condition no. 9 which relates to the approval of a foul drainage scheme and water supply connection.

Natural Resources Wales

Confirms no objection on flood risks grounds following the receipt of additional information.

Airbus

Confirms no aerodrome safeguarding objection.

Housing Strategy

Supports the application, the proposal would meet the immediate need within the Garden City, Queensferry and Shotton areas and would provide a surplus provision of affordable housing options for future demand for which interest is anticipated to increase as the development is built out, and accommodation becomes available.

Education

The proposed development would not trigger the request for financial contributions for primary education, the nearest and most suitable school being Sealand CP School. The development would however trigger the request for financial contributions towards secondary education, totalling £313,973.00 for Hawarden High School as the nearest and most suitable school.

Education Services advise that the monies would be allocated to the new science block project that has been identified at Hawarden High School.

Leisure Services

Confirms the provision of onsite public open space is satisfactory to cater for the development proposed. Requests that any permission granted is subject to the imposition of a condition which requires a scheme to be submitted for play and recreation equipment which compliments the provision on the phase 1a site and that provided outside of the site as part of the informal public open space in accordance with the approved Green Infrastructure Plan.

Emergency Services

Confirms that emergency vehicles would be able to access the site via the highway network and proposed access arrangements serving the proposed development.

Clwyd-Powys Archaeological Trust (CPAT)

Confirms there are no additional requirements for this reserved matters. The former estate dwellings recorded at Garden City have been archaeologically excavated by Oxford Archaeology, with the report received being considered acceptable.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

1 no. letter of objection received upon the following grounds:

- Reduce the value of property
- Takes away views enjoyed from the property
- Development will increase the loss of light to the property
- Increased noise
- Lack of doctors surgery

5.00 SITE HISTORY

5.01 There is a complex and lengthy planning history to the Northern Gateway site and accordingly the most relevant applications to this particular plot are listed below.

060411 Application for approval of reserved matters following outline approval (056540) for the erection of 129 no. dwellings. Approved 28.10.21

059635 Application for removal of conditions 6, 8, 11 and 32 and variation of conditions 7, 31, 36 and 44 following grant of planning permission. (056540). Approved 05.06.20

058868 Application for approval of reserved matters relating to the phase 1a enabling and infrastructure works following outline approval. (056540). Approved 30.08.19

056540 Application for variation of conditions 5 (mix of development and phasing), 32 (highway works) and 38 (off-site highway works) and removal of conditions 6 (highway works at Station Road/Asda junction) and 10 (flood defence works) following grant of planning permission
054758 Outline application for an employment led mixed use development incorporating logistics and technology park (B1, B2, B8), residential (C3), local retail centre (A1), Hotel (C1), Training and skills centre (C2, D1) new parkland, conversion of buildings, demolition of barns, and associated infrastructure comprising construction of accesses, roads, footpaths, cycle paths, earthworks, and flood mitigation. Approved 02.03.18

054758 Variation of conditions 6, 9 and 42 and removal of condition nos. 17, 18, 19 and 20 attached to planning permission ref: 050125 Approved 16.03.16.

050125 Employment-led mixed-use development, incorporating Logistics and Technology Park (B1,B2,B8) with residential(C3),local retail centre (A1), hotel (C1), training and skills centre(C2,D1),new parkland; conversion of buildings, demolition of barns; and associated infrastructure comprising construction of accesses, roads, footpaths/ cycle paths, earthworks and flood mitigation/drainage works approved 13.05.14

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 – New Development

STR4 – Housing

STR7 – Natural Environment

GEN1 – General Requirements for Development

D1 – Design Quality, Location & Layout

D2 – Design

D3 – Landscaping

TWH1 – Development Affecting Trees & Woodlands

TWH2 – Protection of Hedgerows

L1 – Landscape Character

WB1 – Species Protection
WB2 – Sites of International Importance
WB3 – Statutory Sites of National Importance
AC13 – Access & Traffic Impact
AC18 – Parking Provision & New Development
HSG1 – New Housing Development Proposals
HSG2A – Strategic Mixed Use Development, Land NW of Garden City
HSG8 – Density of Development
HSG9 – Housing Mix & Type
HSG10 – Affordable Housing within Settlement Boundaries
SR5 – Outdoor Playing Space & New Residential Development
EWP12 – Pollution
EWP13 – Nuisance
EWP14 – Derelict and Contaminated Land
EWP17 – Flood Risk

Adopted Supplementary Planning Guidance

SPGN No. 2 – Space Around Dwellings.
SPGN No. 8 – Nature Conservation and Development
SPGN No.9 – Affordable Housing
SPGN No. 11 – Parking Standards
SPGN No. 23 – Developer Contributions to Education
PGN No. 13 – Open Space Requirements.

National

Planning Policy Wales Edition 11, February 2021
TAN 2: Planning & Affordable Housing.
TAN 5: Nature Conservation & Planning
TAN 11: Noise
TAN 12: Design
TAN 15: Development and Flood Risk
TAN 16: Sport, Recreation & Open Space
TAN 18: Transport

As the site forms part of the strategic mixed use allocation of HSG2A the principle of development is acceptable.

7.00 PLANNING APPRAISAL

7.01 Introduction

The Northern Gateway site comprises of the former Corus Garden City site and the former RAF Sealand site. The Northern Gateway site spans a vast area and is owned by Praxis Real Estate Management Ltd (Praxis) and Pochin Goodman Northern Gateway Ltd (PGNGL). The northern part of the wider Northern Gateway (former RAF Sealand – The Airfields) site is owned by Praxis with the southern part (former Corus site) owned by PGNGL.

- 7.02 The outline permission for the PGNGL area of land grants the principle delivery of up to 770 residential dwellings on their site.
- 7.03 This application is for the erection of 100no. residential dwellings and associated internal infrastructure on plot 1b of the PGNGL site.
- 7.04 Site Description
The application site extends for 2.48 hectares and is currently open land which is bounded by Farm Road to the north. Farm Road is a residential road serving a number of dwellings. Generally, the other areas surrounding the site are farmland / fields.
- 7.05 Phase 1b specifically, has also been the subject of the recently approved enabling and infrastructure works. As such the works undertaken include increasing the land levels in line with the Strategic Flood Mitigation Strategy, the installation of swales and improved culvert systems and informal landscaping/ public open space to the periphery, including utility services to facilitate the delivery of the proposed residential development.
- 7.06 The site sits immediately adjacent to the defined settlement boundary of Garden City with the majority of the settlement located to the south. Sealand Primary School is located adjacent to the site off Farm Road. Taking in the wider context of the site, further north is Deeside Industrial park which comprises of commercial and industrial units whilst to the west is the industrial complex of Tata Street. Queensferry is the nearest larger settlement located to the south where there is access to a range of amenities.
- 7.07 Proposed Development
The application proposes the erection of 100 new dwellings with associated infrastructure and on-site public open space. The proposed development comprises a mix of 1, 2, 3 and 4 bed properties in a variety of 2 storey house types, ranging from apartment units, semi-detached and terraced dwellings together with a limited number of bungalows.
- 7.08 Some dwellings will have shared parking areas. Each dwelling will benefit with parking provision, ranging from 1 space per 1 bed apartment unit to 2 no. spaces per 2 and 3 bed dwelling, with the larger 4 bed dwellings having 3 spaces.
- 7.09 The application site will be accessed from one point of access from the southern boundary, feed from the spine road. The site access has been provided as part of the recently approved enabling works as a means to service the site and facilitate development.
- 7.10 Separation distances are achieved between proposed dwellings and the highways infrastructure and sustainable drainage infrastructure such as swales. These are located outside of the red line boundary of

the current application, but fall within the scope of the wider infrastructure works being implemented to date.

- 7.11 Overall, dwellings are set back from the road with a front garden and driveway area. Dwellings are proposed to address street corners and enhance natural surveillance throughout the development. Each dwelling is proposed with a front and rear garden and 1, 2 or 3 car parking spaces either to the front or side of the respective unit. All properties are provided with designated areas for storage of waste and recycling bins.
- 7.12 A number of different house types are proposed but remain similar in terms of materials and design.
- 7.13 Furthermore, the proposals include an area of 400sqm of onsite public open space (POS) of recreational value. This is located to the north of the site and connects with the informal public open space which is provided outside the application site, but in line with the approved green infrastructure plan. These include footpath connections to accommodate cycle / footpath links towards the other residential plots and towards the commercial development at the north west of the site. The proposals have also been developed to connect through the site providing a key active travel route across the proposals. Boundary treatment comprises a mix of hedgerows and planting as well as close boarded fencing to residential gardens and railings to the site entrance and around the play area. Some rear gardens back onto site boundaries however access to swales for maintenance has been incorporated into the layout.
- 7.14 Principle of Development
The site forms part of the strategic mixed use development allocation HSG2A land North West of Garden City within the Flintshire Unitary Development Plan.
- 7.15 The Airfields and the Former Corus, Garden City site together make up the 'Northern Gateway', a comprehensive mixed use redevelopment which takes advantage of the strategic location and the availability of previously developed land. Both component sites have the benefit of outline planning permission which as part of the approved mixed use includes a residential contribution of 1,400 new homes (cumulative) to be delivered over a phased period. This is far greater than the 650 dwellings envisaged originally for the site. The Former Corus, Garden City site alone has an agreed principle of 770 residential units.
- 7.16 The Northern Gateway Strategic site continues to remain an allocated site commitment in the emerging LDP currently at examination. As such the development of this site is a key part to supporting the overall housing delivery as part of the current UDP and the supply going forward as part of the LDP.

7.17 As identified above, the site is located immediately adjacent to the settlement boundary of Garden City in the Flintshire Unitary Development Plan, which is a Category 'B' settlement with an array of employment opportunities and a selection of facilities and services, as the site's allocation for mixed use reflects both the strategy of the Flintshire Unitary Development Plan and the principles embodied in PPW11. In this context therefore, there is a clear policy framework supporting the principle of residential development on this site.

Viability Assessment

7.18 The application is supported with a financial assessment, which argues viability implications in respect of the obligatory developer contributions sought as part of SPGN No23 (education). This is the only contribution applicable, as the scheme is a 100% affordable residential development which also provides on-site public open space.

The Education request is as follows:

7.19

Contribution Calculator		
Factor	Primary	Secondary
Net Number of Dwellings	98.	98.
Multiplier	0.24	0.174
Potential Child Yield from Development	23.52	17.052
Potential Child Yield from Development (2)	24.	17.
Contributions per Pupil	£12,257.00	£18,469.00
Potential Amount of Contributions Sought	£294,168.00	£313,973.00
Potential Child Yield from Development (2)	24.	17.
Number on Roll	167.	1,133.
Potential Number on Roll	191.	1,150.
Potential Number on Roll	191.	1,150.
Trigger for Contributions	204.	1,088.
Number of Contributions Sought (3)	-13.	62.
Potential Number of Contributions Sought	-13.	62.
Potential Child Yield from Development	24.	17.
Number of Contributions Sought (4)	-	17.
Maximum Number of Contributions Sought	.	17.
Contributions per Pupil	£12,257.00	£18,469.00
Total Contributions Sought	£.00	£313,973.00

Education colleagues were consulted on the application and advised that in line with SPGN No.23 the nearest and most suitable schools to the development are Sealand Primary and Hawarden High School. They determine that based on the size of the development it is reasonable to calculate that a further 17 no. pupil places for secondary would be generated. However, the development would not trigger an increase in the number of primary pupil places.

7.20 The assessment was independently assessed on behalf of the Council by an appointed valuer in March 2022. This included a breakdown of construction costs, benchmark land values; site acquisition; estimated

sales and marketing values of the properties and gross development value to determine the profit to be made.

- 7.21 The valuer concluded that the full developer contributions as triggered by policy, education financial contributions of £313,973.00 towards Hawarden High School, would render this 100% affordable development unviable.
- 7.22 PPW11 paragraph 4.2.21 states that matters concerning viability is for the decision maker to decide on, having regard to all the circumstances of the case ensuring that the request for community benefits is not so unrealistic that it would unreasonably impact upon the site's delivery. As such, it is considered that the delivery of a 100% affordable housing development which meets the immediate demand, but also secures the provision of available units for future need is given considerable weight in the viability case. It is therefore the Council's intention not to seek the full education contribution for Hawarden High School as otherwise it would risk the delivery of such a valuable and needed development for the Garden City and wider area.
- 7.23 Flood Risk
The outline planning permission for this site required that for each reserved matters application an updated Flood Consequences Assessment (FCA) be undertaken.
- 7.24 A Flood Consequences Assessment has been submitted in support of this reserved matters application although, it is noted that the FCA relies upon some earlier work undertaken at the site which was prepared in support of the reserved matters application for the enabling works associated with Phases 1b, 2 and 3 (planning reference 062409). This FCA established the development platform levels and flood mitigation measures including the creation of flood storage areas.
- 7.25 The earlier FCA presents an assessment of flood risk based on the hydraulic modelling work submitted by Arcadis in support of application ref 062409, which identifies the site to be at risk of flooding from fluvial (Garden City Drain) and tidal (River Dee) sources in the baseline scenario. The key mitigation measures established under the agreed flood mitigation plan are outlined within the FCA, and include setting the development platform levels at 5.50 m AOD and setting the finished floor levels of all properties at 5.95 m AOD.
- 7.26 These measures ensure that the flood risk posed in the 1% AEP fluvial event with an allowance for climate change (including blockage) and the 0.5% AEP breach event with an allowance for climate change are appropriately mitigated. As such, the development platform level has already been approved under application ref 062409.

- 7.27 The updated FCA as submitted states that finished floor levels will set at 5.95 m AOD. It is considered that the mitigation measures are therefore in accordance with the agreed flood mitigation plan. This is replicated in the submitted drawings which show the proposed levels at 5.95m AOD.
- 7.28 In respect to the impact on flood risk elsewhere, the enabling works for the Phase 2 works have been considered under application ref 062409. This includes the creation of the development platforms and compensatory storage required to offset the impact of the raised platforms. Therefore the proposal considered under this application is not expected to have an impact on flood risk elsewhere. This is supported by the pre and post development modelling undertaken in support of application ref. 062409.
- 7.29 Subject to the development being undertaken in accordance with the detailed proposed level plans submitted with the application and outlined in the FCA then the development is considered compliant with policy EWP17 of the Flintshire Unitary Development Plan and the national guidance set out in TAN15.
- 7.30 Highways
The primary access to the site has been provided from the vehicular access road approved as part of previous reserved matters approval (ref. 062409) for the enabling works on residential phases 1b, 2 and 3. The locations of this access has therefore already been assessed by the Local Highway Authority and approved.
- 7.31 Overall, the vehicular access to the proposed development will be provided from the residential spine road providing a direct link to the B5441 Welsh Road. The supporting information sets out the details of the proposed access including pedestrian and cycle links. The internal access arrangements to the residential development provide footways to adoptable standards. The layout proposes a network of pedestrian footways, shared spaces and pedestrian only routes to provide good permeability across the site. The footways are located along the spine road and within the internal network. The footways will also provide access to the bus stops located on Welsh Road
- 7.32 The details submitted include an “approved Green Infrastructure plan” which indicates the provision of a number of offsite pedestrian routes however a number of these routes are omitted from the layout plans. The Transport Assessment submitted in support of the application make reference to the importance and encouragement of Active Travel. External links that are indicated for pedestrian use must be designed to accommodate shared cycle use. On balance, it is considered that the Active Travel proposals can be adequately achieved on site and this can be secured by way of a condition on any grant of permission.

- 7.33 There will be a mix of parking provision across the site with 1 car parking space for the 1 and 2 bedroom apartments whilst the larger dwellings will be provided with 2 and 3 car parking spaces. The submitted parking layout therefore complies with the requirements of the outline approval and the maximum parking standards as set out in SPGN 11.
- 7.34 Furthermore, consultations have been carried out with Welsh Government Trunk Roads Authority who whilst raising no objection to the proposed development, do request the imposition of a condition which follows the conditions imposed upon the outline consent. This condition requires the off-site highway works as identified on the outline consent and as triggered by the cumulative development of the Northern Gateway, are undertaken prior to occupation of the proposed development.
- 7.35 In conclusion, subject to the inclusion of conditions as noted in paragraph 2.0, no objections to the proposal are raised from the position of Highway safety.
- 7.36 Ecological Matters
The loss of habitats was fully assessed as part of the original outline planning application for this site and was considered to be acceptable subject to proposed mitigation. Overall, the habitats management plan as submitted with this application report demonstrates that the proposed landscaping on this site (together with other mitigation proposed outside the boundary of this application) is considered to be sufficient to mitigate for the loss of any habitats caused by the proposed development at The former Corus site as a whole.
- 7.37 The proposed landscaping details will support those mitigation measures and for that reason the Council's Ecologist raises no objection.
- 7.38 Character & Appearance
The site and areas to the north and north east, with the exception of the Deeside Industrial Park, are predominantly rural in character, with areas beyond the site now being made ready for future commercial/employment development. However, to the north, north east, west and south lies new (Keepmoat Homes ref. 060411 and The Airfields Residential approved commitments ref. 059514 and ref. 062898) and established residential development whereby the prevailing house types reflect that proposed within this reserved matters application, and the existing pattern beyond comprising semi-detached two storey properties. A positive outcome for the immediate locality as a result of the residential development at the Northern Gateway, is that there is now a much wider range of different types, sizes and tenures of housing available on the market.

- 7.39 The existing dwellings in Garden City consist of a mix of architectural styles with no overarching character. They include a range of materials including pebble dash, red brick and rendering.
- 7.40 The development comprises a majority two storey scheme. The development would deliver a mix of apartment, terraced and semi-detached properties together with a limited number of bungalows. All units would be designed with pitched roofs and velux roof lights. The external materials of which will be tiled roofs with a mixture of brick and render walls, with solid course detailing to the surrounds of window and door openings. This combined with roof lights, brick opening details all adds variation and interest to the development.
- 7.41 The site layout is conventional in style and is considered to reflect the general layout of surrounding roads and properties where the dwellings directly front onto the access and estate roads. The character and design of the proposed development has been informed in part by the pattern and appearance of the existing and recent new build developments seen on the approved residential phases on the Northern Gateway and that seen within the County, all of which are of a modern suburban appearance, and in part informed by the need for a development that responds not only to the physical constraints of the site, but also to the current housing market requirements and the demonstrated need on the affordable housing register.
- 7.42 The latter indicates that there remains a need for smaller 1 and 2 bed units, and 3 bed units to accommodate the average family. However, the register does reflect a need for a small number of 4 bed affordable dwellings to accommodate larger families, but also low density bungalow type units to cater for the elderly population. This application therefore seeks to cater for a variety of affordable accommodation types which would meet the immediate need but also provides an availability of units to meet future demand as interest grows within the area.
- 7.43 Whilst the proposed density is significantly more than the stipulated minimum of 30 dwellings per ha in accordance with Policy HSG8 due to the proposed apartment type units, the approved details of the outline consent set density and height parameters for the mixed use site, for which it was agreed that the density range for the residential development would be set between 25 – 40 dwellings per ha. The proposed layout, scale and density of the development remains in accordance with the outline permission. This approach is also supported by PPW11 as part of the good place-making principles, stating at paragraph 3.51 that “higher densities should be encouraged in urban centres and near major public transport nodes or interchanges, to generate a critical mass of people to support services such as public transport, local shops and schools.”

- 7.44 A detailed landscaping scheme forms part of the submitted details, which shows the landscaping proposals to comprise of grass and shrubbery strips to the sides of the driveways to provide visual interest as well as demarcate the boundaries between public and private spaces and between units. Existing planting and trees would be retained where possible, however the majority of vegetation was cleared as part of the site clearance works for the enabling and infrastructure works. Acknowledging the loss, new planting, shrubbery and a mixture of trees to the front gardens, landscaped area and the public open space areas will compensate the initial loss, encourage ecological enhancements, support climate change principles and add to the rural feel of the development.
- 7.45 Impact on Existing and Proposed Residents
It is considered that the distances between proposed and existing properties on neighbouring parcels comprising Keepmoat Homes scheme and those properties situated along Farm Road, meets and in most cases exceeds the minimum distance separation guidelines outlined in SPGN no. 2 Space Around Dwellings.
- 7.46 In the few cases where the interface distances on site with proposed dwellings falls short, safeguarding design measures against overlooking and to protect amenity have been incorporated, this has resulted in these properties being positioned at angles or facing diagonal to a flank wall (blank gable) to offset direct interface relationships with opposing elevations with habitable rooms. Overall however, the interface distances are in accordance with the SPGN no. 2 guidance, with facing elevation distances ranging from 22m to 28m and side elevations to flank walls ranging from 12-16m.
- 7.47 In consideration of the siting, orientation and distance of the proposed dwellings relative to existing residential properties, it is not considered that the proposed dwellings would cause any unacceptable reduction or harm to the amenities of the existing occupiers in terms of privacy, loss of light or obtrusiveness. However, it is noted that an objection received has raised that the development will result in a devaluation of properties values. The value of a property is however not a material planning consideration, and is therefore given limited weight in the balance of this application.
- 7.48 Furthermore, all proposed properties with the exception of the 1 bed apartment units, are provided with private rear amenity space, with garden depths ranging from 9-14m and overall useable garden areas exceeding the SPGN no. 2 guide of 70sqm for properties with 3 bedrooms or more.
- 7.49 With consideration to the proposed site layout and the guidance set out in SPGN no. 2, it is considered that the development is compliant and represents good place-making within the context of PPW11.

7.50 Other Matters

The matter of increased noise has been raised but there is no evidence to substantiate that the volume of noise from this development would be significantly greater than any other use in this urban location. Notwithstanding this, site operation hours are restricted by condition on the outline consent, with Sunday and bank holiday working prohibited. The matter raised regarding the devaluation of property and the loss of a private view are not matters that are considered to be material planning considerations and therefore cannot be given sufficient weight in the determination of this application.

7.51 Furthermore, whilst the comment in relation to access to healthcare or lack of is noted, the Council is not responsible for maintaining or securing the provision of this service. This responsibility lies with the Health Board, Betsi Cadwaladr who have been included as consultee as part of the preparation and consultation of the emerging LDP. As such, the Council has appraised the Health Board of the LDP's planned development and housing allocation, therefore allowing them to consider whether there is additional need for healthcare facilities within the areas identified for future growth such as the Northern Gateway. To date, no indication of a capacity issue has been confirmed by the health board.

8.00 CONCLUSION

The site forms part of the strategic mixed use development allocation HSG2A land North West of Garden City within the Flintshire Unitary Development Plan. It is also located immediately adjacent to the settlement boundary of Garden City in the Flintshire Unitary Development Plan, which is a Category 'B' settlement with access to a variety of employment opportunities and a selection of facilities and services, as the site's allocation for mixed use reflects both the strategy of the Flintshire Unitary Development Plan and the principles embodied in Planning Policy Wales. In this context therefore, there is a clear policy framework supporting the principle of residential development on the site.

This report details in full the areas that required approval following the outline consent. These matters include the viability claim, flood risk, highways, ecology, character and appearance and the impact on occupiers both existing and new.

It is considered that these matters have been satisfied, and I therefore recommend that planning permission is granted subject to the imposition of conditions, and the completion of a legal agreement as set out within paragraph 2.01 of this report

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no

significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

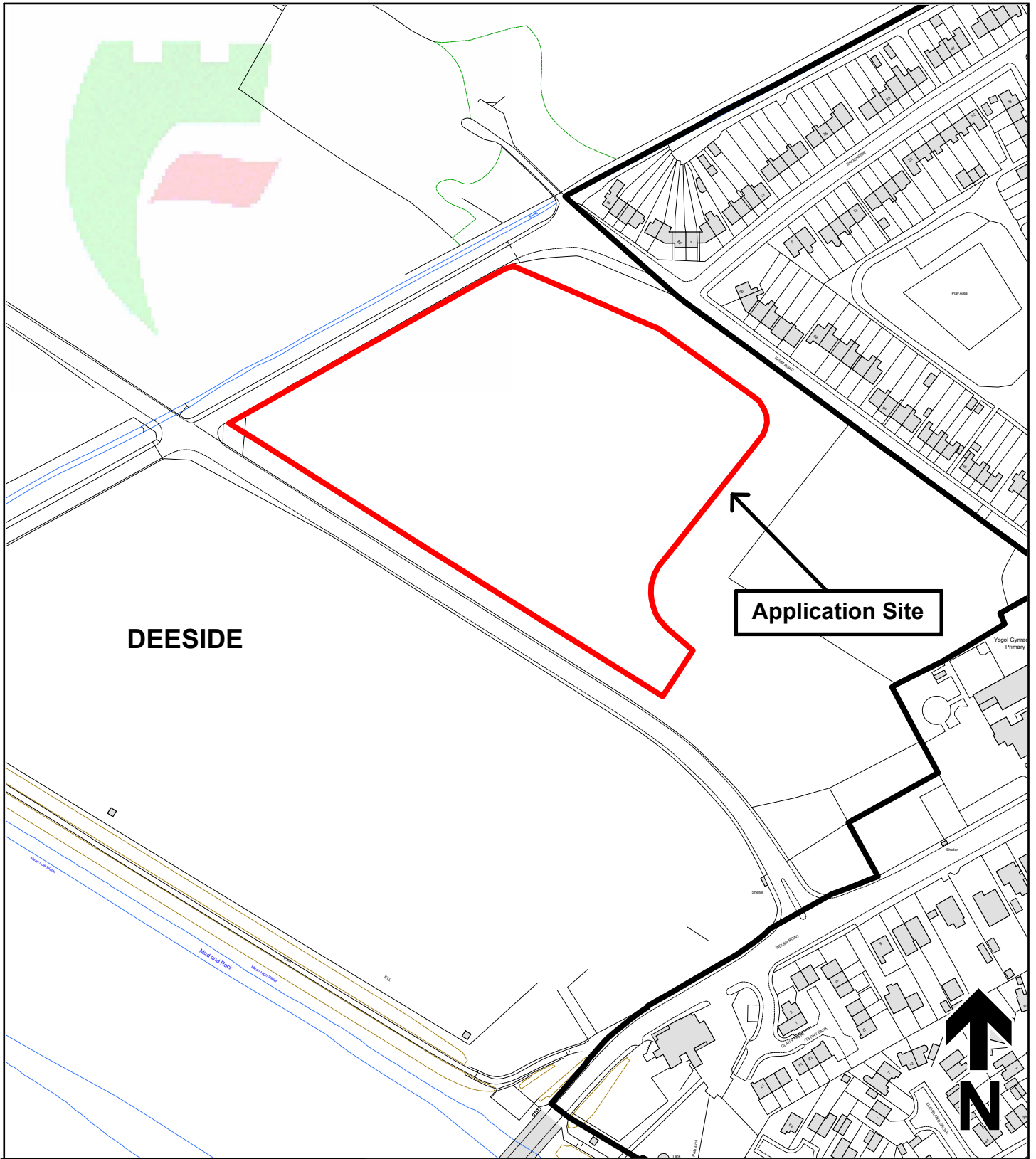
The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

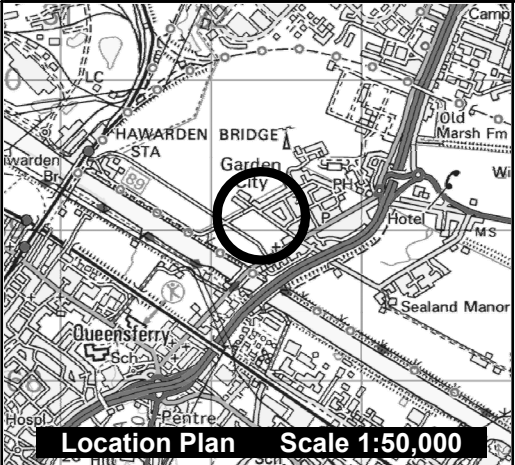
Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer: **Katie H Jones**
Telephone: **(01352) 703257**
Email: **katie.h.jones@flintshire.gov.uk**



DEESIDE

Application Site



Planning, Environment & Economy,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend

-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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Map Scale	1:2500
OS Map ref	SJ 3268
Planning Application	61585

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.2

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **30th MARCH 2022**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **FULL APPLICATION FOR THE ERECTION OF AN EXTENSION AND PARTIAL REFURB AT MELIN Y WERN, NANNERCH**

APPLICATION NUMBER: **063458**

APPLICANT: **MR JAMES SAUNDERS**

SITE: **MELIN Y WERN, NANNERCH, CH7 5RH**

APPLICATION VALID DATE: **24TH AUGUST 2021**

LOCAL MEMBERS: **COUNCILLOR T. JONES**

TOWN/COMMUNITY COUNCIL: **YSCEIFIOG COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **AT THE REQUEST OF THE LOCAL MEMBER DUE TO CONCERNS OVER THE IMPACT OF THE DEVELOPMENT**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is a full application for the erection of an extension and partial refurbishment works to the property and garden at Melin y Wern, Nannerch.
- 1.02 Melin y Wern is a Grade II Listed former Mill building which was converted into a four bedroomed dwelling with ancillary cottage and private gardens.
- 1.03 The application proposes the erection of an extension to the rear of the dwelling to provide a garden room. The existing living accommodation is proposed to be reorganised although there is no

increase in bedrooms. In addition, this application seeks the regularisation of works which were undertaken to remove walls in the garden which were considered unsafe by the applicant.

- 1.04 It is considered that careful consideration has been given to the design and scale of the proposed extension with use of matching materials for walls but with a metal roof as a reflection of the sites previous industrial use. The stone garden wall replacements are also considered reflective of the wider setting.
- 1.05 Members may be aware, and there have been significant concerns raised by third parties with regards to unauthorised works to a Leete and Mill pond. It must be noted that these works have been regularised by the applicant, although they largely fall outside of his land ownership, to the satisfaction of the Local Authority. These works do not form part of this application.
- 1.06 The proposed extension and associated works are considered to be respectful and reflective of the character of the Listed Building and the wider Conservation Area. The development will not give rise to any adverse impact. Historical parking and access issues cannot be resolved through this application as the proposal does not generate any increase in traffic demand.
- 1.07 For the reasons outlined above the application is considered to comply with local and national planning policy, and supplementary planning guidance. Subject to the imposition of conditions this application is recommended for approval.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01
- Time limit for commencement
 - Compliance with the approved plans
 - Approval of materials
 - Photographic survey of the existing building

3.00 CONSULTATIONS

- 3.01 Local Member
Councillor Tudor Jones – Requests committee determination due to concerns over the impact of the development; parking issues; access issues and the unauthorised works already undertaken on the site.

Ysceifiog Community Council

The plans submitted seek to make significant changes to the building in size and design. The Council requests that all reinstatement work

identified by Enforcement Offices are completed prior to any new development taking place.

The Council requests that the decision ensures that the historical and heritage importance of the building is preserved.

The Council considers that the application appears to be for extensive expansion to the original buildings and provide for significant levels of occupation. The site is restricted by its size, availability for parked vehicles and its hazards access on or off the A541 highway which is shared with its immediate neighbouring property. Given the above concerns consideration should be given as to the number of vehicles permitted to be parked at any given time.

Head of Public Protection

No objections raised with regards to the proposal

Highways

No objections raised with regards to the proposal

Welsh Water/Dwr Cymru

Since the applicant intends to utilise an alternative method to mains drainage then no objections raised to the proposal.

Clwyd Powys Archaeological Trust

Given the historical significance of the building CPAT recommend that if planning permission is granted that a condition be imposed requiring the completion of a photographic survey.

Natural Resources Wales

Raises concern with the lack of a submitted bat survey as part of the application. However, advice from the County Ecologist as outlined below is that with a lack of recorded evidence of bats in the area, that a survey is not necessary and the matter can be resolved through the inclusion of a note to applicant on any consent.

County Ecologist

Whilst the submission of a bat survey prior to determination would have been preferable, given the proposed works and the lack of recorded evidence of bats in the area, it is considered acceptable to include a note to the applicant about the protection of these species on any consent.

AONB Joint Committee

The conservation area at this point of the A541 is an important historical asset, this was recognised by the original designation of the Clwydian Range by including it with the AONB. The committee are very disappointed and concerned that the applicant under took some work on the above property without the proper consents and this should be deplored.

However it is their understanding that the applicant intends to restore the wall that was damaged within this current planning application which is acceptable. The Committee does not have any further comments on the application providing the design and build is acceptable to Flintshire's Building Conservation Officer.

4.00 PUBLICITY

4.01 Press Notice, Site Notice and Neighbour Notification letters sent. 3 objections received raising the following concerns:

- The proposed extension is not suitable for the Grade II Listed Building
- Impact on amenity
- Impact on the Conservation Area
- Lack of parking
- Access issues to the site
- Works completed at the site without the benefit of planning permission
- Impact on protected species

5.00 SITE HISTORY

5.01 No recent planning history

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
GEN 1 General Requirements for Development
GEN3 Development in the Open Countryside
D2 Design
HE1 Development Affecting Conservation Areas
HE2 Development affecting Listed Buildings and their Settings
HE8 Recording of Historic Features
WB1 Species Protection
AC13 Access and Traffic Impact
AC18 Parking Provision and New Development
HSG12 House Extensions and Alterations

Supplementary Planning Guidance Notes
SPGN No1. Extensions and Alterations to Dwellings
SPGN No 2. Space Around Dwellings
SPGN No 6. Listed Buildings
SPGN No 11. Parking Standards

7.00 PLANNING APPRAISAL

7.01 Introduction

This application seeks planning permission for the proposed erection of an extension to the rear of the dwelling known as Melin y Wern; internal reconfiguration works and the approval of works undertaken to the garden. The property is Grade II Listed, otherwise it is likely that most of these works could have been completed under permitted development.

7.02 Site Description

The application site comprises of a Grade II listed former mill building, which is a substantial three storey stone building with a slate roof and still retains the water wheel on the southern elevation. The site is located within the defined Conservation Area. There is a single storey section attached to the opposite elevation which is set up higher where the land rises up. An associated cottage is located at this level which is used for ancillary accommodation, whereas the former warehouse is set at the same level as the mill. The door on the ground floor of the mill only provides access into this part of the building, with the main part which comprises the existing house, being accessed via a set of stone steps and along the front of the cottage.

7.03 The site is accessed from the main A541 via a small unadopted track which serves both Melin y Wern and the neighbouring property of the Old Mill to the south which is a four storey dwellinghouse. Fronting the A541 and adjacent to the access is a converted barn which is used as holiday cottages.

7.04 To the west of the application site is a detached dwelling although substantial screening exists between the two properties. To the north and east is open countryside.

7.05 The site is located outside of any defined settlement boundary but is central to the small complex of converted and new dwellings which formed for the former Mill.

7.06 Proposed Development

This application proposes the erection of an extension to the rear elevation of Melin y Wern, where historically a drying structure was located. The extension will provide a staircase and voided storage area on the ground floor with a garden room on the first floor.

- 7.07 Internally some works are proposed to reconfigure the living accommodation of the existing building with the kitchen and living/dining space being relocated to the ground floor and the provision of a bedroom a first floor level. On the second floor level it is proposed to alter a bedroom into an additional bathroom.
- 7.08 Whilst additional living space of approximately 24.5 square metres is proposed the total number of bedrooms is unaltered at four.
- 7.09 Externally the walls of the extension will be constructed in a stone to match the existing building. The roof material is metal which is reflective of the former industrial use of the building.
- 7.10 The application has been submitted with a separate Listed Building Consent application.
- 7.11 Principle of Development
Policy HSG12 of the Flintshire Unitary Development Plan concerns extensions and alterations to dwellings. It confirms that proposals will be permitted provided that they are subsidiary in terms of scale; respectful of the setting of the property and that the development will not give rise to any adverse impact on neighbouring amenity.
- 7.12 As this is a Listed Building greater scrutiny has been placed on the design and scale of the proposed extension and associated works. The increase in footprint is minimal at less than 25 square metres bearing in mind the scale of the existing building. In addition, the location of the proposed extension, to the rear, means that it is not considered to be in a visible location.
- 7.13 Consideration of neighbouring amenity with regards to policy HSG12 and SPGN No2 has been thoroughly examined but it is not felt that the extension will cause any loss of light or privacy to neighbouring dwellings. No windows are proposed on the side elevation facing The Old Mill and the orientation together with separation distances are such that there is considered to be no impact on privacy into the garden.
- 7.14 Works to remedy breaches of planning control in the garden of the application site (i.e. retaining walls) are also considered acceptable in terms of design.
- 7.15 Listed Status
The building of Melin y Wern is a three-storey, three-window former mill built against a steep bank, constructed of rubble stone with larger quoins, and a slate roof. During the 19th century a two-storey wing was added on the uphill side, and a drying kiln was added at the rear. The current waterwheel dates from the late 19th century. It has been said that the mill was still in use as late as 1953. Any existing

machinery was removed after the mills closure and the ground floor of the building was converted into an art gallery.

- 7.16 Melin y Wern was designated as a listed building in 1976. Melin y Wern and the adjacent outbuilding have been altered over time and the current timber windows are replacements in earlier openings, except the middle and upper storeys on the left hand side, both of which are converted from former door openings. The lower storey has stone segmental-headed openings with a doorway to the left, while the middle storey openings are under wooden lintels and the upper-storey beneath the eaves, except on the left hand side where the original doorway has been converted to a dormer window.
- 7.17 Set back against the left hand gable end, where the ground level is higher, is an added single-storey two-window wing level with the middle storey of the mill.. The rear of the mill, where the ground level is higher, is only two storeys.
- 7.18 The Local Planning Authority and in particular the Conservation Officer have previously outlined support for the principle of the scheme of works but had asked for the submission of details in relation to the adjacent detached cottage which is defined as a curtilage listed building. The applicant has now amended the proposal to omit the works to the curtilage building and is only proposing an extension and alterations to the old mill building. Accordingly the submitted information is sufficient to fully assess the scheme.
- 7.19 The proposed extension to the rear of the mill will impact the largely demolished remains of the former grain dryer with the walls being either further reduced, or added to, and a new opening created. As some additional features of the mill complex will be altered, removed or concealed they should be recorded in their current form so that the Local Planning Authority and Clwyd Powys Archaeological Trust have an adequate record of their original layout, form and fabric. It is recommended that if planning permission is granted that the applicant commission a photographic survey to be completed prior to works commencing. This can be secured through a suitably worded condition.
- 7.20 The proposed works to the Listed Building are sympathetic and reflective of the historical significance and character of this building. The proposal is compliant with policy HE2 of the Flintshire Unitary Development Plan.
- 7.21 Highway Implications
Significant concerns have been raised through third party representations with regards to existing highway safety issues at the application site. These issues relate to a lack of parking provision; inability to manoeuvre adequately and access onto the A541.

- 7.22 Highways Development Control Officers were consulted on the application and confirms that whilst the proposal will see an increase in living accommodation the number of bedrooms is unaltered and accordingly the provision of three parking spaces would usually be required.
- 7.23 Members should be aware however, realistically the property only currently has provision for two car parking spaces allowing for turning spaces. This appears to have been the case for a significant number of years. With no increase in bedroom numbers the proposal is not considered to give rise to any change in parking demand and accordingly it would be unreasonable to refuse the application based on the historic parking layout. With parking standard contained within SPGN No11 being maximum guidelines it is considered that the current provision is adequate.
- 7.24 Additionally, with no increase in traffic demand the Local Authority cannot require any improvements to the existing access off the A541.
- 7.25 Whilst the potential concerns of issues with deliveries to the site and parking on land outside of the applicants control are noted, these are civil issues and are not material to the consideration of this application.
- 7.26 Enforcement Investigations
Representations from third parties in response to this application relate to enforcement investigations which have taken place at the site. Whilst most of the matters are not material to the determination of this application (with the exception of the garden walls) it is felt useful to provide Members with confirmation of the current position.
- 7.27 Enforcement action was instigated following the infilling of a Leete and Mill Pond which are located to the north and west of the proposed extension. The Local Authority understands that these works were undertaken due to concerns over the long term maintenance of the structures.
- 7.28 The Leete and Mill pond are considered crucial to the setting and historical background of Melin y Wern and accordingly enforcement action was instigated to remove the deposited material. These works have been completed to the satisfaction of the Local Authority. Subsequent clarification has been provided with confirms that the Leete is not within the applicant's control. Any ongoing maintenance will not be the responsibility of the applicant.
- 7.29 As stated above, these matters do not form part of this application, nor are they material considerations. The matter has been resolved satisfactorily but given the strength of objection it was considered necessary to provide this background information.

7.30 Ecological Matters

Third party representations raise concerns over protected species on or adjacent to the application site. The site is not within or close to any designated Statutory or local wildlife sites where there would be a concern over the importance of flora and fauna.

7.31 However, given the location of the site in the open countryside with mature woodland to the rear there is a potential for the presence of bats to be found. The main structure and roof space of the existing building is not being altered, neither are any demolition works taking place. Whilst the submission of a bat survey prior to determination would have been preferential it is considered, on balance, that a note can be included on any consent which reinforces the legal requirement to report any evidence of bats.

8.00 CONCLUSION

The proposed erection of an extension and internal remodelling of this Grade II Listed Building is considered to be acceptable in terms of scale; form and design. Careful thought has been given to reflect the existing building but with a nod to the sites previous industrial use.

Many of the concerns raised by third parties relate to previous enforcement investigations rather than the detail of the application currently under consideration.

The proposed development is compliant with national and local policy and therefore I recommend that planning permission be granted as set out in paragraph 2.0 of this report.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the

achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

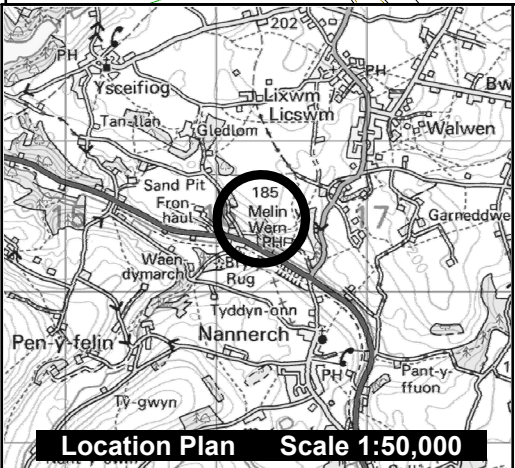
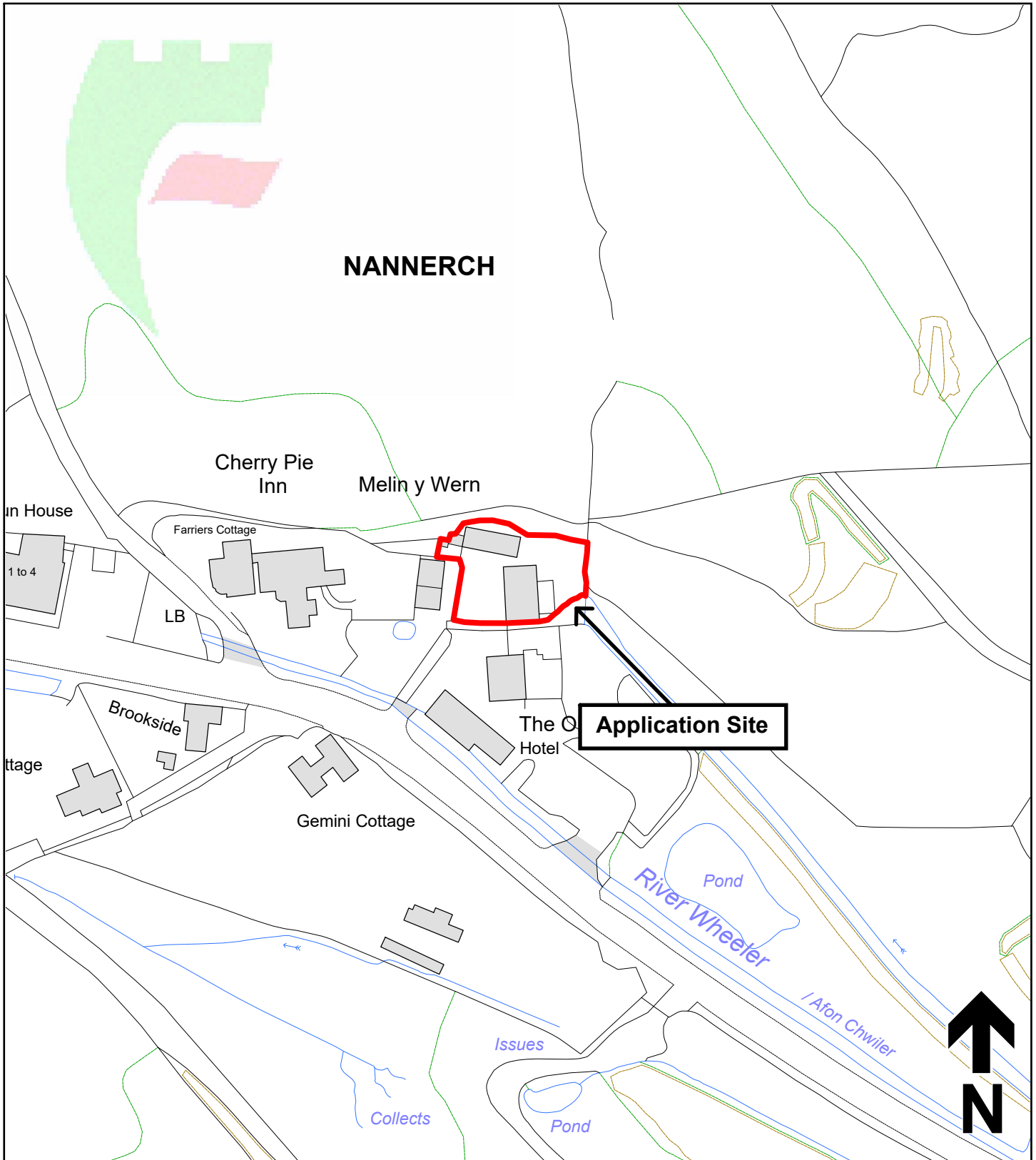
Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

Responses to Publicity

Contact Officer: Claire Morter
Telephone: 01352 703299
Email: claire.e.morter@flintshire.gov.uk



<p>Sir y Fflint Flintshire COUNTY COUNCIL</p>	<p>Planning, Environment & Economy, Flintshire County Council, County Hall, Mold, Flintshire, CH7 6NF. Chief Officer: Mr Andrew Farrow</p>						
	<p>This plan is based on Ordnance Survey Material with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100023386. Flintshire County Council, 2021.</p>						
<p>Legend</p> <ul style="list-style-type: none"> Planning Application Site Adopted Flintshire Unitary Development Plan Settlement Boundary 	<table border="1"> <tr> <td>Map Scale</td> <td>1:1250</td> </tr> <tr> <td>OS Map ref</td> <td>SJ 1670</td> </tr> <tr> <td>Planning Application</td> <td>63458</td> </tr> </table>	Map Scale	1:1250	OS Map ref	SJ 1670	Planning Application	63458
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OS Map ref	SJ 1670						
Planning Application	63458						

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.3

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **30th MARCH 2022**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **ERECTION OF A PAPER PROCESSING MILL TO PRODUCE AND MANUFACTURE TISSUE PAPER (B2, B8 USE CLASS) WITH ANCILLARY B1 OFFICE SPACE; ASSOCIATED SERVICING AND INFRASTRUCTURE INCLUDING CAR PARKING, HGV PARKING AND VEHICLE PEDESTRIAN CIRCULATION; NOISE MITIGATION FEATURES; EARTHWORKS TO CREATE DEVELOPMENT PLATFORMS; CREATION OF DRAINAGE FEATURES INCLUDING A NEW OUTFALL TO THE RIVER DEE; WATER TREATMENT PLANT; AND LANDSCAPING**

APPLICATION NUMBER: **063721**

APPLICANT: **ICT UK LTD & CRAIG HILL ESTATES**

SITE: **"THE AIRFIELDS (AIRFIELDS DELTA)", WELSH ROAD, SEALAND ROAD, DEESIDE, FLINTSHIRE**

APPLICATION VALID DATE: **4TH NOVEMBER 2021**

LOCAL MEMBERS: **COUNCILLOR CHRISTINE JONES**

TOWN/COMMUNITY COUNCIL: **SEALAND COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **DUE TO THE SCALE OF THE DEVELOPMENT**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is a full application for the proposed erection of a paper processing mill on land at Plot C, The Airfields, Northern Gateway. The application proposes the erection of the papermill together with

associated ancillary buildings; infrastructure including car and HGV parking; construction of development platforms and the installation of new drainage systems to provide outfall into the River Dee.

- 1.02 Due to the scale and type of development as proposed this application falls within Schedule 2 of the Environmental Impact Assessment Regulations (EIA).
- 1.03 The Airfields site is identified for B1, B2 and B8 employment development as part of its allocation under Policy HSG2A in the Flintshire UDP (2011) for mixed use development and has outline planning permission (ref: 054758) on this land for an employment led mixed use development granted in May 2014. This application will generate significant employment opportunities during construction and operational phases. The use of the brownfield site to promote economic growth is supported by the Future Wales Act 2020-2040. Accordingly the principle of development for a papermill is acceptable.
- 1.04 The scale of the proposal is significant with a total floorspace of 124,000 square metres and building heights ranging from between 10 metres to a maximum of 39 metres for the high bay warehouse. The height is a specific requirement of the applicant to maximise productivity. The development will have a striking visual presence and will be visible from a wide area. A comprehensive Landscape Visual Impact Assessment has been completed and the Council concurs with its findings. Careful incorporation of external materials, together with the layout of the site to ensure the tallest buildings sit against the backdrop of Deeside Industrial Park minimise any visual intrusion.
- 1.05 A significant matter with regards to this application are the ecological implications of the development on statutory and non-statutory designations (SAC/SSSI) and on protected species. Natural Resources Wales and the County Ecologist have worked closely with the Local Authority and the applicant to ensure that the development will not cause any adverse ecological impact. The applicant has provided a comprehensive scheme of mitigation to provide reassurance and long term protection.
- 1.06 Initial concerns with regards to marine quality have been overcome and a negligible rise in river temperature from the discharge is not considered to cause any impact on the SAC/SSSI or fish. Additionally, any effect on protected species including birds, bats and otters has been well-thought-out and mitigated for. No objections are raised from NRW or the County Ecologist.
- 1.07 As Members may be aware the site is located within a defined C1 Flood Zone. A comprehensive Flood Consequences Assessment has been submitted with the application which has been modelled on the agreed mitigation scheme as part of the outline planning permission.

Finished Floor Levels (FFL) across the site are, with the exception of the high bay warehouse) within the previously agreed parameters and both the Council and NRW are satisfied that the proposed alterations to the high bay warehouse are sufficient to minimise risk. There are no objections with regards to flood risk.

- 1.08 Further material planning considerations including highway safety; air quality and impact on historical assets have been fully and satisfactorily assessed.
- 1.09 In conclusion, this application proposes the erection of a new papermill on land within the strategic mixed use Airfields site. The principle of development is compliant with both local adopted and emerging development plans, together with national policy. Concerns regarding ecological impacts, flood risk and visual appearance are material but have been adequately addressed by the applicant. It is therefore recommended that planning permission be granted, subject to the inclusion of conditions.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 Conditions

- Compliance with the approved plans
- Noise assessment
- Construction Traffic Management Plan
- Full Travel Plan and Transport Implementation Strategy.
- Sealand Bank Culvert upgrade works completed satisfactorily
- Construction Environmental Management Plan
- Protected Species (Otter) protection
- Submission of a Biosecurity scheme
- Landscaping scheme implementation
- Completion of off-site highway works prior to occupation of the building

3.00 CONSULTATIONS

3.01 Local Member

Councillor Christine Jones – Requests committee determination due to the nature of the development and the proximity to nearby houses.

Sealand Community Council

No objections received to the proposal

Community and Business Protection

Supports the application in principle it is recommended that a condition is attached to any permission that may be granted that will require the pollution studies be repeated (particularly the Noise assessment) once the plant is operational in order to demonstrate

compliance and identify any unexpected issues/exceedances and potential improvements so they can be dealt with appropriately and in a timely manner

Welsh Water/Dwr Cymru

Initial comments required clarification that the proposed development would not interfere with the rising main which is located close to the site. The applicant has confirmed, in conjunction with Welsh Water/Dwr Cymru that the rising main is located outside of the red edge of application boundary and will not be affected by the proposal.

Natural Resources Wales

The development raises significant concerns with regards to matters including flood risk, protection of designated areas such as the SSSI/SAC and protected species. However, NRW are satisfied that these concerns can be overcome by attaching appropriately worded conditions (which have been included in the list of conditions above) relating to a construction environmental management plan, flood risk, protected species and biosecurity are included on any consent.

County Ecologist

The shadow Habitats Regulations Assessment as submitted with the application is considered satisfactory. Any impact on protected species is adequately mitigated for and can be secured by condition. There is no significant effect on protected species.

CADW

The impact of the proposed development on the setting of the registered Shotton Steelworks Garden historic park and garden has been assessed in a Technical Paper by BWB Consulting. This assessment concludes that there will be a minor/slight, but not significant, adverse impact on the setting of the registered historic park and garden. CADW concur with this conclusion. Therefore no objection is raised.

Clwyd Powys Archaeological Trust (CPAT)

There is a negligible impact on cultural heritage remains within Plot C and no significant visual impact. It is understood that the WWII airfield defence pill boxes will not be impacted and if this is the case then there would be no further requirement for recording these structures which should be retained in their present form and location.

Liverpool John Lennon Airport (LJLA)

No aerodrome safeguarding objections received in relation to the proposal

Airbus

No response received at time of writing report

Highways Development Control

No objections to the proposal subject to the imposition of conditions relating to the submission of a Construction Traffic Management Plan and a Full Travel Plan and Transport Implementation Strategy.

Welsh Government

The outline planning permission for this site required the completion of a number of off-site highway works once the development reached a trigger. That trigger has been met but the works not completed. Recommends the inclusion of a condition requiring that those works be completed prior to occupation of the building.

Public Rights of Way

No response received at time of writing report

North Wales Fire and Rescue Service

No objections to the proposal

4.00 PUBLICITY

4.01 Press Notice, Site Notice and Neighbour Notification received. No responses received at time of writing report

5.00 SITE HISTORY

5.01 062898

Application for approval of reserved matters following Outline Approval reference 061125 for the erection of 368 no. dwellings. – Approved 22.02.22

059938

Application for the approval of details reserved by condition nos. 7 (sustainable drainage scheme), 15 (landscaping) and 19 (construction environmental management plan) attached to planning permission ref. (058990) – Partially Discharges 13.08.19

059903

Application for the approval of details reserved by condition nos. 5, 7, 8, 9, 11, 12, 15, 17, 18, 19, 20, 21, 22, 23, 25, 27, 28, 29, 31, 32, 33, 35, 36 & 41 attached to planning permission ref. 058990 – Approved 19.08.19

059514

Application for approval of reserved matters following outline approval for the erection of 283 no. dwellings. – Approved 25.09.19

058990

Application for removal or variation of a condition following grant of planning permission. (049320) – Approved 25.10.18

058950

Application for approval of reserved matters phase 1 informal landscaping and POS following outline approval. (049320) – Approved 13.03.19

058531

Application for the approval of details reserved by condition no. 27 (construction management plan) attached to planning permission ref. 049320 – Approved 02.08.18

058514

Application for the approval of details reserved by condition nos. 5 (phasing scheme) 6 (development brief), 30 (highway works/transport implementation strategy), 34 (framework travel plan) and 38 (scheme for the layout, design and timetable for implementation of works) attached to planning permission ref. 049320 – Approved 24.08.18

058508

Application for the approval of details reserved by condition nos. 5 (construction environmental management plan) and 6 (ecological compliance audit report) attached to planning permission ref. 057404 – Approved 07.08.18

058506

Non-material amendment following grant of planning permission 057404 – Approved 06.07.18

058452

Non-material amendment following grant of planning permission 057404 Amendment to shape of area for proposed temporary stockpiles of imported fill materials – Approved 14.06.18

058244

Application for approval of details reserved by condition No5 & No6 attached to planning permission ref 057404 – Partially Discharges 17.05.18

057404

Application for approval of reserved matters following outline approval 049320 for phase one enabling works comprising an access road, surface water drainage, landscaping and engineering works to create developments platforms – Approved 09.03.18

054488

Reserved matters application for phase 1 of the highway works and associated infrastructure works following outline approval 049320 for a mixed use development and associated infrastructure – Approved 01.03.16

051764

Temporary contractors compound to facilitate flood defence strengthening works – Approved 15.04.14

051139

Discharge of condition no.24 (Framework Ecological Mitigation and Enhancement Strategy) attached to planning permission ref: 049320 – Approved 25.09.13

050730

Engineering works to provide flood defence strengthening along 1.5km of the River Dee embankment, to include sheet piling to a maximum depth below ground of 12m and a minimum height of 7.2m AOD and a proposed temporary access route and site compound – Approved 25.06.13

049320

Outline application for the redevelopment of a strategic brownfield site for an employment led mixed use development with new accesses and associated infrastructure including flood defences and landscaping. – Approved 07.01.13

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 – New Development

STR3 – Employment

STR7 – Natural Environment

GEN1 – General Requirements for Development

D1 – Design Quality, Location & Layout

D2 – Design

D3 – Landscaping

L1 – Landscape Character

AC2 – Pedestrian Provision and Public Rights of Way

AC3 – Cycling Provision

AC4 – Travel Plans for Major Traffic Generating Development

AC13 – Access & Traffic Impact

AC18 – Parking Provision & New Development

HSG2A – Strategic Mixed Use Development, Land NW of Garden City

EM1 – General Employment Land Allocations (12)

WB1 - Species Protection

WB2 - Sites of International Importance

WB3 - Statutory Sites of National Importance

EWP12 – Pollution

EWP13 – Nuisance

EWP14 – Derelict and Contaminated Land

EWP16 – Water Resources

EWP17 – Flood Risk

Supplementary Planning Guidance Notes
SPGN No. 3 - Landscaping
SPGN No. 11 – Parking Standards

National Policy
Planning Policy Wales Edition 11
Future Wales Act 2020-2040
TAN 11: Noise
TAN 12: Design
TAN 18: Transport

As the site forms part of the strategic mixed use allocation of HSG2A the principle of mixed use development including the B1 (office accommodation) and B2 (industrial production) and B8 (distribution) uses proposed is established.

7.00 PLANNING APPRAISAL

7.01 Introduction

This application seeks planning permission for the proposed erection of a paper processing mill on land at Plot C, The Airfields, Northern Gateway. The application proposes the construction of buildings to facilitate paper processing and an automated high bay warehouse, together with associated infrastructure. New drainage proposals together with a water treatment plant, which will result in discharge from the site into the River Dee.

7.02 The main issues to consider in determination of this application are the principle of development having regard to local and national planning policy together with environmental impacts.

7.03 Site Description

The application site comprises of to an area of land extending approximately 23.74 hectares (58.67 acres) in size and forms part of the former RAF Sealand 'South Camp' site, now referred to as the Airfields, which forms part of the Northern Gateway Strategic Mixed Use Development site.

7.04 The site currently comprises managed grassland. It does not have any of the former RAF Camp building bases and site roads that were removed in the phase 1 enabling works associated with the Airfields site. The Site is flat with a group of trees along the north western boundary on the bank of the Shotwick Brook and a hedge along the western boundary.

7.05 Beyond the northern boundary of the application site is the Northern Drain which will be widened and the banks reprofiled as part of enabling works to facilitate Plot C to be delivered separately by the landowner. The north and western perimeter of the application site

abuts the existing disused rail corridor which now incorporates the cycling and walking route known as the Chester Millennium Greenway. Beyond the National Cycle Route is Deeside Industrial Park (DIP).

7.06 To the north western boundary of the Site is the Shotwick Brook. Beyond the eastern and southern boundaries of the application site will be the Welsh Government's proposed Commercial Spine Road Phases 2 and 3. Separating the Application Site and the Commercial Spine Road are proposed drainage swales, which will also connect into the proposed new swale between the Application Site and Plot D.

7.07 Proposed Development

This application proposes the erection of a new paper processing mill and production facility (B2, B8 use class) with ancillary B1a office space and associated infrastructure, access and landscaping on the former Airfields site.

7.08 Whilst the application site is identified for B1, B2 and B8 employment development as part of its allocation and has outline planning permission, the applicants bespoke operational requirements are such that they utilise buildings of heights exceeding the maximum parameters approved with the outline consent of 30m. As a result, a new full planning permission is required.

Phasing

7.09 The proposed new papermill will be developed in three phases comprising of manufacturing and production area (B2 use class), ancillary offices (B1a use class), and a warehouse section, (B8 use class) with car parking and HGV parking.

7.10 Phase 1 of the development extends the length of the Site and proposes a building which is 501.85m in length from east to west across the Site and is 375.35 wide from north to south across the Site (including the finished product high bay warehouse and dispatch). The Mill comprises the following components (from west to east) pulp warehouse, paper mill, jumbo reels storage warehouse building, converting hall, dispatch area, workshop and staff social area and automated 10 level finished product high bay warehouse. The water treatment plant and mill station (which comprises the electrical generators 11kV) are detached buildings in the north eastern corner of the Site. In addition, a two storey office building is proposed as part of phase 1.

7.11 Phases 2 and 3 of the development sees the development of further processing buildings within the site.

7.12 Once completed a total of 124,000 square metres of floorspace will be operational. Building heights vary across the site from 10 metres

above finished floor levels up to 39.65 metres of the high bay warehouse.

Principle of Development

7.13 The site forms part of the strategic mixed use development allocation HSG2A land North West of Garden City within the Flintshire Unitary Development Plan. The Airfields and the Former Corus, Garden City site together make up the 'Northern Gateway', a comprehensive mixed use redevelopment which takes advantage of the strategic location and the availability of previously developed land.

7.14 Both component sites have the benefit of outline planning permission which as part of the approved mixed use includes a large commitment to providing employment generating, commercial and industrial development opportunities within the Deeside Enterprise Zone. In addition to the site's mixed use allocation, the site also falls within employment allocation EM1 (12) which allows for B1, B2 and B8 employment uses.

7.15 The proposed development will generate significant employment opportunities not only during the construction phases but once operational it is expected that more than 400 full time employment (FTE) jobs will be created.

7.16 The site's allocation for mixed use reflects both the strategy of the Flintshire Unitary Development Plan and the principles embodied in Planning Policy Wales. Furthermore, the Future Wales Plan identifies this area of Deeside as one for the promotional of economic growth and employment opportunities. In this context, there is a clear policy framework supporting the principle of commercial development on this site. The location of these proposed B1, B2 and B8 uses within Plot C of the Airfields site conforms with the approved Masterplan for the site.

Highways

7.17 The proposed development will be accessed from roads (as yet to be constructed) granted planning consent under reference 063191; the proposed road layout fully accommodates the access requirements of all three phases of the current application. The application also provides for car parking for the phases of development, HGV parking and appropriate turning facilities.

7.18 An Interim Travel Plan was supplied to support the application to consider matters including traffic flows and junction capabilities. The assessment of the impacts has shown that no higher significance of effects than a minor adverse impact was shown. The contents are considered acceptable for the purposes of determining the application but a full Travel Plan will need to be submitted for approval and it is recommended that this can be dealt with by way of a suitably worded condition. The Full Travel Plan should cover issues including

objectives to promote the level of public transport use to and from the site; consideration of existing bus services including the Deeside shuttle; possible changes to existing bus stops on Welsh Road.

- 7.19 Subject to the inclusion of conditions relating to the Full Travel Plan and Construction Traffic Management Plan then the proposal is considered acceptable from a Highways Development Control perspective.
- 7.20 Flood Risk
The site lies entirely in Zone C1 as defined by the Development Advice Map (DAM) referred to in TAN15: Development & Flood Risk (2004).
- 7.21 The flood risk criteria assessed in this application refer back to the standards and flood risk parameters agreed in 2013 when outline planning approval was secured. Even though this is a full planning application the Local Authority are satisfied for this approach as has been adopted across the rest of the Northern Gateway reserved matters application be applied to this site.
- 7.22 The application has been submitted with a Flood Consequences Assessment (FCA) and the ES's Water chapter. The report refers to the FCA and hydraulic modelling work undertaken by Weetwood in support of the Plots C and D enabling works application (ref: 061986), which was approved in June 2021. This application involved some of the approved flood mitigation measures including works to Shotwick Brook and Northern Drain, and construction of a swale between Plots C and D.
- 7.23 The FCA has identified that in the baseline scenario, the site is at risk of flooding from both fluvial sources (Shotwick Brook and Garden City Drain) and from the tidal River Dee. The modelling outputs referred to in the FCA are based on the modelling work undertaken by Weetwood in support of application 061986. In order to mitigate the identified flood risks from fluvial and tidal sources, the FCA proposes to set the development platform level at 4.83 m AOD, and the finished floor levels (FFL) of most of the proposed buildings to 4.98 m AOD or higher. These proposed measures are in accordance with the approved Amended Flood Mitigation Plan.
- 7.24 However, the finished floor level of one of the proposed structures (the High Bay Warehouse (HBW)) does not comply with the measures agreed in the Amended Flood Mitigation Plan, as the proposed finished floor level is to be set below the agreed level, at 4.60 m AOD. The FCA explains that this lower finished floor level is needed to allow effective operation of the dispatch building and associated loading bays. In order to mitigate for this, an in-situ retaining concrete wall will be directly tied into the floor slab of the High Bay Warehouse. The FCA also recommends measures to

ensure that the warehouse is designed to be watertight. Whilst this element of the proposal does not appear to comply with the previously agreed mitigation measures, the Council and Natural Resources Wales acknowledge that there are exceptional operational circumstances as to why a deviation from the agreed mitigation measures is needed. The proposed mitigation minimises the risk of internal flooding adequately and in accordance with TAN 15.

- 7.25 Section 6.2.4 of the FCA provides an assessment of the proposed development on flood risk elsewhere, referring to modelling work undertaken by Weetwood in support of the Plots C and D enabling works FCA. It is concluded that the modelling work undertaken demonstrates that the impacts on flood risk elsewhere are acceptable, based on the flood risk parameters agreed at the outline planning stage. As such, there is no increased risk of flooding anticipated elsewhere.
- 7.26 Whilst the FCA satisfies the parameters of the original outline application (with the exception of the High Bay Warehouse), it should be noted that the work undertaken is based on a scenario where the upgrading of the Sealand Bank Farm culvert has taken place. Upgrading of the Sealand Bank Farm culvert is one of the mitigation measures outlined in the original FCA prepared in support of the outline application for the Airfields site. Concerns were previously raised by NRW that this upgrade would not be undertaken prior to subsequent phases of the development occurring, because the culvert lies within land outside the applicant's control. This led to a planning condition being included on the Phase 1 enabling works consent, stipulating that if the upgrade works had not been completed prior to commencement of Phase 2, an additional FCA would need to be prepared, based on the upgrade works not being undertaken. This FCA was submitted under application 060575 and presented an alternative mitigation strategy (along with the Alternative Flood Mitigation Plan) for the site. It was agreed that this strategy should be referred to for subsequent applications, until the upgrade works have been completed.
- 7.27 The FCA states that "the target date for completion of the culvert works is March 2022". The Local Authority are aware that works to the replacement culvert have commenced and accordingly the target date is considered achievable. However, to provide complete security it is recommended that if planning permission is granted that a condition be imposed ensuring that the Sealand Bank culvert upgrade be completed prior to commencement of this development.
- 7.28 Ecological Matters
The application site is located within a zone of influence which includes eight statutory and non-statutory nature conservation sites. The closest of these is the River Dee and Bala Lake Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI)

which is located directly to the southern boundary of the site. Although the proposed main buildings are some distance away from these sites, the boundary extends to the River Dee to allow the discharge of waste water.

7.29 The applicant and planning officers have engaged with Natural Resources Wales and the County Ecologist with regards to the ecological implications of the development. Due to the scale and operational design of the proposed papermill there is a potential for significant ecological issues which have been addressed at length. Those issues include:

- The impact on the SAC/SSSI
- Water environment and environmental management
- Impact on fish
- Ornithology
- Air quality
- Bats
- Otters and water vole
- Biosecurity

7.30 The application has been supplied with a comprehensive technical paper and initial Construction Environmental Management Plan (CEMP) to provide analysis and mitigation on any likely effects to these and wider designated areas. The proposed mitigation relates to the potential operational impacts on the River Dee SAC/SSSI arising from the discharge into the Dee and ensures that the proposed effluent would not significantly alter the condition of the river.

7.31 Natural Resources Wales have confirmed that subject to the inclusion of a number of ecological conditions to any planning consent then they raise no objection to the proposal.

7.32 Water Quality
An updated Marine Discharge Assessment has been supplied which indicates that there will be a negligible rise of 0.5 degree rise in river temperature arising from the discharge. However, the assessment does fail to consider the potential release of contaminated sediment as a result of construction works. It is recommended that this information can be secured by way of a condition requiring a full CEMP to be submitted. Subject to the suitably worded condition there are no issues from a water quality perspective.

7.33 From a fisheries perspective, the construction and more importantly operational phases of the development could have a significant affect on fish features of the River Dee and Bala Lake SAC (Atlantic salmon) and Dee Estuary SAC (river lamprey and sea lamprey). However the minimal temperature increase and mitigation as proposed in the outline CEMP are considered satisfactory.

Ornithology

- 7.34 The application has been supplied with historic and newly undertaken bird surveys of the area. Broadly the findings suggest that estuarine habitats in the vicinity of the proposed works do not support significant aggregations of roosting or foraging waders and wildfowl species.
- 7.35 The recent surveys support the conclusion that there is low use of the mudflats in the vicinity of the development and therefore it is concluded that there is unlikely to be any significant affect either during construction or when operational.

Air Quality

- 7.36 Once operational the papermill will produce a total of 24MW of on-site generated electricity. Air quality assessments for the development concluded the impacts arising from airborne nitrogen deposition on the River Dee SAC and Dee Estuary SAC / Ramsar would be insignificant and none of the estuarine habitats listed for the Dee Estuary SAC which are sensitive to nitrogen deposition. The assessment demonstrates that any air quality impacts from the proposal would be insignificant on protected species or designations.

Bats

- 7.37 The application has been supplied with a bat report which details that a sensitive lighting scheme has been developed for the site to ensure that the most sensitive areas of the site are not subject to excess lux levels to avoid potential disturbance of foraging/commuting bats. The development is considered to represent a lower risk for bats as it is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.
- 7.38 Furthermore, the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided the avoidance measures described in the bat report are implemented.

Otter and Water Vole

- 7.39 The embankment where the discharge is proposed is not considered suitable for use as otter holts or lying up areas due to the lack of suitable cover and the existing recreational use (cycle path /footpath). Otters are known to use Shotwick brook and associated "drains" within and adjacent to the Northern Gateway development site. The key issue is to ensure that this development does not affect access to these dispersal/foraging routes. This has been assured through adoption of the Framework Ecological Mitigation Strategies (FEMS) for the wider Deeside Airfields and Northern Gateway Development sites. The papermill development will not result in any additional barriers to movement. Daylight working will avoid disturbance to otters active at night and any excavations will be covered at night to prevent open hazards. In addition, the works will not be lit during

construction or operation. These activities can be conditioned through a conservation plan.

Biosecurity

7.40 Biosecurity is a material consideration in determination of this application owing to the nature and location of the proposal. In this case, biosecurity issues concern invasive non-native species and diseases. It is recommended that a condition be imposed on any planning consent requiring the submission of a Biosecurity Risk Assessment.

7.41 Due to the nature of the proposed development the Local Authority has maintained that the protection of ecological matters is a significant material planning consideration when determining this application. The ecological matters are complex and wide ranging. The applicant has supplied significant evidence to demonstrate that there development will not give rise to any adverse impact. Whilst Natural Resources Wales and the Local Authority require the safeguarding of proposed mitigation and the provision of some further information by way of a condition, fundamentally the existing supplementary documents are considered satisfactory to support the proposal.

Scale and Appearance

7.42 The phasing of the proposed papermill is such that phase 1 will see the largest development of floorspace creating the mill processing plant and most of the automated finished high bay warehouse. Phase 2 is the smallest scale of development incorporating extensions to the existing processing plant. Phase 3 provides a new processing plant to the front of the site and an extension to the high bay warehouse.

7.43 The scale of the development is not insignificant and once fully built out will be highly visible within the site and from wider vistas. A comprehensive Landscape Visual Impact Assessment has been supplied with the application which concludes that whilst there may be a minor impact on wider visual vistas, these are minimal when considering the context of the site.

7.44 The applicant has given careful consideration to matters such as incorporation of external cladding to reflect sunlight and provide a translucent effect. Additionally, wherever possible the layout of the site has been considered so that the high bay warehouse for example is located to the north of the site and farthest away from residential properties or historical assets. Accordingly, whilst the scale of the development cannot be underestimated, the Local Authority are mindful of both the operational and local constraints of the site (i.e. floor levels due to flood mitigation). Additionally, significant appreciation needs to be given to the wider site context and that Deeside Industrial Park and existing large scale developments already exist in the locality.

7.45 Accordingly I concur with the findings of the Landscape Visual Impact Assessment.

Heritage Assets

7.46 The application site is not directly adjacent to any Listed Buildings or historic parks and gardens. However, the Grade II Listed John Summers Building and the Shotton Steelworks Garden historic park and garden border the neighbouring former Corus land. The scale of this development is such that consideration of any negative impact must be deliberated.

7.47 CADW and the Councils Conservation Officer have been consulted on the application which has been supplied with a technical paper. The paper concludes that there will be minor/slight but not significant, adverse impact on the setting of either the Listed Building or the historic parks and gardens.

7.48 Both CADW and the Council concur with the findings of the technical paper. As above, the development will give rise to a minor appearance on the landscape, this must be weighed against the wider context of the site. In the case of the Grade II Listed Building, wider vistas of the site include Tata Steel, Deeside Industrial Park and the Deeside Power UK Station. Additionally, the outline planning permission and approved masterplan for the former Corus site indicated the provision of commercial/industrial units to the rear of the Grade II Listed Building.

7.49 Taking all the above into consideration the impact of the proposed new paper mill is not felt to give rise to any significant impact on the setting of historical assets close to the site.

8.00 CONCLUSION

This application seeks planning permission for the development of Plot C on the Airfields, Northern Gateway site, to provide a new papermill facility. Works include the provision of paper processing plants, high bay warehouse, ancillary buildings and associated infrastructure. The scale and nature of the proposal is such that the development falls within Schedule 2 of the EIA regulations.

The application site is located within a strategic mixed use development site which has the benefit of an extant planning permission for B1, B2 and B8 uses. The principle of this development on the former brownfield land is supported both in local adopted plan policy (HSG2A) and national planning policy (PPW11 and the Future Wales Plan).

Construction and operational phases of the development could give rise to significant environmental impacts, including on marine quality and protected species. The applicant has provided comprehensive

studies and evidence to prove that subject to appropriate mitigation there will be no noticeable impact arising from the development. Matters including flood risk and air quality have also been addressed.

Whilst the scale of the development cannot be underestimated, particularly the building heights, Members must be aware of the context of this site with existing industrial units both within the Airfields site and on Deeside Industrial Park to the rear. Careful incorporation of design choices and layout minimise any impact on the wider landscape or historical assets.

For the reasons outlined above it is considered that the proposal satisfies planning policy and I therefore recommend that planning permission is granted subject to the imposition of conditions as set out within paragraph 2.01 of this report.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

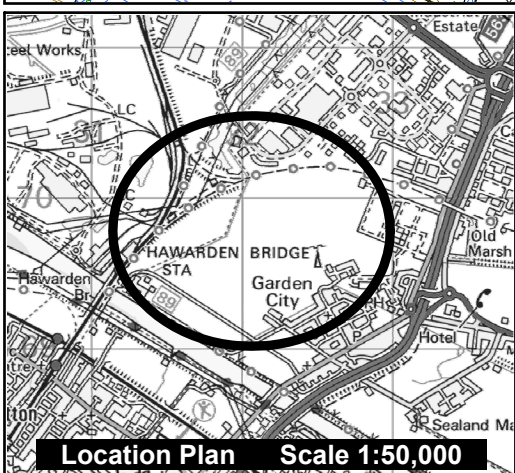
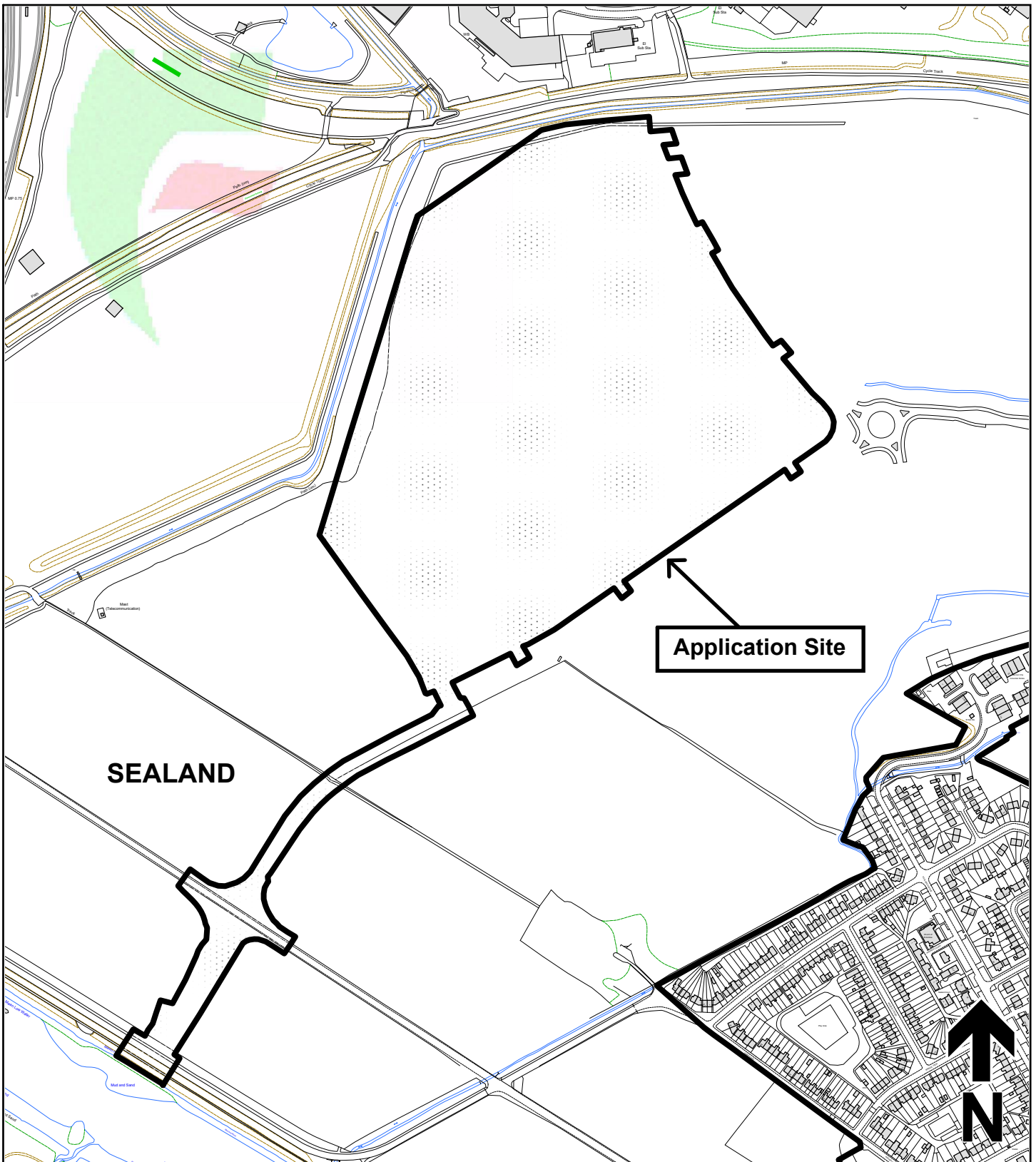
Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer: Claire Morter

Telephone: 01352 703299



Email: claire.e.morter@flintshire.gov.uk

Mae'r dudalen hon yn wag yn bwrpasol



Planning, Environment & Economy,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend

-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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Map Scale 1:6000

OS Map ref SJ 3269

Planning Application **63721**

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.4

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **30th MARCH 2022**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **FULL APPLICATION – CONVERSION AND EXTENSION OF INDUSTRIAL UNIT TO OFFICE AND WAREHOUSE**

APPLICATION NUMBER: **063312**

APPLICANT: **ZEBRA PRODUCTS LTD**

SITE: **BALING WIRE PRODUCTS NORTHOP COUNTRY PARK**

APPLICATION VALID DATE: **30/7/21**

LOCAL MEMBERS: **COUNCILLOR M BATEMAN**

TOWN/COMMUNITY COUNCIL: **NORTHOP COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST GIVEN CONCERNS ABOUT OVERDEVELOPMENT ,ADEQUACY OF HIGHWAYS AND IMPACT ON RESIDENTS.**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This full application proposes the conversion and extension of an existing industrial building located within Northop Country Park, into an office and warehouse.
- 1.02 The building currently has the benefit of planning permission for an extension to it and its use for warehousing and offices, this being permitted under 057593 in 2018. This current application proposes a revised scheme subsequent to the earlier permission.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01
1. Time limit on commencement
 - 2 In accordance with approved plans
 - 3 Materials to be submitted and approved
 - 4 Site / Finished Floor Levels to be submitted and approved
 - 5 Operating times 0900-17.30 hrs Monday – Friday. No working on Saturdays / Sundays or Bank and Public Holidays
 - 6 Staff Numbers limited to 20
 - 6 Foul /surface water drainage scheme to be submitted and approved
 - 7 Details of security lighting to be submitted and approved
 - 8 Scheme for Giant Hogweed Management to be submitted and approved
 - 9 No manufacturing to be undertaken at the site
 - 10 Retention of hedgerows on site boundaries

3.00 CONSULTATIONS

3.01 Local Member

Councillor M Bateman

Request Planning Committee determination. Preliminary concerns relate to overdevelopment, access constraints, and impact on living conditions of residents.

Northop Community Council

Object for the following reasons:

- Intensification of heavy vehicular movements
- Impact on the historical parks and garden setting
- Impact on landscape
- Impact on occupiers of nearby residential properties

Highway Development Control Manager

Raises no objection - subject to a restriction controlling maximum staff numbers and recognising that visibility at the junction of the country park with the highway network is safeguarded by a management company

Community And Business Protection

No adverse comments

Welsh Water/Dwr Cymru

Request that any permission includes the imposition of a condition requiring the submission and approval of a foul drainage scheme.

Welsh Historic Gardens Trust

No objection

Council Ecologist

Acknowledge the need for Giant Hogweed Management on the site.
Request this be secured by the imposition of a condition.

4.00 PUBLICITY

4.01 Site, Notice, Neighbour Notification

31 letters of objection received from members of Northop Country Park Residents Association, the main points of which without satisfactory controls or conditions being imposed relate to:

- a drainage condition imposed on a previous application 057593 remains outstanding
- increased vehicular movements would impact on highway safety
- impact on living conditions of existing residents through increased vehicular movements / security lighting.
- presence of Giant Hogweed within the site

5.00 SITE HISTORY

5.01 051664 – Sub-division of existing workshop to provide 2 No units to serve golf course and 4 No small starter business units. Approved 6/3/2014

057593 – Conversion and extension of industrial unit to offices and warehouse. Permitted 8/2/2018

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 – New Development

STR3 – Employment

GEN1 – General Requirements for Development

GEN3 – Development in the Open Countryside

D1 – Design Quality, Location and Layout

D2 – Design

L1 – Landscape Character

HE5 – Protection of Landscapes, Parks and Gardens of Special Historic Importance

AC13 – Access and Traffic Impact

AC18 – Parking Provision and New Development

EM4 – Location of Other Employment Development

EM5 – Expansion of Existing Concerns

EWP13 – Nuisance

Policy IMP1 – Planning Conditions and Planning Obligations

Supplementary Planning Guidance (SPGN)
SPGN2 – Landscaping
SPGN11 – Parking Standards

National Planning Policies and Guidance
Planning Policy Wales PPW – Edition 11
Future Wales : The National Plan 2020-2040
Technical Advice Note 11- Noise
Technical Advice Note 12 – Design
Technical Advice Note 18 – Transport
Technical Advice Note 23 – Economic Development

7.00 PLANNING APPRAISAL

7.01 Introduction / Site Description

The building /site the subject of this application is located within Northop Country Park, to the south of the A55 North Wales Expressway, and north west of Rhos y Chellis Cottages. The site lies adjacent to the first hole on Northop Hall Golf Course and is just within the setting of Soughton Hall Historic Park and Garden.

7.02 The existing building is of a modern design, constructed with facing brick elevations a profiled clad roof, with large door openings and 2 No open storage bays on its north western elevation. The existing building measures approximately 37.5 m x 14.7 m x 6.1m (high) and is screened by an embankment and mature conifer trees There is a large level tarmac area to the front and side of the existing building and open store bays.

Background of Planning History

7.03 It is important to note that the site currently has an extant planning permission for conversion and extension of the building into offices and a warehouse. This was permitted under 057593 in February 2018, for a building measuring approximately 40.7m x 14.7m x 6.1m (high) with ground /first floor use comprising a total of 754m².

Proposed Development

7.04 The plans submitted as part of this application propose an L-shaped extension to the southern gable and rear elevations of the building to facilitate increased office / warehouse space above that previously permitted under 057593. This would result in the building measuring approximately 44.6m x 19.2m x 6.1m (high) and an increase in the combined ground /first floor space to 13440m². The building is intended to accommodate 20 employees as per that proposed under 057593.

Main Planning Considerations

7.05 i) Principle of development

- ii) Scale / design and impact on character of the site and surroundings
- iii) Adequacy of access
- iv) impact on living conditions of occupiers of existing properties
- v) Giant Hogweed Management.

7.06 Principle of Development

The principle of the use of the building the subject of this application as a warehouse/ office, has been established by virtue of 057593, although development has not commenced in accordance with this permission.

- 7.07 The acceptability of the current application which primarily involves the further enlargement of the building subsequent to 057593, has to be undertaken having regard to this background history and Policies EM4 /EM5 of the Flintshire Unitary Development Plan. This involves an assessment of the appropriateness of the scale /design of the building relative to the site and its surroundings, together with the adequacy of highways, impact on the living conditions of occupiers of nearby residential properties and ecology. These issues are addressed in further detail below

7.08 Scale / Design

The proposal would result in an approximate 44% increase in both the footprint and usable floor space of the building from that previously permitted under 057593. The maximum height of the building at approximately 6.1m remains unaltered, and consistent with its initial construction and the earlier scheme referenced.

- 7.09 It is considered in visual terms the position of the proposed extensions to the side /rear of the existing building maintain the design ethos and form of the building both in its original form and as previously permitted under 057593. This in combination with improvements to its design elements including fenestration/ repositioned openings, use of materials and existing screening on the site boundaries would help to assimilate the development into the site and wider surroundings in particular the Historic Parks and Gardens

7.10 Adequacy of Access

The concerns / objections received in relation to the adequacy of the access to serve the development are duly noted. Consultation on the application has been undertaken with the Highway Development Control Manager who advises that the roads within the country park are not adopted by the Highway Authority being the subject of separate private ownership / management. The proposal has however been assessed having regard to i) the context of the background planning history (ii) concerns relating to the potential increase in the size of vehicles required to serve a larger on site warehouse building and (iii) the adequacy of the access at its junction with the adopted highway where there are concerns that an

established hedgerow is impacting on the ability to secure and safeguard adequate visibility.

- 7.11 Having regard to the above, it is considered by the Highway Development Control Manager that there is no objection to the development from both highway capacity and safety perspectives as a) the road network is capable of accommodating an increase in vehicle size and b) maintenance of the hedgerow within the visibility splay is secured by the applicant through a management company with the fall - back position being the council's street scene department in the event of urgent maintenance being required to secure highway safety.
- 7.12 Impact on Living Conditions
Of particular importance in consideration of this application is to ensure that the living conditions of occupiers of existing residential properties located in proximity to the site are safeguarded. The nearest residential properties to the site are Rhos y Chellis Cottages located approximately 46.5m to the south west , the properties being screened from the development by a substantial high leylandi hedge around the site boundaries..
- 7.13 Consultation on the application has been undertaken with the Pollution Control Officer who has raised no objection to the development, this being consistent with the response previously received in relation to application 057593.
- 7.14 It is however considered necessary to recognise the relationship of the site to existing residential development and secure control over the retention of the afore -mentioned hedgerow which acts as a visual screen. In addition the previously permitted hours of operation of the site were conditioned to between 0800-1800hrs Monday – Friday and 0800-1200hrs on Saturdays. There was to be no site operations on Sundays or Bank and Public Holidays. This current application however proposes a reduction in site operations to between 0900-1730hrs from Monday – Friday with no weekend workings or operations during Bank or Public Holidays. This offers a significant improvement over the situation that currently exists, as the previous permission remains extant. The reduction in hours as proposed with additional controls over security lighting can be secured by condition as referenced in paragraph 2.01 of this report.
- 7.15 Giant Hogweed / Ecology
The Council's Ecologist is aware of issues and concerns relating to the presence and increased growth of Giant Hogweed within the Country Park with measures currently in place to seek to address this matter both on the application site and wider area.
- 7.16 It is considered that there is a need for a blanket approach to seek to control its spread, but care is required when securing its removal in

the interest of health and safety this being undertaken in a managed environment. It is considered that this should be the subject of the imposition of a condition consistent with other developments within the locality where this approach has been adopted.

8.00 CONCLUSION

8.01 The proposed increase in the size and associated amendment to the design of the building subsequent to planning permission 057593, is acceptable in the context of the site and wider landscape. It is a scheme that would be supported on its own merits at officer level notwithstanding the previous permission issued under 057593. It is important to note that there are no objections to the development from highway / pollution control perspectives or from the Welsh Historic Gardens Trust.

8.02 Whilst the previous permission for development of the site remains extant, the opportunity is afforded as part of this application to secure an improvement in the design of the building and impose additional conditions pursuant to 057593 in respect reduced working hours, security lighting, and the retention of the existing leylandi hedge to secure the living conditions of occupiers of nearby residential properties. There is also the opportunity to control the management of Giant Hogweed on the site.

8.03 Having regard to the above, it is considered that the application as submitted offers an improvement to that previously permitted under 057593, and it is recommended that permission be granted subject to the conditions referenced in paragraph 2.01 of this report.

9.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

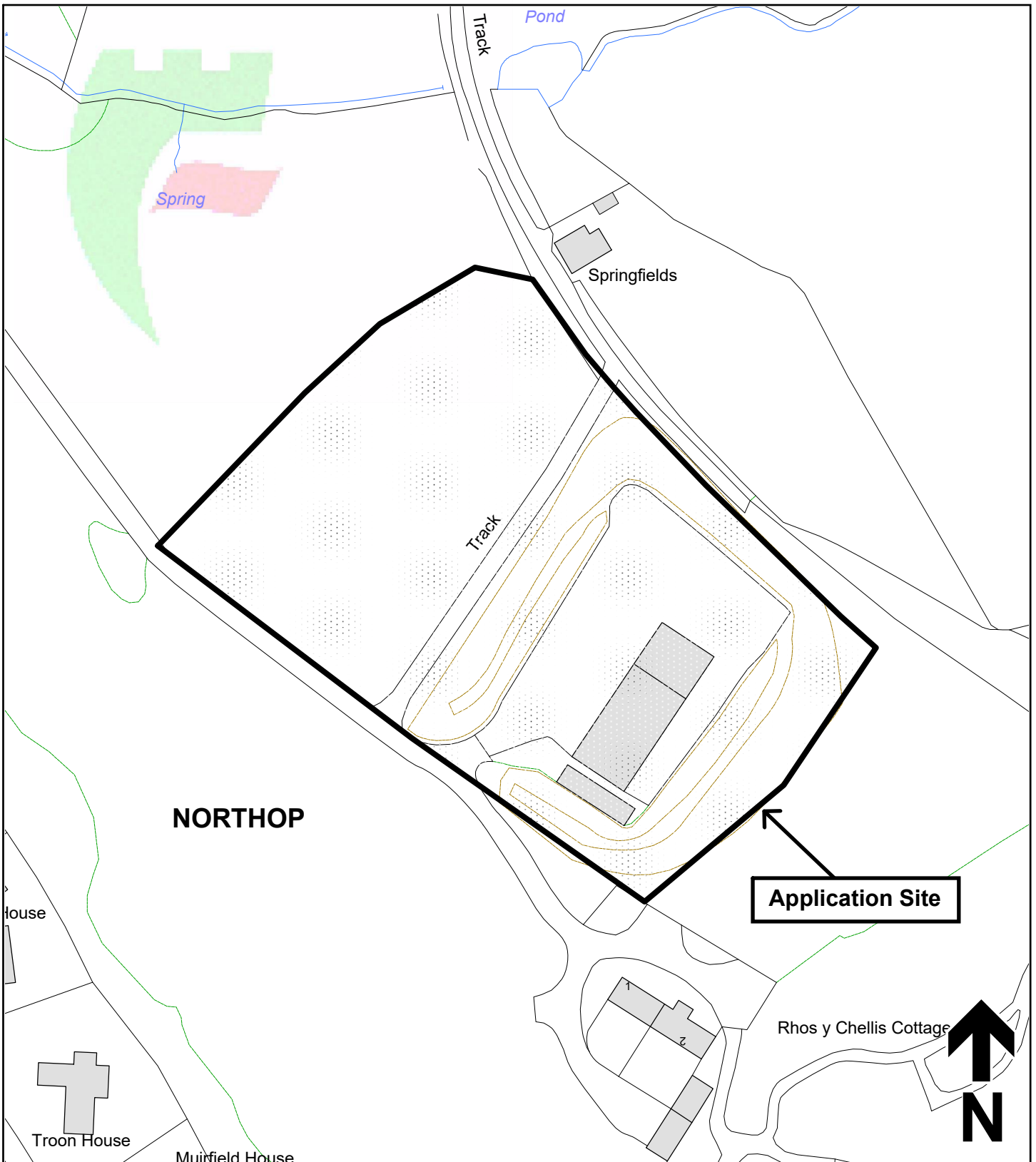
Planning Application & Supporting Documents

National & Local Planning Policy

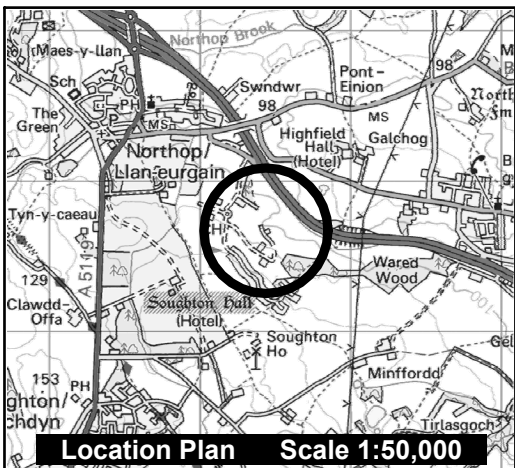
Responses to Consultation

Responses to Publicity

Contact Officer: Robert Mark Harris
Telephone: 01352 703269
Email: Robert.M.Harris@flintshire.gov.uk



Application Site





Location Plan Scale 1:50,000



Planning, Environment & Economy,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend

-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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Map Scale	1:1250
OS Map ref	SJ 2567
Planning Application	63312

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.5

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **30th MARCH 2022**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **APPLICATION FOR APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPROVAL (059635)**

APPLICATION NUMBER: **063591**

APPLICANT: **BELLWAY HOMES**

SITE: **FORMER 'CORUS GARDEN CITY SITE', WELSH ROAD, GARDE CITY, DEESIDE**

APPLICATION VALID DATE: **11TH OCTOBER 2021**

LOCAL MEMBERS: **COUNCILLOR MRS C M JONES**

TOWN/COMMUNITY COUNCIL: **SEALAND COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **DUE TO THE SCALE OF THE DEVELOPMENT**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is an application for the approval of reserved matters following the grant of outline planning permission on land at the former Corus Garden City site. The original outline consent reference 050125 granted an employment led mixed use development and associated infrastructure comprising construction of accesses, roads, footpaths, cycle paths, earthworks, and flood mitigation on land at Former Corus Site, Garden City, Deeside.
- 1.02 The original outline consent ref: 050125 was granted planning permission in 2014, and in recent years has been subject to a variation referred to as ref: 056540, a reserved matters permission for the Phase 1a enabling and infrastructure works along with the associated

discharge of conditions attached to the varied consent ref: 056540. The most recent variation to the outline consent is ref. 059635 to which this reserved matters application relates.

- 1.03 The Former Corus Site together with the neighbouring Airfields Site forms part of a long standing commitment of Flintshire County Council and Welsh Government to bring forward a comprehensive, mixed use redevelopment in this area (known as a whole as the Northern Gateway) taking advantage of the strategic location and the availability of previously developed land.
- 1.04 This reserved matters application relates to plot 4 of the residential development at the Former Corus Site, and proposes the erection of 400 no. dwellings together with associated infrastructure, recreational space and landscaping. The proposed scheme would deliver a mix of 1, 2, 3 and 4 bedroomed properties in a variety of house types including apartments and houses.
- 1.05 This site forms part of the wider mixed use strategic allocation including housing, Policy HSG2A in the Flintshire Unitary Development Plan, the principle of development is therefore considered acceptable in planning policy terms.
- 1.06 Issues in respect of design, layout, access, residential amenity, interface distances and flood risk have been negotiated and resolved.
- 1.07 The application is supported with a financial assessment, which argues viability implications in respect of the obligatory developer contributions sought towards the provision of affordable housing and education contributions. This assessment has been independently examined and it is considered satisfactory that a financial contribution of £970,600 is sought towards Hawarden High School and Sealand Primary School. Due to the committed provision of affordable housing already on the site, there is little demand to provide additional units and accordingly, in this instance it is considered reasonable to allocate the entire developer contribution towards enhancing education provision.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01 That conditional planning permission be granted, subject to the applicant entering into a Section 106 Obligation to provide:
 - Payment of a financial contribution towards Education of £970,600.00 to Sealand CP School and Hawarden High School;

- The establishment of a Management Company for the management and future maintenance of the onsite public open space and communal landscaping areas.

Conditions

- Compliance with the approved plans
- Site levels shall be set at a minimum of 6.0m AOD
- Submission of active travel plan including off-site pedestrian linkages
- Siting, layout and design of the means of the temporary construction site access
- Parking and turning of vehicles.
- The front of the garages shall be set back a minimum distance of 5.5m behind the back of footway line or 7.3m from the edge of the carriageway in the case where the crossing of a grass service margin verge is involved.
- Detailed layout, design, means of traffic calming and signing, surface water drainage, street lighting and construction of the internal estate roads
- Prevention of surface water run-off onto the highway
- Submission of a Full Travel Plan and Transport Implementation Strategy (TIS)
- Completion of off-site highway works prior to occupation
- Installation of acoustic glazing/ventilation

If the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within 6 months of the date of the Committee resolution, the Head of Planning be given delegated authority to REFUSE the application.

3.00 CONSULTATIONS

3.01 Local Member

Councillor Christine Jones – Requests committee determination due to the scale of the development.

Sealand Community Council

No response received at time of writing report

Highways Development Control

No objections received but suggests the imposition of conditions on any planning permission if granted.

Public Rights of Way

No public rights of way are affected by the proposed development

Community and Business Protection

Suitable noise levels can be achieved for the proposed dwellings as long as certain glazing/ventilation is used for certain dwellings.

Therefore, it is advised that acoustic glazing/ventilation is installed on the properties for which it is required as specified in the applicants report.

Welsh Water/Dwr Cymru

No objections raised.

Natural Resources Wales

Raises no objection with regards to matters of flood risk and special areas of designation (SAC and SSSI). Concerns have been raised with the long term habitat management plan submitted with the applicant but these have been clarified by the applicant.

Ecologist

Key ecology features are located outside of the red line boundary with mitigation agreed as part of the previously approved Ecological Framework Mitigation Strategy (EFMS) for the whole site. The landscape details provided are in line with these earlier approved details.

Airbus

No aerodrome safeguarding objections

Education

Request an education contribution of £870,247 towards Sealand CP School and a contribution of £1,274,361 towards Hawarden High School.

The contribution would be spent towards a new science block extension and remodelling at Hawarden High School whilst the contribution towards Sealand Primary would also be used towards extension and remodelling of the school building in order to create greater capacity.

Housing Strategy

Seeks the provision of 30% affordable dwellings on the site despite immediate demand for the immediate and Queensferry/Shotton area being met. Officers have sought further clarification with regards to the evidenced demand for additional affordable units on this site. Unfortunately no response has been received at the time of writing this report.

Clwyd Powys Archaeological Trust (CPAT)

The archaeological report by Oxford Archaeology for the excavation of the houses in the adjacent plot to the south has been received,

approved and forwarded to the Historic Environment Record. No outstanding archaeology needs to be completed within the red boundary area marked on the location plan for Parcel 4. The WSI for archaeological work in plots elsewhere beyond Parcel 4 has also been approved.

Welsh Government Highways

The outline planning permission for this site required the completion of a number of off-site highway works once the development reached a trigger. That trigger has been met but the works not completed. Recommends the inclusion of a condition requiring that those works be completed prior to occupation of the first dwelling.

4.00 PUBLICITY

4.01 Site Notice and Neighbour Notification letters posted. One letter of objection received raising the following:

- Concerns over the scale of the development, mainly focussed on the total number of new homes arising from the site.
- Lack of infrastructure
- Lack of access to health care services
- Potential electricity disruptions

5.00 SITE HISTORY

5.01 There is a complex and lengthy planning history to the Northern Gateway site and accordingly the most relevant applications to this particular plot are listed below.

060411 Application for approval of reserved matters following outline approval (056540) for the erection of 129 no. dwellings. Approved 28.10.21

059635 Application for removal of conditions 6, 8, 11 and 32 and variation of conditions 7, 31, 36 and 44 following grant of planning permission. (056540). Approved 05.06.20

058868 Application for approval of reserved matters relating to the phase 1a enabling and infrastructure works following outline Approval. (056540). Approved 30.08.19

056540 Application for variation of conditions 5 (mix of development and phasing), 32 (highway works) and 38 (off-site highway works) and removal of conditions 6 (highway works at Station Road/Asda junction) and 10 (flood defence works) following grant of planning permission 054758 Outline application for an employment led mixed use development incorporating logistics and technology park (B1, B2, B8), residential (C3), local retail centre (A1), Hotel (C1), Training and skills

centre (C2, D1) new parkland, conversion of buildings, demolition of barns, and associated infrastructure comprising construction of accesses, roads, footpaths, cycle paths, earthworks, and flood mitigation. Approved 02.03.18

054758 Variation of conditions 6, 9 and 42 and removal of condition nos. 17, 18, 19 and 20 attached to planning permission ref: 050125 Approved 16.03.16.

050125 Employment-led mixed-use development, incorporating Logistics and Technology Park (B1,B2,B8) with residential(C3),local retail centre (A1), hotel (C1), training and skills centre(C2,D1),new parkland; conversion of buildings, demolition of barns; and associated infrastructure comprising construction of accesses, roads, footpaths/ cycle paths, earthworks and flood mitigation/drainage works approved 13.05.14

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 – New Development

STR4 – Housing

STR7 – Natural Environment

GEN1 – General Requirements for Development

D1 – Design Quality, Location & Layout

D2 – Design

D3 – Landscaping

TWH1 – Development Affecting Trees & Woodlands

TWH2 – Protection of Hedgerows

L1 – Landscape Character

WB1 – Species Protection

WB2 – Sites of International Importance

WB3 – Statutory Sites of National Importance

AC13 – Access & Traffic Impact

AC18 – Parking Provision & New Development

HSG1 – New Housing Development Proposals

HSG2A – Strategic Mixed Use Development, Land NW of Garden City

HSG8 – Density of Development

HSG9 – Housing Mix & Type

HSG10 – Affordable Housing within Settlement Boundaries

SR5 – Outdoor Playing Space & New Residential Development

EWP12 – Pollution

EWP13 – Nuisance

EWP14 – Derelict and Contaminated Land

EWP17 – Flood Risk

Adopted Supplementary Planning Guidance

SPGN No. 2 – Space Around Dwellings.

SPGN No. 8 – Nature Conservation and Development

SPGN No.9 – Affordable Housing
SPGN No. 11 – Parking Standards
SPGN No. 23 – Developer Contributions to Education
PGN No. 13 – Open Space Requirements.

National

Planning Policy Wales Edition 11, February 2021
TAN 2: Planning & Affordable Housing.
TAN 5: Nature Conservation & Planning
TAN 11: Noise
TAN 12: Design
TAN 15: Development and Flood Risk
TAN 16: Sport, Recreation & Open Space
TAN 18: Transport

As the site forms part of the strategic mixed use allocation of HSG2A the principle of development is acceptable.

7.00 PLANNING APPRAISAL

7.01 Introduction

The Northern Gateway site comprises of the former Corus Garden City site and the former RAF Sealand site. The Northern Gateway site spans a vast area and is owned by Praxis Real Estate Management Ltd (Praxis) and Pochin Goodman Northern Gateway Ltd (PGNGL). The northern part of the wider Northern Gateway (former RAF Sealand) site is owned by Praxis with the southern part (former Corus site) owned by PGNGL.

7.02 The outline permission for the PGNGL area of land grants the delivery of up to 770 residential dwellings on their site.

7.03 This application is for the erection of 400 residential dwellings and associated internal infrastructure on plot 4 of the PGNGL site.

7.04 Site Description

The application site spans 13.9 hectares and is currently open land which is bounded by Farm Road to the north. Farm Road is a residential road serving a large number of dwellings. Generally, the other areas surrounding the site are farmland / fields.

7.05 Phase 4 specifically, is made up of fields of pasture land dived by post and rail fencing which can currently be accessed via Farm Road. Existing trees and hedgerows form the north, east and western boundaries.

7.06 The site sits immediately adjacent to the defined settlement boundary of Garden City with the majority of the settlement located to the south. Sealand Primary School is located adjacent to the site off Farm Road. Taking in the wider context of the site, further north is Deeside

Industrial park which comprises of commercial and industrial units whilst to the west is the industrial complex of Tata Steel. Queensferry is the nearest larger settlement located to the south where there is access to a range of amenities.

7.07 Proposed Development

The application proposes the erection of 400 new dwellings with associated infrastructure and public open space. The proposed dwellings comprise a mix of one and two bed apartments and two, three and four bed dwellings comprising a mix of mews, semi-detached and detached dwellings. The Ballister house type has rooms in the roof and incorporate dormer windows (2.5 storeys). The remaining house types are all 2-storey.

7.08 Some dwellings will have shared parking areas. Each dwelling will have two parking spaces with larger dwellings with three spaces. The Souter / Glover house types comprise a combined 1 bed ground floor apartment (the Souter) and 2 bed first floor apartment (the Glover) and will be provided with one parking space per unit.

7.09 The application site will be accessed from two points at the south western boundary. The southernmost access point is already pending approval as part of reserved matters application (ref. 062409) for the enabling works. The second access point into the application site is proposed in a slightly different location to that pending approval as part of the aforementioned application.

7.10 Both access roads extend into the site towards cross junctions. The highway layout comprises a series of looped roads and cul-de-sacs. Traffic calming is proposed in the form of raised tables where appropriate at junctions the location of which are shown on the layout plan as hatched areas.

7.11 Separation distances are achieved between proposed dwellings and the highways infrastructure and sustainable drainage infrastructure such as swales. These are located outside of the red line boundary of the current application, but fall within the scope of the wider infrastructure application (ref. 062409).

7.12 Overall, dwellings are set back from the road with a front garden and driveway area. Dwellings are proposed to address street corners and enhance natural surveillance throughout the development. Each dwelling is proposed with a front and rear garden and 1, 2 or 3 car parking spaces either to the front or side of the respective unit. All properties are provided with designated areas for storage of waste and recycling bins.

7.13 A number of different house types are proposed but remain similar in terms of materials and design. The net area of the site is 11.81 ha and

the net density of the development is 33.87 dwellings per hectare [dph].

- 7.14 Overall, the proposals include 1.78 ha of on-site public open space (POS) of recreational value. This is located in three areas of POS connecting the south east of the site towards the north west of the site. These include footpath connections to accommodate cycle / footpath links towards the Lane End development to the south east and towards the commercial development at the north west of the site. The proposals have also been developed to connect through the site providing a key active travel route across the proposals. Boundary treatment comprises a mix of hedgerows and planting as well as close boarded fencing to residential gardens and railings to the site entrance and around the play areas. Some rear gardens back onto site boundaries however access to swales for maintenance has been incorporated into the layout.
- 7.15 Principle of Development
The site forms part of the strategic mixed use development allocation HSG2A land North West of Garden City within the adopted Flintshire Unitary Development Plan.
- 7.16 Both this application site, the Former Corus, Garden City and the adjacent Airfields site together make up the 'Northern Gateway', a comprehensive mixed use redevelopment which takes advantage of the strategic location and the availability of previously developed land. Both component sites have the benefit of outline planning permission which as part of the approved mixed use includes a residential contribution of 1,400 new homes (cumulative) to be delivered over a phased period.
- 7.17 The former Corus Garden City site has outline permission for 770 of those total number of residential units.
- 7.18 The Northern Gateway Strategic site continues to remain an allocated site commitment in the emerging Local Development Plan (LDP) currently at examination. As such the development of this site is a key part to supporting the overall housing delivery as part of the current UDP and the supply going forward as part of the LDP.
- 7.19 As identified above the site is located immediately adjacent to the settlement boundary of Garden City as identified in the Flintshire Unitary Development Plan, which is a Category 'B' settlement with an array of employment opportunities and a selection of facilities and services. The site's allocation for mixed use reflects both the strategy of the Flintshire Unitary Development Plan and the principles of PPW11 at a national level. In this context therefore, there is a clear policy framework supporting the principle of residential development on this site.

7.20 Viability Assessment

The application is supported with a financial assessment, which argues viability implications in respect of the obligatory developer contributions sought as part of SPGN No9 (affordable housing) and No23 (education). The assessment was independently assessed on behalf of the Council by an appointed valuer in March 2022. This included a breakdown of construction costs, benchmark land values; site acquisition; estimated sales and marketing values of the properties and gross development value to determine the profit to be made.

7.22 The valuer concluded that the full developer contributions as triggered by policy (30% affordable provision and full education financial contributions of £2,144,608) would render the development unviable. All parties agree on this point. However the Council requested that an alternative offer could be achieved which would satisfy the policy demand. The viability assessment concluded that a total of £970,600 could be derived from the development whilst ensuring that the site could be adequately built out.

7.23 The Applicant and landowner have agreed to meet this request, which would be secured by the proposed S.106 Legal Agreement. PPW11 paragraph 4.2.21 states that matters concerning viability is for the decision maker to decide on, having regard to all the circumstances of the case ensuring that the request for community benefits is not so unrealistic that it would unreasonably impact upon the site's delivery. Detailed matters with regards to affordable housing and education contributions will be examined in due course but as an overarching principle, the alternative offer of £970,600 is considered acceptable.

Education

7.24 Education colleagues were consulted on the application and advised that in line with SPGN No.23 the nearest and most suitable schools to the development are Sealand Primary and Hawarden High School. They determine that based on the size of the development it is reasonable to calculate that a further 94 pupil places for primary and 68 pupil places for secondary would be generated.

<u>School Information</u>		
	Nearest Primary School	Nearest Secondary School
School Name	Sealand CP School	Hawarden High School
Age Range	3-11	11-18
School Capacity	215	1145
Number on Roll (1)	180	1137
Surplus Places	35	8
Surplus Percentage	16.28%	0.70%

5% of Capacity (2) Trigger for Contributions (95% of Capacity)	11 204	57 1088
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**Contribution
Calculator**

Factor	Primary	Secondary
Net Number of Dwellings Multiplier	394. 0.24	394. 0.174
Potential Child Yield from Development	94.56	68.556
Potential Child Yield from Development (2) Contributions per Pupil	95. £12,257.00	69. £18,469.00
Potential Amount of Contributions Sought	£1,164,415.00	£1,274,361.00
Potential Child Yield from Development (2) Number on Roll	95. 180.	69. 1,137.
Potential Number on Roll	275.	1,206.
Potential Number on Roll Trigger for Contributions	275. 204.	1,206. 1,088.
Potential Number of Contributions Sought (3)	71.	118.
Potential Number of Contributions Sought Potential Child Yield from Development	71. 95.	118. 69.
Maximum Number of Contributions Sought (4)	71.	69.
Maximum Number of Contributions Sought	71.	69.

Contributions per Pupil	£12,257.00	£18,469.00
Total Contributions Sought	£870,247.00	£1,274,361.00

From the information as set out above it is clear that both primary and secondary schools would have a capacity issue as a result of the proposed development, with records indicating Hawarden High School being over-prescribed largely due to parental choice. As such, there is a significant need and demand for education services to expand both schooling facilities in order to accommodate the additional number generated by the development. As Members will note above, the total requested from the Education department totalled in excess of £2 million pounds in contributions. Whilst this would have been preferential, the viability assessment as submitted by the applicant and independently verified confirms that this level of contribution would make the scheme unviable.

- 7.26 Members will recall in previous residential applications for the Northern Gateway site that the Council's Education department have undertaken feasibility studies for the schools with the greatest demand, which concluded that there is scope to expand Hawarden High School. This would take the form of a new science block and school remodelling which the financial contributions from the proposed development would facilitate.
- 7.27 In terms of the primary school need, phase 1 developments at the Northern Gateway gifted an area of land adjacent to the school which would facilitate its future expansion. Therefore financial contributions are sought to expand Sealand Primary School together with any necessary remodelling. The Council are satisfied that, in line with CIL Regulations, neither of the identified school projects have been afforded 5 contributions to date.
- 7.28 Given the current school capacity numbers, the need to expand the schools competes with the need for affordable housing within the immediate locality of the site. Taking all planning matters into consideration, on balance the educations/school needs have been considered greatest at this time, and the reason for this is explained in further detail in the affordable housing section of the report.
- 7.29 Affordable Housing
Policy HSG10 of the Flintshire Unitary Development Plan states that, where there is a definable need for affordable housing to meet local needs, the Council will take account of this as a material consideration when assessing housing proposals.
- 7.30 The policy states where this need exists the Council will negotiate with developers to provide affordable housing. Paragraph 11.77 of the FUDP clearly states that "where schemes do not make provision for

30% affordable housing it will be required that developers ensure the proposal is sufficiently justified to the satisfaction of the Council as to why an exception to the policy should be made”.

- 7.31 It is clear that Policy HSG10 affords the Council the ability to consider a full justification by a developer for providing less than 30% affordable housing. It is also clear that this site raises different issues to ‘normal’ Greenfield development sites. As discussed above, the site has been subject to an independent viability review which acknowledges that there has been costs incurred to enable development to take place, there is also a market value benchmark as a result of the 1st phase of development and therefore a more realistic view to development viability at the Northern Gateway. As explained above, the independent review notes that various scenarios and variables have been tested, demonstrating that enforcing 30% provision of affordable housing together with full Section 106 contributions will result in the development being unviable.
- 7.32 Whilst the 30% provision is recognised as being unachievable a lower percentage of 10% has been considered, which matches similar provision on the Airfields site.
- 7.33 The Housing Strategy Manager has confirmed that the housing need for the immediate area is as follows:

Affordable Purchase					
	1 bed flat	2 bed flat	2 bed house	3 bed house	4 bed house
Garden City				2	
Queensferry			2	2	
Sealand				1	
Shotton			1	10	

Affordable Rent					
	1 bed flat	2 bed flat	2 bed house	3 bed house	4 bed house
Garden City	1	2	4	3	
Queensferry		2	3	5	
Sealand			1	3	
Shotton		1	10	11	

It is clear from the figures above that there is a demand for affordable housing in the locality, and when one considers the wider area there is a particular lack of 1 and 2 bedroom houses/flats. However, there is noticeable lack in the numbers of people actually on the affordable register in this area. It is noted that the numbers may increase once planning consents are granted or construction commences but at this time the register appears low.

- 7.34 Members will be aware that this site is located immediately adjacent to the Clwyd Alyn (Housing Association) development site (plot 1b) which is an entirely affordable scheme of 100 dwellings. Consideration

needs to also be given to the approved commitments arising from extant planning permissions across the whole of the Northern Gateway site, which at the time of writing this report totalled a further 64 affordable units.

- 7.35 Whilst the importance of affordable housing should not be underestimated, it must be considered in the planning balance. Good place making is about providing sustainable and desirable areas where people are able to choose where they wish to live. With a commitment of 164 units already on this site, significant weight needs to be given as to whether there will be a demand for a further 40 affordable units arising from this development. In excess of 200 affordable units, within a relatively small geographical area compared with the rest of Flintshire seems unviable and unattractive to potential Registered Social Landlords or future occupiers. This matter has been raised with the Council's Housing Strategy team who did not provide any contradictory opinion or evidence.
- 7.36 Balancing the argument for affordable housing provision and the need for education contributions to support the local schooling system sways to the latter. The capacity issues at the schools is obvious and it seems logical, when there is limited viability to recommend that any commitment from the developer be focussed on maximising education contributions to benefit the local schools. This together with the fact that the Northern Gateway site has already meet the immediate demand for affordable units and more as identified on the register. It is therefore not reasonable to request affordable housing to be provided when the Council cannot reasonably demonstrate substantive evidence for the additional provision in surplus to the oversupply provided by the Northern Gateway as a whole.
- 7.37 Highway Matters
Primary accesses to plot 4 are provided from the vehicular access road approved as part of previous reserved matters approval (ref. 062409) for the enabling works on residential phases 1b, 2 and 3 The locations of these accesses have therefore already been assessed by the Local Highway Authority and approved.
- 7.38 Overall, the vehicular access to the proposed development will be provided from the residential spine road providing a direct link to the B5441 Welsh Road. The accompanying Transport Implementation Strategy sets out the details of the proposed access including pedestrian and cycle links. The internal access arrangements to the residential development provide footways to adoptable standards. The layout proposes a network of pedestrian footways, shared spaces and pedestrian only routes to provide good permeability across the site. The footways are located along the spine road and within the internal network. The footways will also provide access to the bus stops located on Welsh Road.

- 7.39 The details submitted include an “approved Green Infrastructure plan” which indicates the provision of a number of offsite pedestrian routes however a number of these routes are omitted from the layout plans. Both the Transport Assessment and the Framework Travel Plan submitted in support of the application make reference to the importance and encouragement of Active Travel. External links that are indicated for pedestrian use must be designed to accommodate shared cycle use.
- 7.40 On balance, it is considered that the Active Travel proposals can be adequately achieved on site and this can be secured by way of a condition on the consent.
- 7.41 There will be a mix of parking provision across the site with 1 car parking space for the 1 and 2 bedroom apartments whilst the larger dwellings will be provided with 3 car parking spaces. The submitted parking layout therefore complies with the requirements of the outline approval and the maximum parking standards as set out in SPGN 11.
- 7.42 The Construction Management Plan indicates the provision of a “temporary” construction site access; as this access is likely to be used for a significant period of time, full layout and construction details should be submitted for further approval and as above it is considered that these details can be secured via condition.
- 7.43 Furthermore, consultations have been carried out with Welsh Government Trunk Roads Authority who whilst raising no objection to the proposed development, do request the imposition of a condition which follows the conditions imposed upon the outline consent. This condition requires the off-site highway works as identified on the outline consent and as triggered by the cumulative development of the Northern Gateway, are undertaken prior to occupation of the proposed development. In conclusion, subject to the inclusion of conditions as noted in 2.0 then no objections to the proposal are raised from the position of Highway safety.
- 7.44 Flood Risk
The outline planning permission for this site required that for each reserved matters application an updated Flood Consequences Assessment (FCA) be undertaken.
- 7.45 A Flood Consequences Assessment has been submitted in support of this reserved matters application although it is noted that the FCA relies upon some earlier work undertaken at the site which was prepared in support of the reserved matters application for the enabling works associated with Phases 1b, 2 and 3 (planning reference 062409). This FCA established the development platform levels and flood mitigation measures including the creation of flood storage areas.

- 7.46 The earlier FCA presents an assessment of flood risk based on the hydraulic modelling work submitted by Arcadis in support of application 062409, which identifies the site to be at risk of flooding from fluvial (Garden City Drain) and tidal (River Dee) sources in the baseline scenario. The key mitigation measures established under the agreed flood mitigation plan are outlined within the FCA, and include setting the development platform levels at 5.5 m AOD and setting the finished floor levels of all properties at 5.90 m AOD.
- 7.47 These measures ensure that the flood risk posed in the 1% AEP fluvial event with an allowance for climate change (including blockage) and the 0.5% AEP breach event with an allowance for climate change are appropriately mitigated. The development platform level has already been approved under application 062409.
- 7.48 The updated FCA as submitted states that finished floor levels will set at 6.0 m AOD. It is considered that the mitigation measures are therefore in accordance with the agreed flood mitigation plan. This is replicated in the submitted drawings which show the proposed levels at 6.0m AOD.
- 7.49 In respect to the impact on flood risk elsewhere, the enabling works for the Phase 2 works have been considered under application 062409. This includes the creation of the development platforms and compensatory storage required to offset the impact of the raised platforms, so the proposal considered under this application is not expected to have an impact on flood risk elsewhere. This is supported by the pre and post development modelling undertaken in support of application 062409.
- 7.50 Subject to the development being undertaken in accordance with the detailed proposed level plans submitted with the application and outlined in the FCA then the development is considered compliant with policy EWP17 of the FUDP and TAN15.
- 7.51 Ecological Matters
The loss of habitats was fully assessed as part of the original outline planning application for this site and was considered to be acceptable subject to proposed mitigation. Overall, the habitats management plan as submitted with this application report demonstrates that the proposed landscaping on this site (together with other mitigation proposed outside the boundary of this application) is considered to be sufficient to mitigate for the loss of any habitats caused by the proposed development at The former Corus site as a whole. The proposed landscaping details will support those mitigation measures and for that reason the Council's Ecologist raises no objection.

Layout, Character and Appearance

- 7.52 The application confirms that the final layout has been designed to accord with the parameters set by the outline planning permission as well as local site constraints and other design considerations.
- 7.53 The building orientation and layout have been designed to create an inward facing development and to overlook visually attractive areas such as public open space. Each plot has been designed to include private garden space and parking.
- 7.54 Road hierarchy has been formed through the implantation of different road widths and materials including the use of shared surfaces. The layout has been designed to create a legible street pattern that is easy for use by pedestrian and cyclists. Each plot has its own landscape front gardens and secure rear gardens with areas of hardstanding allocated for bin storage.
- 7.55 The layout has been designed to take into account appropriate interface distances to other proposed dwellings and existing dwellings as set out in SPGN No2. The applicant has ensured that consideration has been given to the area of POS to ensure natural surveillance and to provide buffers between the proposed housing and proposed highways infrastructure / future commercial development to the north west.
- 7.56 A varied mix of house types are proposed within this phase of the development but remain similar in terms of materials and design. This provides variation and provokes interest and enhanced legibility within the site. Windows on the dwellings are positioned to provide surveillance and overlook the public realm, specifically on corner plot dwellings. The elevational styles and proposed materials of the dwellings complement the surrounding housing that exists in the local area. The material palette includes red brick and grey or red roofs.

Residential Amenity

- 7.57 In consideration to the siting, orientation and distance of the proposed dwellings, none of the proposed units would cause an unacceptable reduction or harm to the amenities of the any future occupiers in terms of privacy, loss of light or obtrusiveness. In terms of the size of the proposed garden depths, separation distances between the proposed dwellings etc these meet the guidelines within the SPGN no. 2 'Space Around Dwellings' by ensuring no instances of habitable rooms directly facing and where this is the case, separation distances meet the standard of 22m.

Other Matters

- 7.59 The application has been accompanied by a comprehensive noise assessment. This has been reviewed by the Council's Community and Business Protection section who confirm that suitable noise levels can be achieved for the proposed dwellings as long as certain glazing/ventilation is used for certain dwellings.
- 7.60 Therefore, it is recommended that that acoustic glazing/ventilation is installed on the properties for which it is required as specified in the applicants report.
- 7.61 Whilst the comment in relation to access to healthcare or lack of is noted, the Council is not responsible for maintaining or securing the provision of this service. This responsibility lies with the Health Board, Betsi Cadwaladr who have been included as consultee as part of the preparation and consultation of the emerging LDP. As such, the Council has appraised the Health Board of the LDP's planned development and housing allocation, therefore allowing them time to consider whether there is additional need for healthcare facilities within the areas identified for future growth, such as the Northern Gateway. To date, no indication of a capacity issue has been confirmed by the health board.
- 7.62 S.106 and CIL Compliance
The infrastructure and monetary contributions that can be required from the Proposals have to be assessed under the Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and Welsh Office Circular 13/97 'Planning Obligations'. It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, if the obligation does not meet all of the following Regulation 122 tests:
1. be necessary to make the development acceptable in planning terms;
 2. be directly related to the development; and
 3. be fairly and reasonably related in scale and kind to the development.
- 7.63 As triggered by the proposed scale of the development, there is a developer requirement towards primary and secondary education. In line with SPGN no. 23 the nearest and most suitable schools to the proposed development are Sealand CP School and Hawarden High School. Following the verification of the viability assessment submitted, the Developer has agreed to provide a total payment of £970,600 towards primary and secondary education. The monies will be split between the two identified schools and spent on providing a new science block Hawarden High School and general school

remodelling. Both projects are confirmed by Education Services and have not received more than 5 contributions towards these projects to date.

- 7.64 It is considered that the contribution required meets the Regulation 122 tests.

8.00 CONCLUSION

The site forms part of the strategic mixed use development allocation HSG2A land North West of Garden City within the Flintshire Unitary Development Plan. It is also located immediately adjacent to the settlement boundary of Garden City in the Flintshire Unitary Development Plan, which is a Category 'B' settlement with access to a variety of employment opportunities and a selection of facilities and services, as the site's allocation for mixed use reflects both the strategy of the Flintshire Unitary Development Plan and the principles embodied in Planning Policy Wales. In this context therefore, there is a clear policy framework supporting the principle of residential development on the site.

This report details in full the areas that required approval following the outline consent. These matters include the viability claim, flood risk, highways, ecology, character and appearance and the impact on occupiers both existing and new.

It is considered that these matters have been satisfied, and I therefore recommend that planning permission is granted subject to the imposition of conditions, and the completion of a legal agreement as set out within paragraph 2.01 of this report

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the

achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents

National & Local Planning Policy

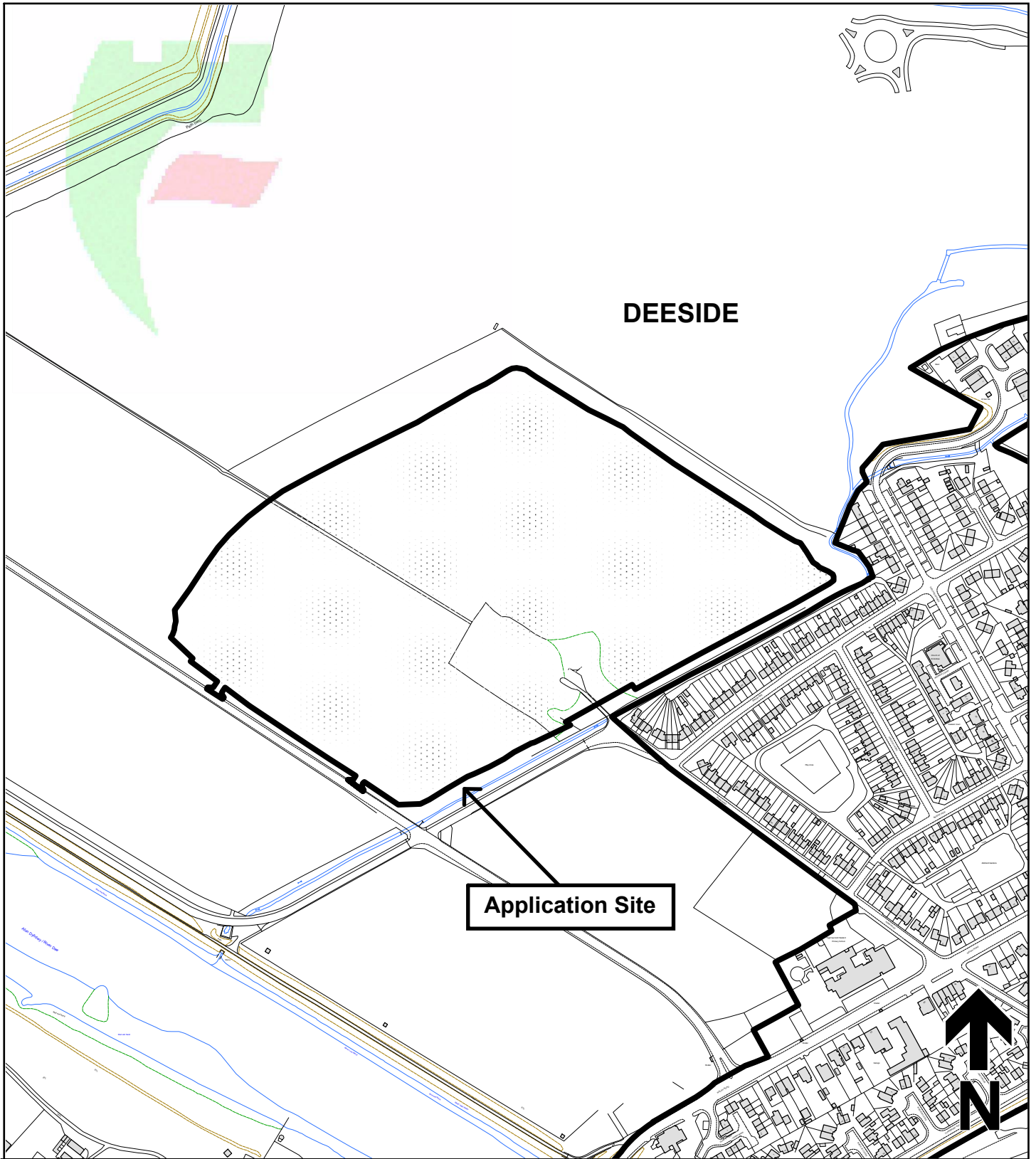
Responses to Consultation

Responses to Publicity

Contact Officer: Claire Morter

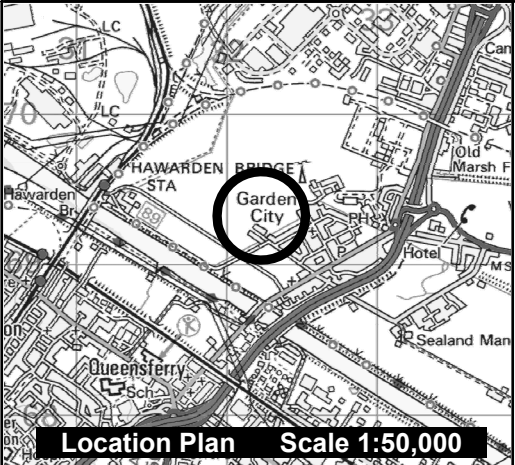
Telephone: 01352 703299

Email: claire.e.morter@flintshire.gov.uk



DEESIDE

Application Site



Location Plan Scale 1:50,000



Planning, Environment & Economy,
Flintshire County Council, County Hall,
Mold, Flintshire, CH7 6NF.

Chief Officer: Mr Andrew Farrow

Legend



Planning Application Site



Adopted Flintshire Unitary
Development Plan
Settlement Boundary

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Map Scale 1:5000

OS Map ref SJ 3269

Planning Application **63591**

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.6

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **30th MARCH 2022**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **FULL APPLICATION – DEMOLITION OF EXISTING BUNGALOW AND OUTBUILDINGS AND ERECTION OF 3 NO NEW DWELLINGS**

APPLICATION NUMBER: **063741**

APPLICANT: **MR G & R VAUGHAN**

SITE: **26 QUEENSWAY
SHOTTON
FLINTSHIRE**

APPLICATION VALID DATE: **3/11/21**

LOCAL MEMBERS: **COUNCILLOR S BIBBY**

TOWN/COMMUNITY COUNCIL: **SHOTTON TOWN COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST IN ORDER TO ADDRESS HIGHWAY, OVERDEVELOPMENT AND ECOLOGICAL CONCERNS**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This full application proposes the demolition of an existing bungalow and associated outbuildings at 26 Queensway, Shotton, and redevelopment of the site by the erection of three bungalows.
- 1.02 The application has been resubmitted following refusal of a recent application under 060481 on 21st May 2021, for four dwellings on the site, given concerns in relation to overdevelopment and impact on ecology

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 That subject to the applicant entering into a Section 106 Obligation or making an advance payment of £1100 per dwelling in lieu of on-site recreational provision, with the monies being used to improve junior play provision at King George Street Play Area, that planning permission be granted subject to the following conditions:-

1. Time Limit for commencement
2. In accordance with approved plans
3. Materials to be submitted and approved
4. Existing and proposed site and finished floor levels to be submitted and approved
5. Scheme for the construction of the 1.8m wide footway along the site frontage linking Queensway with Garden Way to be submitted and approved
6. Surface of Rights of Way to remain undisturbed until necessary diversion or extinguishment has been approved.
7. Boundary wall along Garden Way and any planting within 0.5m not to exceed 1m in height
8. Positive means to prevent surface water run-off to be submitted and approved.
9. Construction Traffic Management Plan to be submitted and approved
10. Development to be carried out in accordance with conclusions of Ecological Appraisal
11. Scheme for disposal of foul and surface water drainage to be submitted and approved.

If the Obligation pursuant to Section 106 of the Town & Country Planning Act (as outlined above) is not completed within three months of the committee resolution, the Chief Officer (Planning & Environment) be given delegated authority to REFUSE the application

3.00 CONSULTATIONS

3.01 Local Member
Councillor S Bibby
Request Planning Committee determination in order to address concerns in relation to highway safety, overdevelopment and ecology

Shotton Town Council
No response received at time of preparing report

Highway Development Control Manager
Following receipt of amended plans, raise no objection to the development subject to the imposition of conditions.

Community and Business Protection
No adverse comments

Public Rights of Way (PROW)
Public Footpath No 4 abuts the site but appears unaffected by the development. The path must be kept free from interference during the construction

Welsh Water/Dwr Cymru
Request that any permission includes a condition in respect of foul and surface water drainage.

Council Ecologist
Raise no objections following submission of an ecological survey of the site and associated recommendations contained within it to secure appropriate management and mitigation. Recommend that these details be secured by condition.

Natural Resources Wales (NRW)
No objection

4.00 PUBLICITY

4.01 Site, Notice, Neighbour Notification
No responses received

5.00 SITE HISTORY

5.01 060481 – Removal of existing bungalow and outbuildings and erection of 4 No semi -detached dwellings
Refused 21st May 2021

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
Policy STR1 – New Development.
Policy STR4 – Housing.
Policy GEN1 – General Requirements for Development.
Policy GEN2 – Development Inside Settlement Boundaries.
Policy D1 – Design Quality, Location & Layout.
Policy D2 – Design.
Policy D3 – Landscaping.
Policy TWH1 – Development Affecting Trees & Woodlands.
Policy WB1 – Species Protection.
Policy AC13 – Access & Traffic Impact.
Policy AC18 – Parking Provision & New Development.
Policy HSG3 – Housing on Unallocated Sites Within Settlement Boundaries.
Policy HSG8 – Density of Development.

Policy HSG9 – Housing Mix & Type.
Policy HSG11 – Affordable Housing in Rural Areas.
Policy EWP17 – Flood Risk.
Policy IMP1 – Planning Conditions & Planning Obligations.

Supplementary / Local Planning Guidance (SPGN / LPGN)

SPGN 2 – Space About Dwellings.
SPGN 3 – Landscaping.
SPGN8 – Nature Conservation and Development
SPGN11 – Parking Standards
Local Planning Guidance Note 13 – Open Space Contributions

National Planning Policies and Guidance

Planning Policy Wales (PPW) Edition 11
Future Wales: The National Plan 2020-2040
Technical Advice Note 5 – Nature Conservation and Planning
Technical Advice Note 12 – Design.
Technical Advice Note 18 – Transport.

7.00 PLANNING APPRAISAL

7.01 Introduction

This full application proposes the demolition of an existing bungalow and associated outbuildings at 26 Queensway, Shotton and redevelopment of the site, by the erection of 3 No bungalows.

Site/Surroundings

7.02 The site which amounts to approximately 0.08 hectares in area, occupies a corner plot on the north-eastern side of the junction of Queensway and Garden Way, Shotton. Adjacent to the sites northern boundary is a detached dwelling 28 Queensway, and to the east a pair of semi-detached bungalows 2 and 4 Garden Way.

7.03 Part of the site is located opposite the gable elevation of 24 Garden Way and to the west three further dwellings at Queensway. The character of existing development is a mix of bungalows and 2 storey dwellings, the site being within the settlement boundary of Shotton, as defined in the Flintshire Unitary Development Plan, where the principle of residential development is considered acceptable, subject to relevant development management considerations.

Proposed Development

7.04 The plans submitted as part of this application propose:-

- a) the demolition of the existing L shaped bungalow on the site which measures approximately 15m x 13m x 5m (high)
- b) redevelopment of the site by the erection of 1 pair of 2 bedroom semi-detached measuring approximately 18m x 12

m x 5.5m (high) on that part of the site adjacent to the common site boundary with 2/4 Garden way.

- c) a detached bungalow on that part of the site to the north of the junction of Queensway / Garden way. The bungalow would measure approximately 12.5m x 12m x 5.5m (high)

- 7.05 The proposed bungalows would have their vehicular access from Garden Way and be constructed having rendered external walls and a slate substitute roofing material.

Main Planning Considerations

- 7.06 It is considered that the main planning considerations to be taken into account in determination of this application are:-

- i. The principle of development
- ii. Character and appearance
- iii. Adequacy of highways
- iv. Impact on living conditions of occupiers of existing and the proposed dwellings
- v. Impact on ecology

Principle

- 7.07 As indicated, the site is located within the settlement boundary of Shotton, where in accordance with Policies HSG3 and GEN1 of the Flintshire Unitary Development Plan, the principle of redevelopment of the site for residential development is considered acceptable subject to compliance with relevant development management considerations.

Character and Appearance

- 7.08 The proposed development of three bungalows on approximately 0.08 hectares can it is considered be assimilated into the site, maintaining and being sympathetic to the character of existing development at this location which is characterised predominantly by existing bungalows adjacent to its eastern boundary.

- 7.09 The density of the proposed development at approximately 37 dwellings per hectare (dph), would be at a higher level than the 30 dph that Policy HSG8 sets as a minimum density that is sought to achieve on allocated housing sites. This density of development is however considered to be acceptable, and comparable to the density of existing development at this location of approximately 39 dph, representing an efficient use of land

- 7.10 The erection of bungalows on the site is also reflective of the existing style of development in the locality and the use of materials similar to those used in construction of the existing bungalow and wider surroundings. This aspect of the development can be secured by the imposition of a condition.

Adequacy of Highways

- 7.11 Consultation on the application has been undertaken with Highway Development Control Manager, with amended plans requested in progression of the application to secure changes to the layout in respect of access, and footway linkages into existing development. The amended plans received have addressed the initial concerns raised from a highway perspective, the details of which can be secured by condition as referenced in paragraph 2.01 of this report.

Impact on Living Conditions

- 7.12 A significant factor in the consideration of this application is to ensure that the living conditions of the occupiers of the proposed dwellings and those of existing dwellings in proximity to the site are safeguarded as part of the proposed development having regard to Supplementary Planning Guidance Note 2 – Space Around Dwellings (SPGN2)

- 7.13 The site layout and orientation of the proposed dwellings would not result in any direct interface relationship with the dwellings adjacent to its boundaries at 2 and 4 Garden Way and 28 Queensway to trigger the application of SPGN2.

- 7.14 Within the gable elevation of 24 Garden Way opposite the site is a secondary living room window. The site layout has however been designed to avoid any direct inter-relationship between windows serving habitable rooms in both the existing dwelling and proposed bungalow opposite with a separation distance of 12m being provided..

- 7.15 In addition the proposed dwellings would have garden depths of approximately 6m with associated curtilage areas of 67m², 68m² and 95m² respectively. This is in excess of the 50m² that is referenced within SPGN2 to serve a 2 bedroom dwelling and consistent with the existing bungalows and pattern of development on the north side of Garden Way.

Ecology

- 7.16 An Ecological Appraisal has been submitted to support the application on which consultation has been undertaken with the Council's Ecologist and Natural Resources Wales (NRW). It has been confirmed that the appraisal has satisfactorily assessed the impact of development on protected species and their habitats with appropriate mitigation measures outlined to ensure that no development / demolition is undertaken during the bird nesting season . This can be satisfactorily secured through the imposition of a planning condition.

Leisure Contribution

- 7.17 Consultation on the application has been undertaken with Leisure Services (AURA) who have requested the payment of a commuted sum of £1100 per dwelling. The monies are proposed to be used to enhance junior play provision at King George Street Play Area.

- 7.18 The infrastructure and monetary contributions that can be required from a planning application through a Section 106 agreement have to be assessed under Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and Welsh Office Circular 13/97 "Planning Obligations"
- 7.19 It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, if the obligation does not meet all of the following regulation tests;
- 1 be necessary to make the development acceptable in planning terms
 - 2 be directly related to the development, and
 - 3 be fairly and reasonably related in scale and kind to the development
- 7.20 While the Authority does not yet have a charging schedule in place, CIL Regulations puts limitations on the use of planning obligations. These limitations restrict the number of applications for the funding or provision of an infrastructure project /type of infrastructure. From April 2015, if there have been 5 or more S106 Obligations relating to an infrastructure project / type of infrastructure since 2010, then no further obligations for that infrastructure project / type of infrastructure can be considered in determining an application.
- 7.21 I am advised that since the advent of the CIL Regulations that no more than 5 Obligations have been entered into in respect of the leisure contribution requested and I am satisfied that on application of the tests set out above, the contribution would satisfy these requirements.
- 8.00 CONCLUSION**
- 8.01 In conclusion it is considered that this revised application is acceptable representing a scale and form of development that is sympathetic to the character of the site and wider surroundings, and addresses the reasons for refusal of the original application. The design and siting of the proposed units helps to maintain a sense of enclosure along Garden Way continuing a frontage of existing bungalows whilst safeguarding the living conditions of occupiers of existing dwellings in particular 24 Garden Way opposite the site.
- 8.02 There is no objection to the development from highway /ecological perspectives and the scheme is considered acceptable in relation to planning policy and supplementary planning guidance.
- 8.03 Accordingly I recommend that planning permission be granted subject to the payment of a leisure commuted sum and conditions set out in paragraph 2.01 of this report.

8.04 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

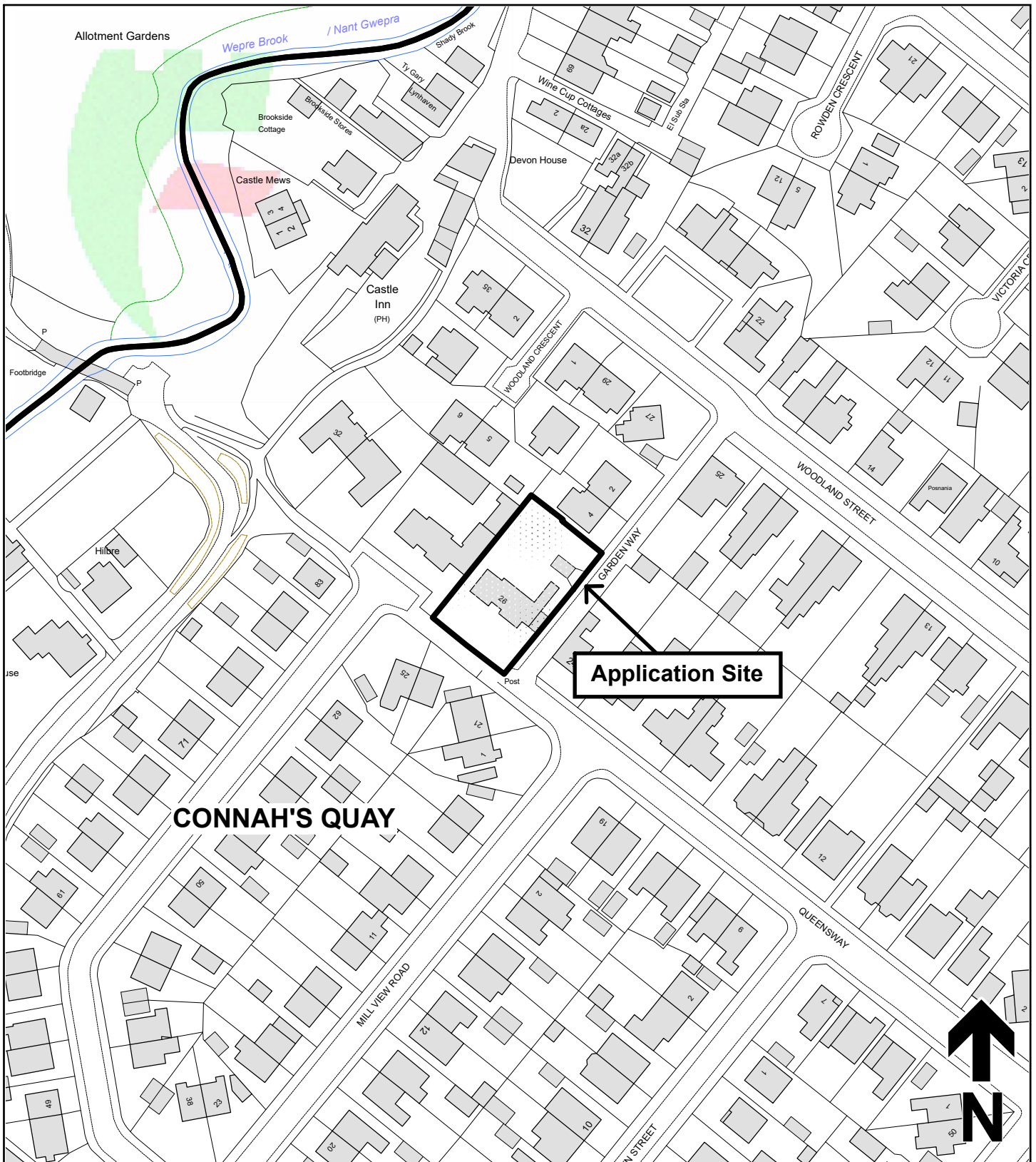
The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

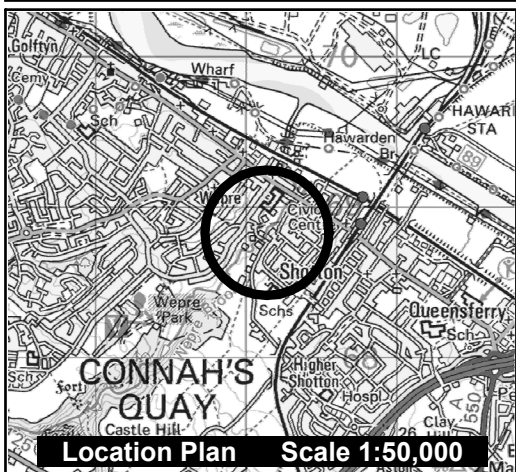
Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer: Robert M Harris
Telephone: 01352 703269
Email: Robert.M.Harris@flintshire.gov.uk



Application Site

CONNAH'S QUAY



Planning, Environment & Economy,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend



Planning Application Site



Adopted Flintshire Unitary
 Development Plan
 Settlement Boundary

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Map Scale 1:1250

OS Map ref SJ 3068

Planning Application **63741**

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.7

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **30TH MARCH 2022**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **FULL APPLICATION – PROPOSED DEVELOPMENT CONSISTING OF 4 NO. RETAIL UNITS FOR USE CLASS E (a) AND E (b) FOOD AND RETAIL WITH ASSOCIATED CAR PARKING AND SIGNAGE**

APPLICATION NUMBER: **062863**

APPLICANT: **VALEDOWN DEVELOPMENTS LTD.**

SITE: **FORMER GATEWAY TO WALES HOTEL SITE, WELSH ROAD, GARDEN CITY**

APPLICATION VALID DATE: **16TH APRIL 2021**

LOCAL MEMBERS: **COUNCILLOR MS C M JONES**

TOWN/COMMUNITY COUNCIL: **SEALAND COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST – CONCERNS REGARDING USE OF THE SITE AND HIGHWAY IMPACT**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 Members will recall that this application was deferred at the Planning Committee on 2nd March for reasons concerning the delivery arrangements for the development and how delivery vehicles, specifically HGVs can be accommodated within the site without compromising the access off Welsh Road.

- 1.02 Following discussions with the applicant, an additional plan has been provided which demonstrates that delivery vehicles, specifically HGVs can access and be accommodated within the site without interference with the access off Welsh Road. In addition, the additional plan also identifies 2 no. designated loading and unloading areas. Further to discussions with the Applicant it has been confirmed that all deliveries and services to the proposed units will be outside of the opening hours as conditioned and this commitment will be reflected in the wording of the opening hours condition. As such, it is considered that the additional plan together with the condition for a Service/Delivery Plan and the hours of opening are sufficient controls to appease the concerns members initially raised.
- 1.03 The recommendation to grant planning permission is therefore maintained and the summary of the application is as follows:
- 1.04 This a full planning application for the proposed redevelopment of the former Gateway to Wales Hotel site, Garden City, to provide 4 no. food and retail units with associated parking.
- 1.05 The schedule of development is listed below:
- Convenience Store (372sqm);
 - Drive-Thru Coffee Shop (168sqm);
 - Two Food Retail Units (Combined 260sqm).
- 1.06 Access to the site will be retained from the existing access arrangement from Welsh Road. The access arrangement will have improved geometry with 10m corner radii, a carriageway width of 7.3m and footways either side with a minimum width of 2m, including tactile paving with dropped kerbs.
- 1.07 A total of 63 no. on-site car parking spaces will be provided, including 6 no. disabled spaces.
- 1.08 The application site extends for 0.51ha and is located within Garden City. The site benefits from a prominent roadside location positioned between the A494 Trunk Road and the B4551, Welsh Road. The site is cleared and vacant following the demolition of the former Gateway to Wales Hotel, which was subject to fire damage in 2017. The site has an existing access off Welsh Road, and is neighboured by residential development.
- 1.09 The site is located within the settlement boundary of Garden City which is a category B settlement in the adopted UDP. The UDP also identifies in Policy S1 that Welsh Rd, Garden City is a Local Shopping Centre. The site is also previously developed land, being the former Gateway

to Wales Hotel site, and therefore its reuse would be in line with the definition and principles set out within PPW11 which states at para. 3.55 that within settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome.

1.10 This re-submission addresses the reasons of refusal on the previous application (LPA Ref: 062202) which are listed below:

1. *The Local Planning Authority considers that the proposed development will result in an intensification of the existing access, requiring access by large delivery vehicles. As such insufficient information has been submitted with regard to addressing the impact upon the capacity of the associated A494 trunk road junction and the local highway network. In the interest of maintaining highway safety the proposal is contrary to Policies GEN1 and AC13 of the Flintshire Unitary Development Plan.*
2. *The Local Planning Authority considers the proposed site layout to be unacceptable as the proposal will result in built development being located over an existing culvert to a main river and within the protection zones of the public sewer network. The site is also located within a C1 Flood Zone, for which the Flood Consequence Assessment submitted fails to demonstrate that the risks and consequences of flooding can be managed to an acceptable level. As such the proposal is contrary to the guidance set out in TAN15 and Policies GEN1, D1 and EWP17 of the Flintshire Unitary Development Plan.*
3. *The Local Planning Authority is aware of the historical use of the site as a former petrol filling station, the recent site clearance works undertaken following the demise of the former hotel, and concerns raised of the underlying Secondary Aquifer below the site. It is therefore considered that insufficient information has been provided in respect of land contamination contrary to Policies GEN1 and EWP14 of the Flintshire Unitary Development Plan*

1.11 It is considered that all planning and technical matters have been addressed, as such the recommendation is to grant planning permission subject to the conditions as set out in paragraph 2.01 of this report.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 Conditions

1. Time commencement
2. In accordance with approved plans
3. Materials
4. Site and Finished Floor Levels
5. Hours of Opening limited to: 0700 – 2300hrs with Deliveries restricted to outside opening hours
6. Siting, Layout and Design of Access
7. Detailed design of Access
8. Visibility Splays – 2.4m x 35.7m right of exit and 2.4m x 40.2m left of exit
9. No obstruction to visibility and to be retained
10. Facilities for the loading, unloading, parking and turning of vehicles
11. Prevent surface water run-off onto highway
12. Construction Traffic Management Plan
13. Prior to occupation, submit Service/Delivery Management Plan
14. External lighting
15. Scheme for Security and CCTV
16. Landscaping implementation
17. Details of Costa pole sign adjacent A494 to be submitted
18. Internal Traffic Management Plan to be submitted
19. Undertake Capacity Assessment of Drone Corner Roundabout within 12 months of permission
20. Foul and Surface Water Drainage Scheme
21. Remediation Strategy (Contamination) Condition
22. Long Term Monitoring Plan for protected sites and Contamination
23. Biosecurity Risk Assessment
24. Emergency Flood Evacuation Plan

3.00 CONSULTATIONS

3.01 Local Member - Councillor Ms. C M Jones

Raises concerns with respect to the access arrangements and the threat of highway safety. Also raises concerns regarding the appropriateness of the end use of the site as proposed. Requests the application be determined at planning committee.

Sealand Community Council

The community council raises objections to this application on the grounds that the proposal may increase traffic flows leading to potential safety problem with its nearness to the traffic roundabout and bus stop.

The entrance to the site is of course the same entrance as used by the former Gateway to Wales Hotel, however, there is now more traffic using this roundabout than in the past. The expanding local developments including the new Amazon distribution centre, the significant new housing developments will add further to these traffic flows.

The proposed development potentially may cause traffic queues that could prove a danger to traffic leaving the dual carriageway to enter Welsh Road. Added to this is the nearby bus stop. Council urges that consideration should be given to improving the current entrance and exit for the proposed site if this development is to go ahead.

Welsh Government - Highway Authority

No objection subject to the imposition of conditions:

- Details of Costa pole sign adjacent A494 to be submitted
- Internal Traffic Management Plan to be submitted
- Undertake Capacity Assessment of Drone Corner Roundabout within 12 months of permission

Highways Development Control

No objection subject to the imposition of conditions:

- Siting, Layout and Design of Access
- Detailed design of Access
- Visibility Splays – 2.4m x 35.7m right of exit and 2.4m x 40.2m left of exit
- No obstruction to visibility and to be retained
- Facilities for the loading, unloading, parking and turning of vehicles
- Prevent surface water run-off onto highway
- Construction Traffic Management Plan
- Prior to occupation, submit Service/Delivery Management Plan

Business and Community Protection

No objection subject to the imposition of a condition to require a detailed remediation strategy.

Dwr Cymru /Welsh Water

No objection subject to the imposition of conditions:

- Foul and Surface Water Drainage Scheme

Natural Resources Wales

No objection subject to the imposition of conditions:

- Long Term Monitoring Plan for protected sites and Contamination
- Biosecurity Risk Assessment

Airbus

Confirms no aerodrome safeguarding objection.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

At the time of writing six no. neighbour consultation responses have been received. Three representations objecting to the proposal and three representations of support were received.

The objections related to traffic impact on the A55 towards the M56 being raised as a cause for concern in relation to speed and increased traffic. Additionally, the visibility for traffic joining the Welsh Road from Hawthorn view has been raised as a current issue due to vans and lorries being parked on this road. Similarly, concern has been raised regarding the safety of traffic exiting the site due to a number of near misses between vehicles on the road and lorries leaving the site. A neighbour objector also raised concern over the traffic safety at Drome Corner.

The objections also raised concern that the proposal may not comply with the government's "Transport Decarbonisation Plan", as the plans do not show electric vehicle (EV) charging points.

Due to the increase in traffic levels in the area concern has been raised about the added air pollution and potential for any health problems related to this.

Fails to meet sequential test as required by UDP policy S6 as there is an alternative site for retail development within 300m which already has planning permission and is a more sustainable location. The former Gateway to Wales Hotel site does not have good access for pedestrians and cyclists as it is the 'wrong side' of Welsh Road and is relatively remote from the Garden City community as well as the Airfield's development.

Development would undermine the vitality and viability of the District Centre and Aifields site.

Summary:

- Traffic impact on A55 towards the M56.
- Lack of consideration for local residents and safety. Raised concern over existing poor visibility from Hawthorn Road onto Welsh Road.
- Compliance with “Transport Decarbonisation Plan”. And query whether Costa will be bringing Instavolt to the site when it opens.
- Access to the site is fine, exiting the site is dangerous Objector raised point that there have been a number of near crashes from lorries turning right.
- Noise concerns outside and inside the home.

Three representations of support have also been raised stating that the development would be an asset to the community, is within walking distance and will bring jobs to the area, therefore benefitting the local economy. Additionally, it was considered that the development would visually improve the site through filling the existing void.

5.00 SITE HISTORY

5.01 062202

Proposed development consisting of 4 No. food and retail units and associated car parking and signage.
Refused 05/03/2021

051951

Application for removal or variation of conditions 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 17 & 19 following grant of planning permission ref: 046298.
Refused 07/03/2015

043688

Construction of new entrance and internal alterations.
Approved 07/02/2008

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

GEN1 General Requirements for Development
GEN2 Development Inside Settlement Boundaries
D1 Design Quality, Location and Layout
D2 Design
D3 Landscaping
D4 Outdoor Lighting
D5 Crime Prevention
D7 Outdoor Advertisement

AC4 Travel Plans for Major Traffic Generating Developments
AC13 Access and Traffic Impact
AC18 Parking Provision and New Development
S1 Commercial Allocations
S6 Large Shopping Developments
S8 Hot Food Takeaways, Restaurants and Cafes
EM4 Location of Other Employment Development
EWP12 Pollution
EWP13 Nuisance
EWP14 Derelict and Contaminated Land
EWP17 Flood Risk

Supplementary Planning Guidance
SPGN no.11 Parking Standards

National Guidance
Planning Policy Wales Ed.11 (February 2021) (PPW11)
Future of Wales: the national plan 2040
TAN 4 Retail and Commercial Development
TAN 23 Economic Development

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full planning application for the proposed redevelopment of the former Gateway to Wales Hotel site, Garden City, to provide 4 no. food and retail units with associated parking and signage.

7.02 Site Description

The application site extends for 0.51ha and is located within Garden City. The site enjoys a prominent roadside location positioned between the A494 Trunk Road and the B4551, Welsh Road. The site is cleared and vacant following the demolition of the former Gateway to Wales Hotel, which was subject to fire damage in 2017. The site has an existing access off Welsh Road, and is neighboured by predominantly residential development.

7.03 Proposed Development

The proposed development comprises the redevelopment of the former hotel site to provide 4 no. food and retail units falling within use class A1 and A3, together with landscaping, car parking and site signage.

7.04 With reference to the details submitted, it is acknowledged that the take up of the units, comprises a Costa Coffee café with drive thru proposed as unit 1 located to the north east of the site together with associated paraphernalia and signage. The remaining 3 units; unit 2 being a

standalone building positioned to the north west fronting Welsh Road with units 3 and 4 attached positioned at an angle adjacent to the boundary of Maes Helyg, a residential apartment building, remain without an end user at this stage. The floor area of each unit is as follows:

- Unit 1 (Costa Coffee Drive Thru) 168.04sqm
- Unit 2 (Retail Store) 371.71sqm
- Unit 3 (Food Retail) 130sqm
- Unit 4 (Food Retail) 130sqm

- Total floor area of buildings approx. 800sqm.

7.05 In terms of building appearance, each unit resembles a similar theme this being of steel portal frame construction, single storey with sloping monopitch roof. With the exception of units 3&4 (food retail units) which will have a traditional masonry wall finish, the elevations of the units will comprise cladded render wall panels, using British Western Cedar Timber clad feature panels, composite cladding panels (flat profile) and glazed shopfront elements.

7.06 The preference for glazing is to use aluminium framed curtain wall systems allowing for up to 50mm polyester powder coated glazing panels. All external fire doors and personnel doors are to match the surrounding cladding colour of the building. An insulated, built-up cladding panel system or similar approved product will be used on the roof. Contrasting eaves and verges are preferred in Anthracite RAL 7016 colour.

7.07 The existing red brick boundary wall as seen from the A494 will remain, with a 2.1m high feather edge boarded fence proposed to divide the site and neighbouring properties on Maes Helyg. Timber fencing consisting of British Western Red Cedar profiles is to be used to fence the food retail units service areas. It is to be no less than 2.4m high for security purposes. The service area gates will match this style of fence and be in the same colour. In less visible areas paladin fencing is proposed instead of the continuation of timber fencing. Whilst the site will predominately be hard surfaced, there is peripheral soft landscaping proposed to the North, North East and South East boundary limits.

7.08 The site will retain the existing site access off the B4551 Welsh Road, and provide a total of 63 no. car parking spaces including 6no. as disabled bays.

7.09 Principle of Development

The site is located within the settlement boundary of Garden City which is a category B settlement in the adopted UDP. The UDP also identifies in Policy S1 that Welsh Rd, Garden City is a Local Shopping Centre. The site is also previously developed land, being the former Gateway to Wales Hotel site, and therefore its reuse would be in line with the definition and principles set out within PPW11 which states at para. 3.55 that within settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome.

7.10 Policy S6 of the UDP permits new retail developments of more than 500sqm within town, district or local centres. The policy seeks to avoid development which is out of scale with the shopping centre and sets out further assessment criteria.

7.11 The local shopping centre at Garden City has a limited range of shopping and other commercial development along Welsh Road. It is also close to the Northern Gateway strategic mixed use development site and Deeside Industrial Park more generally. The site is sustainably located in terms of being within settlement and accessible by a range of transport modes, this includes public transport. Further the site is connected to an existing network of pedestrian links (pavements) and is on route of the National Cycle Path, therefore promoting active travel principles. In this context I do not consider that the proposed uses are out of context with the locality and will serve both existing and forthcoming residents as well as the needs of nearby commercial enterprises. The proposed development therefore satisfies the sequential test as set out in policy S6. As such, the principle of development is considered acceptable.

7.12 In writing this report, I am mindful of a recent appeal decision ref APP/A6835/A/20/3261103 Land East of McDonald's, St Asaph Road, Lloc whereby the Inspector on allowing the appeal noted that there is limited provision of roadside facilities along the A55, and what limited provision there is, often is restricted to be accessible only by vehicles travelling in one direction. In addition, the level of service provision available is often limited to single outlets such as a petrol filling station or a coffee shop. The Inspector therefore considered the level of service areas along the A55 to serve HGVs, tourists and other motorists to be low and lacks the quality of facilities that is required on such a popular, and busy route which experiences large fluctuations of traffic throughout the year and especially during the holiday periods, with 'staycations' becoming an increasingly popular holiday choice.

- 7.13 The appeal draws many similarities with the application before me, albeit the exception that the appeal site is located in open countryside, yet the overall balance went in favour of the proposed scheme in light of the economic benefits and employment prospects this would bring to the local area. The advantage in this case, and in addition to the merits shared with the appeal site, is that the site is well positioned within a defined settlement, which is recognised as a local shopping centre in the UDP and that the proposal would utilise vacant, previously developed land in need of attention. This together with the site's urban context and prime, accessible location weighs heavily in favour of the proposed development.
- 7.14 Highways
The proposed development will utilise the existing access off Welsh Road, which previously served the 40 bed Hotel. As members will be aware, the initial application ref. 062022 was refused, with reason no. 1 raising highway safety concerns; principally relating to the intensification of the existing access, and the impact upon the capacity of the A494 trunk road junction and the wider local highway network.
- 7.15 This application is now supported by further traffic assessments which factor in existing and committed new development within the immediate and surrounding area. A Junction Capacity Assessment has also been undertaken which analyses the A494 slip road junction onto Welsh Road.
- 7.16 The modelling results demonstrate that the proposed site access will operate comfortably within the capacity during AM and PM peaks in the 2026 'with development' scenario. The assessment shows that the development traffic will have a low residual cumulative impact on queuing, delay and capacity on Welsh Road. A percentage impact assessment has been undertaken for the Drome Corner roundabout junction which shows a low percentage impact on 3 of the arms. The biggest impact is on the Welsh Road south arm which is equivalent to less than 1 additional vehicle a minute. Welsh Government and the Local Highway Authority do not consider this to be a serve impact.
- 7.17 To validate the traffic level data used in the Transport Assessment a further traffic survey was requested to confirm if the data used is comparable with the actual 2021 traffic flows at the Dome Corner roundabout junction, which from the results of the Automatic Traffic Count (ATC) survey on the Welsh Road arm are anticipated to be lower than the traffic flows used in the original analysis. The results of the survey show that only one movement in each peak is higher in the recent survey than in the growth data.

- 7.18 The objections received have raised concerns that during peak periods there is potential for queuing traffic within the drive-thru to prevent access onto the development site, leading to queuing on the A494 Slip road and the B5441 Welsh Road, blocking Drome Corner roundabout. However, following a robust assessment using fast-food drive-thru trip rates, the split between in-store and drive-thru customers, the available stacking capacity at the drive-thru and the typical management measures put in place by operators it is not considered that there is a risk of queues impacting on the local road network. These views are supported by both the Local Highway Authority and Welsh Government and as such, it is not considered that the capacity and safety of the local and major highway would be compromised.
- 7.19 Notwithstanding the reason to refuse ref. 062202, the initial concerns regarding the adequacy of the site access and the resultant traffic generated by the proposed development and the impact upon the wider network, have been fully addressed by the applicant. In consultation with Welsh Government and the Local Highway Authority, it is considered that the access arrangements are suitable and safe, with adequate provision for car parking provided. Both Welsh Government and the Local Highway Authority raise no objection subject to conditions.
- 7.20 Further to the above, following the deferral at the 2nd March Planning Committee, the Applicant has submitted an additional plan. This plan demonstrates that delivery vehicles, specifically HGVs can be accommodated within the site without compromising the access off Welsh Road. The plan also identifies 2 no. designated loading and unloading areas. Further to discussions with the Applicant it has been confirmed that all deliveries and services to the proposed units will be outside of the opening hours as conditioned and this commitment will be reflected in the wording of the opening hours condition. As such, it is considered that the additional plan together with the condition for a Service/Delivery Plan and the hours of opening are sufficient controls to appease the concerns members initially raised.
- 7.21 Flood Risk
The application site is located within Development Advice Map Zone C1. The site is within both the tidal and fluvial flood zone extents, from the tidal River Dee and the Manor Drain respectively. The Manor Drain is a culverted main river which flows beneath the site from east to west. The proposal is for commercial development which is classified as less vulnerable development in Figure 2 of TAN15.

- 7.22 Following the refusal of ref. 062202 an updated Flood Consequences Assessment (FCA) has been submitted in support of the application. Through consultation with NRW, it is noted that the latest relevant modelling outputs have been used within the FCA.
- 7.23 The FCA states that the site is subject to flood depths of up to 0.34m during the design flood event, which is the 0.5% annual exceedance probability (AEP) in the 2095 flood event due to a breach at Garden City. This scenario is taken from the latest Tidal Dee Flood Mapping Study (2020). The FCA also recommends mitigation in the form of flood resilience and resistance measures including using durable materials and raised services.
- 7.24 NRW refer to the existing on-site planning use associated with the demolished hotel, which is classified as highly vulnerable in line with figure 2 of TAN 15, in comparison to the proposed development being less vulnerable. Whilst the finished floor levels of the hotel are unavailable, it is noted that the proposed development footprint is to be reduced. As such the redevelopment of this site for a less vulnerable use therefore satisfies the tests set out in section 6.2 of TAN 15. Based on the above, NRW consider that betterment is provided and therefore raise no objection on flood risk grounds.
- 7.25 Notwithstanding the advice from NRW, the site is still at risk of flooding and in order to remain consistent with the permissions granted within C1 flood risk zones, it is considered that conditions are imposed which request the submission of both site and finished floor levels of the development, and that an Emergency Flood Evacuation Plan is provided to ensure safe evacuation in the event of a flood.
- 7.26 Furthermore, NRW also welcome the change of layout, which ensures that there is an 8m easement around the culverted main river, with no buildings proposed over the top of it and this easement is now demonstrated on a plan within the FCA. The amended site layout therefore addresses reason no. 2 of ref. 062202.
- 7.27 Land Contamination
It is understood that the historical use of the site before the establishment of a hotel, was that of a petrol filling station, the concern is therefore in relation to the underlying Secondary Aquifer.
- 7.28 The location of the former underground storage tanks has not been confirmed; it is unknown if they remain on site or if they were removed during the hotel development.

- 7.29 However, exploratory holes and monitoring wells were targeted in and around the location of the former filling station. The former filling station was also in the footprint of the hotel and it is considered high likely that any underground tanks were removed during the construction of the hotel.
- 7.30 In carrying out the intrusive investigations no groundwater concentrations of Total Petroleum Hydrocarbons (TPH) were noted above the laboratory limit of detection in any wells surrounding the former filling station.
- 7.31 Soils with a faint hydrocarbon odour and extremely low level TPH were noted in the smear zone. This is more typical of the remnants of a former contamination source than evidence of an ongoing source such as an existing Underground Storage Tank. No free product hydrocarbons were noted during the site investigation.
- 7.32 In addition to the above investigations, the applicant is prepared to carry out a watching brief, further groundwater testing associated with the potential use of PFAS/PFOS (perfluoroalkyl substances (PFAS) and perfluorooctanoic acid (PFOA)) containing firefighting foam and present the findings in an updated version of the report to finalise the remediation strategy.
- 7.33 Officer and NRW agree that the further works required can be secured through suitably worded planning conditions as there is adequate information submitted to understand the contamination of the site and that there is confidence that the site can be adequately remediated. The information provided to date together with the imposition of conditions therefore address reason no. 3 of ref. 062202.
- 7.34 Character and Appearance
The site is situated within a defined settlement boundary, which given the surrounding context is urban in character. The site is tightly bound by development and highway infrastructure upon its limits, which whilst restrictive, does allow the proposed development to be visually and physically contained within the immediate surroundings, and any visual impacts would be localised. The immediate neighbour to the site is the 3 storey residential apartment building, Maes Helyg which has a longitudinal contemporary design incorporating cladded panels and red brick.
- 7.35 The proposed units, whilst single storey, have mono-pitched sloping roofs, and incorporate cladding and materials that are similar to that of Maes Helyg and of those found within the immediate area.

- 7.36 As such, the development would be seen within this context and would have an affinity with the existing built form. The proposed redevelopment of this site is therefore welcomed and considered a betterment to the current state of the site, which if left vacant will have a more harmful and long lasting impact upon the character and appearance of the area.
- 7.37 Impact on Living Conditions
As noted above, the site is closely bound by existing development this being predominately highway infrastructure and residential development. The immediate residents to the site being no. 118 Welsh Road and those residing in the 3 storey apartment building, Maes Helyg.
- 7.38 No. 118 Welsh Road is a bungalow which is 10.8m to the proposed retail/food unit at its closest point measured from the side elevation. The side elevation of no.118 consists of an attached wooden carport structure and therefore no habitable rooms are in direct conflict with the proposed unit. Notwithstanding this, the view of the retail unit and interaction with no.118 are further restricted by the existing boundary treatments upon the limits of no. 118's curtilage, comprising a 1.8m closed board timber fence. This fence does drop to 1m as it approaches the junction point of Maes Helyg to maintain clear visibility. As such, the existing fencing together with the single storey nature of the proposed development and the proposed 2.1m boundary treatments to the application site, are considered to sufficient to limit any adverse impact to the living conditions of no. 118 Welsh Road.
- 7.39 Maes Helyg measures 21.7m at its closest point from the nearest proposed retail/food unit. The ground floor apartment units of Maes Helyg are of most concern given that they would otherwise directly interact with the proposed development of the adjacent site. However, similar to no.118, there is an existing closed board boundary fence which limits views from the habitable rooms of the ground floor apartments to the application site. The single storey nature of the development together with the proposed boundary treatments are therefore considered sufficient to limit any adverse impact to the living conditions of these residents. Notwithstanding this, the separation distance is such that the existing outlook from the windows of habitable rooms upon the ground floor is not disrupted.
- 7.40 To further protect the living conditions of the neighbouring development, it is considered reasonable to impose a condition in relation to the submission of an external lighting scheme which will aim to limit the amount of light spill from the site.

7.41 Other Matters

The application has received a number of objections, these mainly concern the highway safety implications as a result of the proposed development, however these matters have been addressed above under the 'Highways' section of this report.

7.42 Other matters have raised that the proposed development does not comply with the Welsh Government's 'Transport Decarbonisation Plan', as the plans do not show electric vehicles (EV) charging points. Members are advised that the installation of EV charging points can be carried out under permitted development rights and therefore would not require the benefit of planning permission. Members are also advised that current UDP planning policy does not require the provision of EV charging points as part of development. However, it is noted that the site layout and parking arrangements have been designed as to allow the installation of EV charging points at a later date in order to future proof the development and accommodate customer choice/usage of electric vehicles. The installation of EV charging points would not however change the number of parking spaces or the proposed development should permission be granted.

7.43 Concerns have also been raised with respect to the increase in traffic levels and the resultant air and noise pollution, and the potential health problems as a consequence. It should be noted that the site is located directly adjacent to the A494, and this is the same for a number of properties travelling west along Welsh Road. The A494 is a busy road which in itself generates noise and pollution. It is not therefore reasonable to suggest that the redevelopment of this site alone will lead to or increase such levels of noise or pollution significantly to cause a health concern. It should also be noted that Business and Community Protection did not raise objection to the development. The need for the submission of a noise survey and/or air quality assessment was not warranted.

7.44 Additionally, whilst the noise concern does not differentiate between operational noise and construction generated noise, the proposed conditions include controls in relation to opening hours and require the submission of a Construction Traffic Management Plan. The imposition of such conditions will therefore seek to control and minimise disruption where possible.

7.45 Furthermore, comments have raised that the development would undermine the vitality and viability of the District Centre at the Airfields site. Whilst there is provision for retail/hospitality uses at the Airfield's site, the principle has only been secured by the outline permission, and the detail, commercial interest and commitment to develop the plots

available are yet to be realised through the submission of a reserved matters or full planning application. As such, members are advised that this is not sufficient reason to warrant the refusal of the application.

8.00 CONCLUSION

The proposal would see the refurbishment of an existing site within the settlement boundary of Garden City; a sustainable location which is supported by both national and local policies. The proposed refurbishment should be recognised as a valuable new investment within the local area, securing the provision of a greater range of local services and the creation of further employment opportunities; as well as bringing an underused site back into beneficial use; continuing to meet the everyday needs of the community and supporting local economic growth.

It is considered that the proposal complies with planning policy. Accordingly, I recommend that planning permission is granted subject to conditions as set out within paragraph 2.01 of this report.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

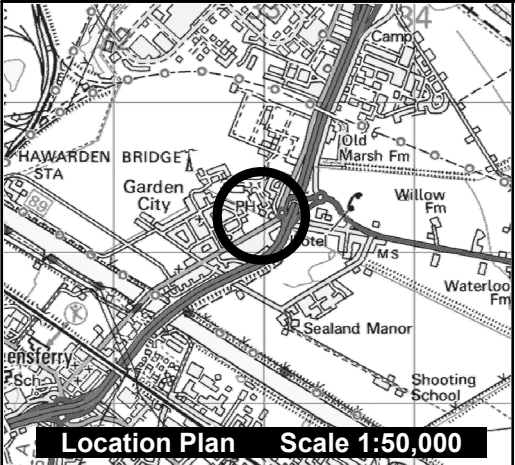
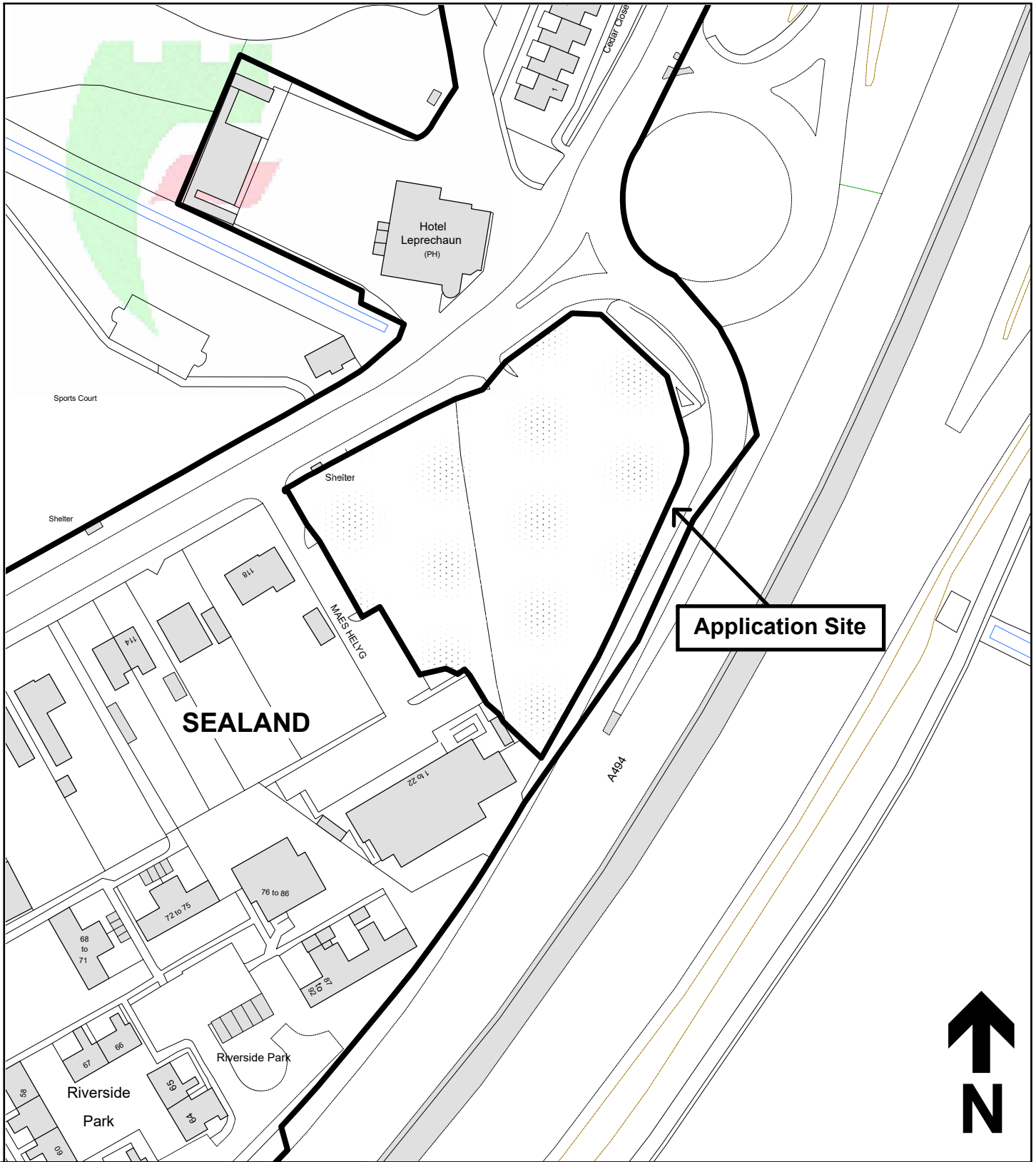
Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

Responses to Publicity

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<p>Legend</p> <ul style="list-style-type: none"> Planning Application Site Adopted Flintshire Unitary Development Plan Settlement Boundary 	<table border="1"> <tr> <td>Map Scale</td> <td>1:1250</td> </tr> <tr> <td>OS Map ref</td> <td>SJ 3369</td> </tr> <tr> <td>Planning Application</td> <td>62863</td> </tr> </table>	Map Scale	1:1250	OS Map ref	SJ 3369	Planning Application	62863
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