

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **2ND OCTOBER 2019**

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

SUBJECT: **FULL APPLICATION – CONSTRUCTION OF EXTENSION TO AN EXISTING INDUSTRIAL BUILDING (USE CLASS B2), TOGETHER WITH ASSOCIATED LANDSCAPING, SERVICE YARD AND DRAINAGE INFRASTRUCTURE AT SMURFIT KAPPA, MAES GWERN, MOLD BUSINESS PARK, MOLD.**

APPLICATION NUMBER: **060270**

APPLICANT: **SMURFIT KAPPA**

SITE: **SMURFIT KAPPA, MAES GWERN, MOLD BUSINESS PARK, MOLD**

APPLICATION VALID DATE: **22ND JULY 2019**

CLLR H BATEMAN

TOWN/COMMUNITY COUNCIL: **MOLD TOWN COUNCIL**

REASON FOR COMMITTEE: **SIZE OF PROPOSAL**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is a full application for the erection of an extension to an existing industrial building, together with associated landscaping, service yard and drainage infrastructure at Smurfit Kappa, Maes Gwern, Mold Business Park, Mold.

Members should be aware that as the application is still within its application period for Press Notice the recommendation to delegate approval to the Chief Officer to allow the press notice to expire. The

delegation is recommended on the basis that no further material planning considerations, which have not already been considered by members are raised during the remaining period of publication and that any necessary conditions can be included.

2.00 RECOMMENDATION: TO DELEGATE AUTHORITY TO CHIEF OFFICER TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING CONDITIONS:-

- 2.01
1. Time Limits
 2. In accordance with approved plans
 3. Materials
 4. Travel Plan
 5. Landscaping scheme and implementation
 6. Tree protection measures
 7. Management scheme for Green space area
 8. Full details of noise emissions to be submitted for approval
 9. Submission of details and Implementation of recommendations within Phase I habitat survey for enhanced habitats

3.00 CONSULTATIONS

3.01 Local Member
Cllr H Bateman

I wish to put my full support behind this application and would like it to be determined under Delegated Powers.

I would also like consideration be given to an alteration of the Public Right of Way by extending it down a part, if not all, of Broncoed Lane. This would make provision for safer pedestrian and cycle use to work.

Mold Town Council

No objection to the proposal

Highways Development Control

No highways objection to the principle of development

Highways Rights of Way

Public footpath 38 crosses the site.

The legally defined public right of way must be marked out in strict accordance with the definitive map and with the prior approval of the surveying authority before design implementation.

Community and Business Protection

No response at time of writing

Welsh Water/Dwr Cymru
No objections

Airbus
No aerodrome safeguarding

Clwyd Powys Archaeological Trust
No archaeological implications for the proposed development

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

No responses received

5.00 SITE HISTORY

5.01 046878- Outline - development of B1, B2 and B8 units and hotel/restaurant- Approved 11/08/2010

057054- Erection of warehouse extension- Approved 03/08/2017

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
STR1 – New Development
STR3 – Employment
GEN1 – General Requirements for Development
GEN2 – Development Inside Settlement Boundaries
D1 – Design Quality location and Layout
D2- Design
D3 – Landscaping
TWH1 – Development Affecting Trees and Woodlands
L3 – Green Spaces
WB1 – Species Protection
AC13 – Access and Traffic Impact
AC18 - Parking Provision and New Development
EM5 – Expansion of Existing Concerns

7.00 PLANNING APPRAISAL

7.01 Proposed Development

It is proposed to erect a 14,349m² extension to the western elevation of an existing industrial building (Use Class B2), together with associated landscaping, service yard and drainage infrastructure. This extension is to have the same floor level to the existing building. The ancillary offices will be on a first floor within the new building A

new office entrance area will be constructed to the existing building. The eaves height of the building will be 10.5m compared to the existing building height of 9.5m. There is to be a small area 60x30m with an increased height of 18.5m to accommodate state of the art storage facilities. The proposal also provides additional car parking of 16 spaces, the diversion of the watercourse and public footpath to the western part of the site within a new green space which includes a SUDs facility and new ecological habitat and the provision of landscape buffers along the northern and southern boundaries of the site.

An Aboricultural Impact Assessment and a Landscape and Visual Appraisal have been submitted with the planning application.

Site Description

The Smurfit Kappa site is located on the southern side of Mold Business Park and bounded to the north by Maes Gwern and the bypass to the south. It has 3 points of access off Maes Gwern to the east, north east and north west. To the west of the site is an undeveloped plot which is naturally regenerated with vegetation. There is a substantial landscape bund to the front of the site along its western boundary with Maes Gwern. It is proposed to locate the warehouse extension to the east of the existing factory partially in an area of hardstanding and partially within the landscape bund area.

Principle of development

The application site is within an established employment area and is adjacent to policy EM1 (18). Policy EM5 deals with the expansion of existing concerns.

It states:

“Outside allocated sites, Development Zones or Principal Employment Areas the expansion of industrial concerns will be permitted only where:

- a. it is located on land within or abutting the boundary of existing premises;*

The proposed development complies with this criteria.

- b. any new development is subsidiary to the existing operation;*

The proposed extensions are subsidiary and will support and enhance the existing operations on the site.

- c. the scale of the total cumulative development is in keeping with both the site and its surroundings;*

The site is located on an industrial estate. There is sufficient land around the existing facility to accommodate the proposed extension. While it does encroach into the landscape bund, additional planting and the remaining bund would still provide sufficient screening.

- d. *development relates physically to the scale, pattern and form of existing development;*

At present on the south side of the road further west is Tate and Lyle and further west is West Coast Energy offices. The extension, although significant in scale and massing, is considered suitable in this location. There are strategic landscape belts along the road side frontage which provide screening to the proposed development.

- e. *any new site boundary is logical, utilising existing features wherever possible, or incorporates suitable boundary treatment, supplemented by sensitive landscaping measures; and*

The proposed development does not encroach outside the current site boundary. While it does encroach into the landscape bund, additional planting and the remaining planting would still provide sufficient screening.

- f *the proposal is appropriate to the location and does not cause unacceptable harm to residential amenity or areas and features of landscape, nature conservation and historic importance.*

The site is on an established industrial estate however not all the land to the south of Maes Gwern has been fully developed. There is a new residential development to the north of the site although the intervening land is heavily screened. Community and Business Protection have raised no objections to the proposal.

It is considered that the proposed development broadly complies with all the criteria above. The location of the facility is driven by the requirements of the production line and the desire to make the business more efficient.

The site is identified as an employment allocation in the Mold Town Plan.

Scale and visual impact

The proposal represents a substantial extension to the existing operations. The floor area of the additions amount to 14,349 m². The existing facility has a floor space of 22,876 m², this includes a recent extension to the eastern elevation. The proposal will raise the height of the building in one area, however the prevailing scale of the extension will follow the existing building and is very much a continuation of what is there already. The site is of more than sufficient scale to enable the existing building to be extended with all ancillary development. The design of the proposal is appropriate and utilises suitable materials.

The site is well screened and the additional planting will mitigate any significant visual impact from the development.

Landscaping

The proposed development does encroach partially into the existing bund and part of the landscape designation L3 (117). However, the proposal offsets the loss of landscaping by improving and rationalising the existing landscape and it is considered that it would not have a significant impact on the role of this landscaping, indeed there will be some planning gain from the improved landscaping provision. An Arboricultural Impact Assessment has been undertaken as the proposal will require the loss of a significant amount of trees from the site to facilitate the development. The Assessment considers that some of the existing trees are in poor health and are generally considered to provide low or transient landscape benefits. The Assessment concludes that the long-term retention of the trees is disproportionate to the employment benefits of the proposal, this is a conclusion with which I would concur. Furthermore the proposal allows for a significant amount of replanting, and indeed the new tree numbers exceeds that which offsets the trees in poor health which are to be removed. Existing trees on the southern boundary, which screen the site from the Mold bypass, are to be retained.

I consider that the proposal is acceptable in terms of the landscaping proposed with the submission. It is considered appropriate to impose a condition relating to the management of the green spaces post development.

Flooding

In order to facilitate the development an existing watercourse is to be realigned to run adjacent to the western and northern boundaries of the site. It is not necessary to alter the upstream culvert outlet and downstream inlet structure. A flood consequence assessment has considered the impact of the development as the site lies within Flood Zone A. The NRW historic Flood Map indicates that the site is not known to have suffered from previous flood events. The development is not expected to impact flood risk elsewhere. NRW had previously responded to the pre-application consultation that they would not object to the planning application.

Highways and Access

In preparing the application Traffic surveys have been undertaken at junctions of interest, and pre-consultation has been undertaken with Flintshire County Council as the Highways Authority, as well as Welsh Government Highways. A transport assessment and framework travel plan have been provided with the application. The details of this assessment has been accepted by the Highways Authority who have

raised no objection to the principle of the proposal. The Transport assessment concludes that the proposed development will not have any material detrimental implications for the surrounding highway network.

Whilst a Framework travel plan has been submitted and approved for consultation purposes, it is appropriate to impose a condition to require a full travel plan to be submitted for approval prior to the development beginning.

The Smurfit Kappa site originally had 106 car parking spaces available. The recently built warehouse extension provided 29 additional spaces, namely 24 immediately to the south of the new extension and 5 in front of its offices. An additional 20 spaces for HGV drivers has been provided on land owned by Smurfit Kappa to the north of Maes Gwern.

Therefore the existing car parking provision at the Smurfit Kappa site is $106 + 29 + 20 = 155$ and there is the capacity for a further 23 spaces.

Consequently with the additional 16 spaces to be provided as part of the new extension, there is a total potential provision of 194 spaces. Taking account shift patterns, as explained in the Addendum to the Transport Assessment, this should be more than adequate to accommodate any future requirements and it is not considered that the proposal will give rise to any highways issues as a result of inadequate parking.

Public Right of Way

The proposals will require the diversion of an existing public right of way, Public footpath 38. The existing route of the path bisects the site on a north south axis for a distance of 232.5 metres. The applicant has proposed a new route for the path which follows the site boundary and takes advantage of the new planting. A footpath diversion application would need to be made upon receipt of any planning approval. The response from both the Rights of Way department and local Rambler groups to the consultation was positive. The diverted route is longer, at a total distance of 520 metres, however it will be properly surfaced and landscaped and located, when it is inside the site, further away from the bulk of the building. This should ensure that the section of path is a more attractive route in comparison to the existing situation, where the footpath traverses low quality landscape and is unsurfaced and prone to drainage issues.

Ecology

A Phase I habitat survey has accompanied the submission. The conclusions of the survey are that no significant habitat will be lost by conversion of the existing scrubland into commercial/industrial development. The site is of low-medium nature conservation importance. Some evidence was found of Badgers, although the conclusions of the report is that the site is used for foraging and scent marking and not breeding. Bat surveys conducted on site did not find evidence of bat roosting. Other species of mammals have been recorded close to but not on the development site.

The proposal introduces a range of enhancements of the site which will improve biodiversity across the site as a whole. It is appropriate to impose a condition to require these enhancements are carried out in accordance with the survey and in accordance with policy WB6 of the Flintshire Unitary Development plan.

Noise

Given the proposed expansion of the existing industrial enterprise the potential noise impacts of the development have been assessed with regard to sensitive noise receptors in the vicinity.

A noise assessment has been undertaken on behalf of the developer and submitted in support of the application.

The primary noise producing activities associated with the proposal will be from internal operators and external vehicle movements. It should be noted that the site is an existing industrial site and will already be generating noise from its activities. Whilst the assessment concludes that noise emissions from the proposed development would result in no significant noise impacts on nearby noise sensitive receptors it should be noted that the report also mentions that the type, quantity and location of mechanical and electrical plant associated with the proposed development was not defined at the time of the assessment. As such it was not possible to fully quantify the noise impact upon the nearest noise sensitive receptors. Given that the noise from the plant has not been fully considered it is recommended that noise emissions from the plant are controlled by condition. With full details of noise emissions being submitted to the Local Planning Authority for approval before the proposal comes into operation.

8.00 CONCLUSION

Whilst the proposed extension is large, the scale of the extension is considered to be in keeping with the scale and nature of the existing factory and is appropriate in this location. Visual impacts of the

proposal are mitigated by the landscaping proposal, which is also considered to be a planning betterment of the existing landscape. The proposal accords with the relevant development plan policies and I recommend accordingly.

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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