

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **15TH DECEMBER 2021**

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

SUBJECT: **APPLICATION FOR APPROVAL OF RESERVED MATTERS ATTACHED TO PLANNING PERMISSION 061125 FOR PHASE 2 & 3 RESIDENTIAL DEVELOPMENT**

APPLICATION NUMBER: **062898**

APPLICANT: **ANWYL CONSTRUCTION LTD & BELLWAY HOMES LTD (NORTH DIVISION)**

SITE: **RAF SEALAND SOUTH CAMP, THE AIRFIELDS, WELSH ROAD, SEALAND**

APPLICATION VALID DATE: **14TH MAY 2021**

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

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

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT & LOCAL MEMBER REQUEST**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is a reserved matters application which seeks approval for access, appearance, landscaping, layout and scale, for residential Phases 2 and 3 (parcels H3, H5, H6, H7 and H8) for the erection of 368 no. dwellings together with associated infrastructure following the grant of outline planning permission 061125.

The Airfield's site has a complex planning history and 061125 is a variation of outline planning permission reference 049320, approved in January 2013 for '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.'

Reserved matters approval for the enabling works to phases H3, H5, H6 and H7 was given in February and June 2020 under references 060311 and 061018 respectively. This application provides details on the provision of public open space (POS), highways, flood risk mitigation, drainage, ecological mitigation, affordable housing provision, education provision, sustainable travel, highways and noise.

It is considered that the submitted details are acceptable.

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 £600,593 to Sealand CP School and a contribution of £1,145,078 to Hawarden High School;
- Affordable Housing at 10% (37 units), comprising 10 no. 1 bed, 20 no. 2 bed and 7 no. 3 bed units, to be managed by a nominated RSL;
- Temporary Turning Heads on Plot H5 and H8; and
- That a Management Company is established 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 as follows:
 - Plot H3 a minimum of 4.80m AOD
 - Plot H5 and H6 a minimum of 4.77m AOD
 - Plot H7 a minimum of 4.79m AOD; and
 - Plot H8 a minimum of 5.00m AOD
- Finished Floor Levels shall be set as follows:
 - Plot H3 and H5 a minimum of 5.35m AOD
 - Plot H6 and H7 a minimum of 5.09m AOD
 - Plot H8 a minimum of 5.15m AOD

If the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within 3 months of the date of the Committee resolution, the Chief Officer (Planning, Environment and Economy) be given delegated authority to REFUSE the application.

3.00 CONSULTATIONS

3.01 Local Member Councillor Ms C M Jones

Requested that the application be heard at Planning Committee due to the level of resident interest and scale of development proposed.

Sealand Community Council

No objection to the application.

Highways Development Control

Confirm no highway objection to development proposals, however highlight conflict between the development proposals and the provision of turning facilities which have not yet been constructed as required under 059514 which is resulting in drivers undertaking excessive reversing manoeuvres.

Notes that a Section 106 agreement is proposed to cover the provision of temporary turning facilities on roads and that would appear satisfactory. Subject to the provision of these facilities there does not appear to be a requirement for the imposition of additional highway conditions.

Public Rights of Way

Confirm that there are no public footpaths in the close vicinity and therefore ROW have no comments to make.

Community and Business Protection

No adverse comments to make.

Education

Request an education contribution of £600,593 towards Sealand CP School and a contribution of £1,145,078 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

Supports the provision of 10% affordability as proposed.

County Ecologist

Confirm that the submitted Landscape and Ecological Mitigation Plan (LEMP) is acceptable for the reserved matters application. The proposals set out within the plan are in line with the previously approved Ecological Framework Mitigation Strategy (EFMS) for the whole site.

Dwr Cymru/Welsh Water

No objection to the approval of the reserved matters application subject to the compliance with the requirements of drainage conditions imposed on outline planning consent (ref 061125) namely condition 9.

Natural Resources Wales (NRW)

Previously objected to proposals on the grounds of flood risk and ecology however these issues have now been resolved and NRW have no objection to the proposed development as submitted.

Welsh Government (Trunk Roads)

No comments to make.

Clwyd-Powys Archaeological Trust (CPAT)

Confirm that as archaeology is not one of the reserved matters or conditions listed in the application and the prior archaeological conditions 38 and 42 have been discharged they have no additional comments to make.

Fire & Rescue

No objection to the application, site is accessible by fire appliances and has access to water supplies.

Tree Officer

Confirms that the plans are acceptable with species, sizes, density and the location of planting satisfactory. Recommends that large tree species are included within the open spaces reserved for future approval so that canopy cover is maximised on the site in the longer term. Notes that controls for the submission of detailed landscaping is imposed on the outline consent ref. 061125.

Airbus

Airbus confirm there is no aerodrome safeguarding objection to the proposal based on the information provided.

4.00 PUBLICITY

4.01 Site notice and neighbour notification letters posted. Six letters of objection received raising the following:

- Capacity of local dentist, doctors, schools, nurseries;
- Highways safety regarding narrowness of access proposed and car parking on footpaths;
- Increase in traffic;
- Traffic noise and pollution;
- Impact of recently implemented roads becoming through roads;
- Redirection of traffic away from the spine road to Donaldson Road;
- Incorporation of affordable rented accommodation being unsuitable in a privately owned estate;
- Impact on residential amenity;
- Poor highways visibility;
- No bungalows proposed;
- Property devaluation due to loss of view.

5.00 SITE HISTORY

5.01 The site has a complex planning history. This includes:

062057

Application for approval of reserved matters following outline approval. (058990) for the Construction of a foul water sewer including two cross culverts and a temporary earth cover bund between Commercial Plots B and C.

Approved 26/04/2021

061018

Application for approval of reserved matters in relation to Phase 3 Enabling Works to Plots H3 and H5 following outline approval. (058990)

Approved 01/06/2020

060311

Application for approval of reserved matters in relation to Phase 2 Enabling Works Plots H6 and H7 following grant of planning permission ref. 058990.

Approved 24/02/2020

060222

Application for approval of reserved matters following outline approval (058990).

Approved 08/01/2020

059514

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

Approved 25/09/2019

058950

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

Approved 13/03/2019

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.

09/03/2018

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 01/03/2016

061125

Application for removal of conditions 26, 28, 30, 34 and 44 and variation of condition 13 following grant of planning permission. (058990)

Approved 26/04/2021

058990

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

Approved 25/10/2018

051282

Application for variation of condition 42 of planning permission (049320) to amend the timing for the submission of the land contamination information from 'Prior to the commencement of development' to 'Prior to the commencement of each phase being occupied.

Approved 17/12/2013

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 07/01/2013

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
 - EWP16 – Water Resources
 - EWP17 – Flood Risk
 - IMP1 – Planning Conditions & Planning Obligations
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- 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
- Future Wales Plan 2020-2040
- TAN 2: Planning & Affordable Housing.
- TAN 5: Nature Conservation & Planning
- TAN 11: Noise
- TAN 12: Design
- TAN 15: Development and Flood Risk
- TAN 18: Transport

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

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a reserved matters application which seeks approval for access, appearance, landscaping, layout and scale, for residential Phases 2 and 3 (parcels H3, H5, H6, H7 and H8) following the grant of outline planning permission 061125.

7.02 Site Description

7.03 The site makes up part of the major strategic site at Deeside Airfields, the Northern Gateway. The Northern Gateway site is the largest strategic site in Flintshire.

7.04 The land to which this application relates is located within the Airfields part of the site. The strategic site is located approximately 1.5km north of Queensferry, adjacent to Garden City. The site comprises brownfield land formerly occupied by RAF buildings. The application site sits at the southern boundary of the Airfields site and comprises three parts. These comprise development parcel H3 (part of), development parcel H5; and, development parcels H6, H7 and H8 (part of). The total site area extends to 11.8ha.

7.05 The sites are relatively flat, but the land rises slightly to the south of parcels H3 and H5. Parcel H5 is irregular in shape and is bounded by the wider Deeside Airfields site to the north west. The approved illustrative masterplan identifies landscape buffers and a road in this location with proposed employment land beyond (use class B2 and B8). A swale and road are approved to the north east (reserved matters approval 060311 for the enabling works on parcels H6 and H7). Another swale is also approved to the south east of the parcel (reserved matters approval 057404 for drainage infrastructure) with parcel H3 beyond. Parcel H4 bounds the site to the south, and is reserved as the final phase of residential development at The Airfields subject to separate approval.

7.06 Parcel H3 is also irregular in shape and is split from parcel H5 by the aforementioned approved swale (reserved matters approval 057404 for drainage infrastructure). Parcel H3 is bound to the north by the access road (reserved matters approval 060311 for the enabling works on parcels H6 and H7) and a swale and parcel H6 further north. The site area wraps around an existing industrial estate to the south east, Garden City Industrial Estate.

7.08 Parcels H6, 7 and 8 combine to be broadly rectangular in shape. The parcels are bound by a landscape buffer and approved access road to the north. The approved illustrative masterplan identifies the land

beyond this is to be delivered for commercial development. Parcel H6 is bound by an approved road and swale to the west with parcel H5 beyond, and a road and swale to the south with Parcel H3 beyond. To the south east, is part of Countryside Properties development (Phase 1, approved ref.059514) which includes part of Parcel H8.

7.09 Proposed Development

The proposed development would involve the erection of 368 no. dwellings together with associated infrastructure and landscaping. The proposed scheme would deliver a mix of onebed apartments and two, three and four bed dwellings comprising a house type range of mews, semi-detached and detached dwellings. All proposed buildings are two-storey in form.

7.10 The mix of dwellings comprises 10 no. 1 bed apartment units all of which are affordable, 31 no. 2 bedroom dwellings of which 20 no. are affordable, 211 no. 3 bedroom with 7 no. affordable and 116 no. 4 bedroom dwellings. The development scheme aims to deliver a wide range of open market properties and affordable properties on site, with 37 no. units (10%) allocated as the affordable housing provision, all of which are to be transferred and managed by an identified Register Social Landlord (RSL) with a split that comprises, affordable rent and ownership.

7.11 Overall, dwellings are set back from the road by a front garden and driveway area. Dwellings are proposed to address street corners and enhance natural surveillance throughout the development. To the boundaries of the site and parcels the majority of dwellings are outward facing so there are active frontages when the site and parcels are viewed from beyond the boundaries. Each dwelling is proposed with a front and rear garden, with the provision of 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 The dwellings are accessed from internal estate roads which feed from the approved highways infrastructure at The Airfields. A large separation distance between dwellings and the highways infrastructure is established by landscape buffers. A number of different house types are proposed but remain similar in terms of materials and design. This provides variation and interest within the site.

7.13 Public Open Space (POS) is incorporated within the site layout with a large play area located on Parcel H7 and a number of smaller open recreational spaces located on the other parcels, all to be complemented with a mix of tree planting. Overall, the proposals include 1.77 ha of POS across the parcels. Further POS is also provided outside of the red line boundary of application. 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. A boundary treatment plan is submitted with the application.

7.14 Careful consideration has been given to landscape design across the site, with tree lined streets and planting utilised to define private and public space. The site will be well lit and the proposals include wide pavements with grass verges to enhance the pedestrian routes, providing a safe environment and encouraging travel on foot in line with PPW11 and active travel.

7.15 A pumping station is also proposed in the south eastern corner of parcel H5.

7.16 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.

7.17 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 Airfields site alone has an agreed principle of 725 residential units.

7.18 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.

7.19 It is also located within 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.

7.20 Viability Case

The application is supported with a financial assessment, which argues viability implications in respect of the requisite developer contributions sought. The assessment was independently assessed on behalf of the Council by an appointed valuer in July 2021. 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 independent review acknowledges that to date the Airfields site has been supported by private investment and this was crucial in securing the 1st phase residential development and promoting interest in other land use plots. It was therefore accepted that the initial outlay of costs should be compensated for which, in turn, impacted upon the development's viability for phase 1. Members will recall that phase 1 ref.059514 was also subject to a viability claim, the valuer at the time concluding that the development would be unviable should the Council insist on the full developer contributions being sought. With the risk of this allocated site being unable to deliver at the outset, the Council made the decision to approve phase 1 and agreed a reasonable developer contributions request.
- 7.22 The landowner will however continue to recoup costs through the sale of the completed plots, and land value negotiations should therefore reflect the current market in this location, avoiding unrealistic inflation. Such negotiations remain between the landowner and the respective purchaser/developer, though these discussions should include an awareness of any required developer contributions which may arise as a result of the development proposed.
- 7.23 Notwithstanding this, it should also be noted that significant public advancements have been made to aid the delivery of the site, this includes major works to reinforce the River Dee Flood Defence embankment and the provision of strategic infrastructure to include the commercial spine roads and associated services. The public investment made to date is a clear demonstration of the support and aspiration of the site by Welsh Government and this should also be given significant weight in the assessment of the viability claim.
- 7.24 The Council has been heavily involved in assessing the viability claim, sharing the same concerns of the valuer, that land values as projected were not reflective of the current market for the area and that too much emphasis on private investment had been made. Reference to phase 1 was also made, however the Council argued that as a result of its delivery, a realistic market value for the area has been established and this should be the assessment benchmark. Members will note that at the time phase 1 was considered, only projected values could be considered as the market at the site had not been proven. With this in mind however, the independent review assessed a number of financial scenarios put forward by the applicant. The valuer concluded that the full developer contributions as triggered by policy (30% affordable and full financial contributions) would render the development unviable. All parties agreed on this point. However the Council requested that an alternative offer could be achieved which would satisfy the policy demand. As such, an offer of 10%

affordability with the full financial contributions towards Education (Primary and Secondary) totalling £1,745,671.00 was considered reasonable and would not limit the feasibility or delivery of the proposed scheme. The Applicant has agreed to meet this request, which would be secured by the proposed S.106 Legal Agreement.

7.25 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. It is therefore considered that the alternative offer is acceptable.

7.26 Education

In consultation with Education Services it has been confirmed that Sealand CP School and Hawarden High School are the nearest and most suitable school to the development in accordance with SPGN no.23. The proposed scale of development would generate 86 no. pupils for primary and 62 no. pupils for secondary.

School Information

	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⁾	167	1133
Surplus Places	48	12
Surplus Percentage	22.33%	1.05%
5% of Capacity ⁽²⁾	11	57
Trigger for Contributions (95% of Capacity)	204	1088

Contribution Calculator

Factor	Primary	Secondary
Net Number of Dwellings	358.	358.
Multiplier	0.24	0.174
Potential Child Yield from Development	85.92	62.292

Potential Child Yield from Development (2)	86.	62.
Contributions per Pupil	£12,257.00	£18,469.00
Potential Amount of Contributions Sought	£1,054,102.00	£1,145,078.00
Potential Child Yield from Development (2)	86.	62.
Number on Roll	167.	1,133.
Potential Number on Roll	253.	1,195.
Potential Number on Roll	253.	1,195.
Trigger for Contributions	204.	1,088.
Potential Number of Contributions Sought (3)	49.	107.
Potential Number of Contributions Sought	49.	107.
Potential Child Yield from Development	86.	62.
Maximum Number of Contributions Sought (4)	49.	62.
Maximum Number of Contributions Sought	49.	62.
Contributions per Pupil	£12,257.00	£18,469.00
Total Contributions Sought	£600,593.00	£1,145,078.00

7.27 From the information 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 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. 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, as such the School needs have been considered greater at this time, and the reason for this is explained below under affordability.

7.28 Members will recall that phase 1 development(s) at the Northern Gateway directed secondary education to Connah's Quay High

School which had capacity to take the increased numbers, and therefore was considered the most suitable school in line with policy. Hawarden High School whilst the nearest, was not the most suitable school at the time as it had already received five contributions to date and did not otherwise have a confirmed new project to reasonably seek financial contributions in order to be CIL compliant. Since that time, Education Services have undertaken feasibility studies for the schools with the greatest demand which concluded that there is scope to expand Hawarden High School, and thus supported the confirmation of a new project for the school, this being a new science block and school remodelling which the financial contributions requested from the proposed development would facilitate.

7.29 In terms of 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 the Sealand CP school building together with any necessary remodelling.

7.30 Affordable Housing

Policy HSG10 states that, where there is a demonstrable need for affordable housing to meet local needs, the Council will take account of this as a material consideration when assessing housing proposals. The policy states where this need exists the Council will negotiate with developers to provide affordable housing. Paragraph 11.77 of the UDP 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. However, the assessment has identified that 10% affordable provision in addition to the financial contributions towards education is feasible despite the challenges faced.

7.32 The proposed development would make provision for 10% affordable housing, which would equate to 37 no. units being provided. The provision would comprise a mix of 10 no. 1 bedroom, 20 no. 2

bedroom and 7 no. 3 bedroom properties agreed to be transferred and managed by a nominated Registered Social Landlord (RSL), the proposed Section 106 legal agreement reflects this. In addition to the affordability element, the development would provide a mix of house types with a significant number of two and three bedroom properties available on the open market, and by virtue of the housing market in this area these would be affordable by nature.

7.33 The Housing Strategy Manager has been consulted as part of the application and has identified the current level of need for affordable housing within the Garden City, Queensferry, Sealand and Shotton areas. The need is as follows:

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

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

7.34 In accordance with the evidence of need, there remains a need for 7 affordable housing units. Whilst phase 2 and 3 of The Airfield's would not meet the immediate demand for affordable housing in the area, Members should be mindful of the contribution the overall Northern Gateway site has made and is committed to making towards delivering affordable homes to the area as a whole. It would therefore be unreasonable and unrealistic to determine this application in isolation and not take account of the cumulative contribution that each

phase of development of the Northern Gateway site is providing. A holistic approach is required here.

- 7.35 As such, the Local Housing Market Assessment (LHMA) Update 2018 (Final report (addendum) Feb 2020) identifies an annual shortfall of 238 affordable units for Flintshire as a County. The permissions implemented to date together with the current commitments in the planning system would see the Northern Gateway delivering a total of 264 no. affordable dwellings, in excess of the County's evidenced need.
- 7.36 Despite the site's challenges and viability risk, the provision of affordable housing at the Northern Gateway is estimated at 19%, just shy of the 20% policy requirement set out in the emerging LDP. It is therefore clear that enforcing 30% in isolation would over saturate the affordable housing market in this location, and limit opportunities to locate affordable housing elsewhere in the County where needs may be more apparent. It is key to good placemaking as set out in PPW11 paragraph 3.1, that consideration should be given to the design of a development and its impacts upon everyday lives as well as thinking holistically about where people might live and work. Good placemaking is therefore essential to the delivery of sustainable development and achieving improvements in the well-being of communities. It is therefore considered that the 10% provision for phase 2 and 3 at The Airfields is acceptable and is supported by Housing Strategy colleagues.
- 7.37 Flood Risk
In accordance with the NRW Development Advice Map, the site is situated within Flood Zone C1, an area considered to be at flood risk, but served by significant infrastructure, including flood defences. It has therefore been accepted that The Airfields site is at risk of flooding, with the principle source being tidal, River Dee and fluvial as secondary via Garden City Drain.
- 7.38 As part of securing outline planning permission (2013), a detailed Flood Consequence Assessment (FCA) which included extensive hydraulic modelling, and engagements with Natural Resource Wales (NRW), agreed the principles that flood risk could be appropriately mitigated, ensuring the site remained flood free during an event and that flood risk elsewhere was not increased as a result. The FCA demonstrated compliance with TAN15 and informed the design of the site wide flood mitigation scheme, to which any future reserved matters (phase of development) should relate.
- 7.39 As part of the mitigation for this site, an application by Welsh Government ref. 050730 to strengthen the north River Dee embankment flood defences was submitted and approved. The scheme involved increasing the height of the defences to 7.20m AOD and reinforced the protection against a tidal breach, not only to the

'Northern Gateway' site but to Garden City and surrounding areas. The reserved matters applications ref. 057404 and 060311 for the development enabling works involved implementing the agreed mitigation scheme, which included reprofiling the site and raising site levels to create development platforms. The site works completed to date have raised the site levels from 4.73m AOD to a minimum post development level of 4.96m AOD.

- 7.40 Further to the site-wide mitigation plan having been agreed, the outline consent attaches a condition which requires the submission of a 'specific' FCA relating to that phase to be submitted and assessed in accordance with TAN15. This was to facilitate necessary detailed consideration of the reserved matter proposals.
- 7.41 This reserved matters application is therefore supported by a detailed FCA. As flood risk is a dynamic constraint, the requirement to provide an updated assessment of the flood risk relating to the end use or phase of development acts as a safeguarding mechanism, allowing a reassessment of the risks and mitigation proposed, the degree of which is subsequently dictated by the end use in terms of whether it relates to 'less' or 'highly' vulnerable development in accordance with TAN15.
- 7.42 As such residential development is considered as highly vulnerable development in accordance with TAN15, stating that highly vulnerable development can be considered in Flood Zone C1 subject to the application of the TAN15 Justification Test and satisfying specific TAN15 acceptability criteria.
- 7.43 The FCA presents an assessment of flood risk based on the hydraulic model developed in support of the original outline application. The development platform levels and finished floor levels required for each plot have previously been agreed under application 060575 and are set out in the FCA which also outlines the previously agreed flood risk mitigation criteria that any reserved matters applications must comply with. The FCA also outlines the minimum development levels that are required for each of the aforementioned plots.
- 7.44 NRW have been consulted and have confirmed that the mitigation set out in the FCA is in accordance with the previously agreed development levels, although it is noted that the recommended levels are slightly higher for plots H3, 5, 6, and 7 than those previously agreed. Modelling outputs showing the flood risk to the site in the 0.5% Annual Exceedance Probability (2113) overtopping and breach events have been provided for the baseline and proposed scenarios. These show that the proposed plots are expected to remain flood free during such an event.
- 7.45 In respect to the impact on flood risk elsewhere, the enabling works for all the plots considered under this application have been approved

under various reserved matters applications. 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. As such, NRW raise no objection and are satisfied that the proposed finished floor levels comply with the mitigation measures outlined within the Flood Consequences Assessment (FCA). To ensure compliance with the FCA, it is considered reasonable to impose conditions which set the minimum levels for development in respect of site levels and the finished floor levels of the proposed properties.

7.46 Highways

Primary accesses to parcels H3, H5 and H6 are provided from the vehicular access road approved as part of previous reserved matters approval (ref. 060311) for the enabling works on Parcels H6 and H7. The locations of these accesses have therefore already been assessed by the Local Highway Authority and approved.

7.47 The access to Parcel H3 provides a linear road heading south serving access to dwellings. A private shared driveway forks off this in the southern area of the parcel. An additional access is proposed off the approved vehicular access road in the eastern part of the parcel. This provides access to two additional shared private driveways. This is the only deviation from the approved access arrangements and is included within the red edge of this reserved matters application for full approval. The proposed access will be constructed to adoptable standards and has been designed to function safely and fits appropriately within the wider development context.

7.48 The access to Parcel H5 provides various cul-de-sac roads some of which will service future development on Parcel H4. The access to Parcel H6 provides a linear road from west to east through to Parcels H7 and H8a. This then provides a variety of looped roads and cul-de-sacs providing access to dwellings.

7.49 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. A pedestrian route is also proposed along the southern boundary of parcels H6 and H7.

There will be 1 car parking space provided for the 1/2-bedroom dwellings; 2 spaces provided for the 3-bedroom dwellings; and, 3 spaces provided for the 4 bedroom dwellings. All parking spaces will be contained within the curtilage of each dwelling either on driveways or in garages. The submitted parking layout therefore complies with the requirements of the outline approval and the maximum parking standards as set out in SPGN 11.

7.50 The highways layout has been designed to accommodate refuse vehicle movements. It also includes appropriate visibility splays to ensure adequate highways safety and has been designed to control traffic speeds around the residential development. It is considered that the information provided accords with the requirements of the outline permission, planning policy and SPGN no. 11, as such the Highways Authority raises no objection to the development, subject to the provision of temporary turning heads within Plots H5 and H8 during construction phase until the through roads become available. This is proposed to be secured via the S.106 Agreement as set out above.

7.51 Ecology

This application is accompanied by a Landscape and Ecological Management Plan (LEMP) as required by the approved Framework Ecological Mitigation and Enhancement Strategy [FEMS] pursuant to the outline consent.

7.52 The LEMP provides an up to date strategy that complies with the already approved FEMS. The report details the ecological mitigation required and sets out the management tasks to ensure the proposed habitats are retained. The loss of habitats was fully assessed as part of the original outline planning application and was considered to be acceptable subject to proposed mitigation. Overall, the report demonstrates that the proposed landscaping on these parcels (along 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 Airfields as a whole.

7.53 The proposed scrub, tree and hedgerow planting along with proposed nest boxes will provide nesting opportunity for birds. The tree and hedgerow planting as well as the integrated bat boxes will also provide roosting habitats for bats. In addition, the proposed development also includes opportunities to provide a hedgehog highway and off site reptile mitigation, the detail of this has been agreed with the County Ecologist.

7.54 In consultation with NRW no objections have been raised following receipt of additional information. The County Ecologist also raises no objection and confirms that the information submitted is acceptable and in line with approved FEMS for the Airfields site.

7.55 Noise

This application is accompanied by a noise report as required by condition 37 attached to the outline consent. This has been prepared in accordance with the criteria specified in BS4142 Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas and TAN11.

7.56 The assessment found that the dominant noise at the site is currently road traffic on the A494 and other local roads and junctions to the east. The development site will benefit from the screening provided by existing buildings and future buildings constructed as part of the approved masterplan for the area. The sound propagation model found that the site falls predominantly within NEC A for daytime periods, with the northeast corner closest to the A494 falling with the NEC B. The large majority of the site falls within NEC B for night-time periods, with a very small area falling into NEC C closest to the commercial development access road and to the A494.

7.57 To date, the respective site enabling works included the formation of a large landscape bund with planting and acoustic fence, forming the acoustic barrier, along the boundary limit with the commercial spine roads, this would back onto the rear of properties along the north/north west limits of the application site. In terms of additional mitigation to that already provided, further boundary treatments glazing and ventilation is proposed for all habitable rooms facing the new commercial access roads. Whilst these details form part of the submitted plans accompanying this reserved matters application, controls remain on the outline consent that require implementation of such where relevant. For all other properties, standard thermal double-glazing (e.g. 4-16-4) and non-acoustic passive trickle vents would be suitable. Standard 1.8m close-boarded timber garden fences are also proposed to ensure acceptable outdoor amenity.

7.58 In consultation with Community and Business Protection, no objections have been raised with the noise mitigation proposals being considered acceptable.

7.59 Character & Appearance

The site and areas to the north and west, 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 south/ south east lies new (Countryside Properties Phase 1) and established residential development whereby the prevailing house types reflect that proposed within this reserved matters and the existing pattern beyond comprising semi-detached two storey properties with the exception of a cluster of bungalows along Hawthorn View. 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.

- 7.60 The existing dwellings in Garden City consist of a mix of architectural styles of no predominant character. They include a range of materials including pebble dash, red brick and rendering. The bungalows along Hawthorn View are red brick, while the properties on Cedar Avenue comprise of cream render detached homes set back from the road.
- 7.61 The proposed development comprises a two storey scheme. The development would deliver a mix of mews, semi-detached and detached properties with pitched roofs and velux roof lights. The external materials 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 and porch and bay window features all add variation and interest to the development.
- 7.62 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 Phase 1 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. The latter indicates that there is no shortage of larger, detached four or five bedroom 'executive-style' houses, but a general need for smaller, more affordable family dwellings with three bedrooms.
- 7.63 A development which is dominated by larger, detached, 'executive-style' houses would not be in keeping with the existing pattern of development within the locality and would be contrary to both national and local planning policies, which seek to ensure that new housing developments include a reasonable mix and balance of house types and sizes so as to cater for a range of housing needs and incomes. As such, 3 bedroom properties dominate the total provision, with 211 designated out of the 368 no. dwellings proposed.
- 7.64 The density of development equates to approximately 35.07 dwellings per ha for this particular application. HSG8 of the Flintshire Unitary Development Plan advises that on allocated sites, the general minimum net housing density should aim to achieve 30 dwellings per ha. Whilst the proposed density is more than the stipulated minimum of 30 dwellings per ha in accordance with Policy HSG8, 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 placemaking 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.”

- 7.65 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.
- 7.66 Impact on Existing and Proposed Residents
It is considered that the distances between proposed and existing properties on neighbouring parcels comprising Countryside Properties Phase 1 scheme, meets and in most cases exceeds the minimum distance separation guidelines outlined in SPGN no. 2 Space Around Dwellings.
- 7.67 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.
- 7.68 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.
- 7.69 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.

7.70 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 placemaking within the context of PPW11.

7.71 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.

7.72 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. As such, a request of £600,593.00 is made for Sealand CP School towards extending the school in order to accommodate greater pupil capacity, and a request for £1,145,078.00 is made for Hawarden High School which will be spent on providing a new science block and school remodelling. Both projects are confirmed by Education Services and have not received more than 5 contributions towards these projects to date.

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

7.74 Other Matters

Concern have been raised that there are no bungalows proposed. However, there is no planning policy requirement which controls the type and volume of residential accommodation. 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 construction hours are restricted by condition on the outline consent (condition no. 24), 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.

7.75 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.

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 within 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 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 scrutiny, this being the principles of the outline consent, the viability claim, flood risk, highways, noise, 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 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

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