

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **24TH JULY 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **FULL APPLICATION – CONSTRUCTION OF A NEW RETAIL UNIT AND ASSOCIATED EXTERNAL WORKS AT MOLD AMBULANCE STATION, BYPASS ROAD, MOLD.**

APPLICATION NUMBER: **050381**

APPLICANT: **FARMFOODS LTD**

SITE: **MOLD AMBULANCE STATION, LEAD MILLS, MOLD, CH7 1UD**

APPLICATION VALID DATE: **27.12.2012**

LOCAL MEMBER: **COUNCILLOR R. C. BITHELL**

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

REASON FOR COMMITTEE: **PROPOSALS REQUIRE THE APPLICANT TO ENTER INTO A S.106 AGREEMENT, UNILATERAL UNDERTAKING OR ADVANCE PAYMENT IN RESPECT OF A TRAFFIC REGULATION ORDER, POWERS FOR WHICH ARE NOT DELEGATED**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This full application seeks permission to redevelop this former ambulance depot site to provide a single storey retail store fronting onto Lead Mills and associated car parking and delivery vehicle space upon the rear part of the site.

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 either a Section 106 Obligation, Unilateral Undertaking or the making of an advance payment to provide the following:-

- The payment of £2500 to provide for the cost of a Traffic Regulation Order and the associated signage along Lead Mills and at the Junction of St. David's Lane and Lead Mills.

If the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed, a unilateral undertaking not received, or advance payment not made within six months of the date of the Committee resolution, the Head of Planning be given delegated authority to REFUSE the application.

Conditions

1. Time limit
2. In accord with approved plans
3. No works until scheme for footpath reconstruction and existing vehicular accesses have been submitted and agreed.
4. No other works until Condition 3 works are completed
5. Details of site access prior to works commencement
6. Layout and design of street lighting alterations to be submitted and agreed prior to works commencement.
7. Scheme to prevent surface water run off onto the highway to be submitted and agreed prior to works commencement.
8. Provision of parking facilities prior to first use.
9. Submission of Construction Traffic Management Plan.
10. Submission of ground investigation and mining gas study. Implementation of any identified and agreed works prior to any other site works.
11. Landscaping scheme to be submitted and agreed.
12. Implementation of landscaping scheme prior to use and maintenance for 5 years thereafter.
13. Samples of materials to be submitted and agreed.
14. Land drainage not permitted to public system.
15. No surface water to public system without prior approval of such scheme.
16. Foul and surface waters to be drained separately.
17. Design of road markings and signage to be submitted and agreed prior to work commencement.

3.00 CONSULTATIONS

3.01 Local Member Councillor R. C. Bithell

Considers proposals acceptable in principle. Queries whether proposals will create highway problems given proximity to busy junctions.

Mold Town Council

No objections.

Offers comments in relation to the following;

1. relationship of the building to existing adjacent uses;
2. access between the site and adjacent retail uses;
3. site landscaping;
4. Will the proposed store meet the Secured by Design standards?

Head of Assets and Transportation

No objection subject to a Section 106 agreement, or similar arrangement for a contribution of £2500 in respect of a Traffic Regulation Order in relation to proposed highway improvements at the junction of the site and the junction of St. David's Lane and Leadmills, and the imposition of conditions.

Head of Public Protection

No adverse comments. Considers the data provided in respect of the equipment proposed to be installed at the premises demonstrates the proposals will not affect amenity and therefore no objection is raised.

Head of Regeneration

Offers comment in relation to the links between this prominent site and the adjacent retail units and the Town Centre.

Welsh Water/Dwr Cymru

No adverse comments. Requests the imposition of conditions to control discharge of waters from the site.

Natural Resources Wales

No objection subject to the imposition of notes relating to flood risks and flood proofing methods being added to any permission granted.

Coal Authority

No objection subject to the imposition of a condition requiring ground investigations being undertaken to confirm that the proposals would not be adversely affected by the presence of former mine workings or gases emitting therefrom.

4.00 PUBLICITY

4.01 The proposals have been advertised by way of the display of a site notice and notification letters being sent to neighbouring properties.

4.02 No letters have been received in response to this publicity exercise at the time of writing.

5.00 SITE HISTORY

- 5.01 **96/26/551**
Conversion of part of ambulance garage to records store.
Permission 26.09.1996.

050503

Prior Notification – Demolition of buildings.
Granted 11.3.2013

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
Policy STR1 - New Development
Policy STR5 - Commercial Development
Policy GEN1 - General Requirements for Development
Policy GEN2 - Development inside Settlement Boundaries
Policy D1 - Design Quality, Location and Layout
Policy AC13 - Access and Traffic Impact
Policy AC15 - Traffic Management
Policy AC18 - Parking Provision and New Development
Policy S3 - Integrating New Commercial Development
Policy S6 - Large Shopping Developments
Policy CF1 – Retention of Community Facilities
Policy IMP1 – Planning Conditions & Planning Obligations.

7.00 PLANNING APPRAISAL

7.01 Introduction

The application seeks permission for a new A1 retail building. The building is proposed as a single storey construction. The site layout provides parking and manoeuvring space for 34 cars to serve staff and customers. In addition, parking and manoeuvring space for delivery vehicles is also provided. Access is proposed via Lead Mills. Landscaping is proposed to all site boundaries.

7.02 Site Description

Members will have noted that works approved under Application Number 050503 have been commenced and the buildings formerly upon the site have been demolished.

- 7.03 Members will recall that the site comprised an area of land containing the former North Wales Ambulance Station building, its associated parking and servicing areas and vehicle service and repair garage. The building was part single and part two storey and was constructed of brick with a part render finish. The building was flat roofed.

- 7.04 The site itself is flat across its both its axis. The site is bounded to the east by the adjacent highways known as Lead Mills, via which access to the site is derived. This boundary is formed, save for the point of access, by a low brick wall and hedgerow. The westerly boundary of the site comprises an established hedge to the Aldi car park located

beyond and at a higher land level. The southern boundary of the site abuts a funeral director's premises, again set at a higher level. This boundary is comprised of a brick wall which acts as a retaining structure, particularly along the southerly element of this boundary. The wall continues towards its junction with the easterly boundary where it too exists as a low brick wall at street level. Existing vegetation abuts the wall on the site side of the wall. There is no formal demarcation of the northern boundary of the site with the adjacent Fire Station premises.

7.05 The site occupies the corner position within a land use block of mixed commercial and service uses. The land to the east, beyond Lead Mills, consists of office and religious institution buildings directly opposite the site, with housing beyond. Further commercial buildings lie to the south and south east of the site.

7.06 Principle of Development

The principle of proposals of this type is specifically addressed within policies CF1, S3 and S6 of the Flintshire Unitary Development Plan. Policy CF1 concerns itself with the retention of existing community facilities. Whilst the ambulance station is clearly a valued community asset, its retention should be considered against the rationalisation of such holdings which has been undertaken by the North Wales Ambulance Service. Members will recall that a new Ambulance Station has recently been completed at the former Dobshill Hospital site and this replaces staff, rest and wash down facilities formerly provided at Mold. Accordingly, I am of the view that this proposal, when considered in the light of the above context, would satisfy the requirements of this policy.

7.07 Policies S3 and S6 concern themselves with the integration of new commercial development and the location of large shopping proposals. The principle of retail development upon this site is acceptable given its location within the defined town centre and given the fact that the proposal is actually the relocation of an existing retail store within the town. As the store exceeds the 500 square metre threshold as stipulated within Policy S6, there is a need to consider the site in sequential terms. This site is considered to be sequentially preferable to other options and given it involves the relocation of the existing store to a site much closer to the core retail area of Mold, is considered to satisfy the requirements of the policy in this regard.

7.08 I am of the view that the proposals satisfy the requirements of Policy S3 in that the site is within easy and reasonable walking distance of both the core retail area and Mold bus station. The proposals will provide for pedestrians links via the existing pedestrian networks along Lead Mills, Chester Road and King Street to other commercial premises in the immediate area and the core retail area beyond. The scheme is designed in such a way that adequate levels of car parking are provided to the rear of the proposed store.

7.09 Consideration was given to seeking to create a pedestrian link between the site and the commercial Aldi site to the rear. However, the land required to facilitate such a link is not within the control of the applicant and would require a 3rd party to be agreeable to such a link. Taking into account that the site can readily access existing pedestrian footways, I am of the view that insistence upon this provision would be unreasonable on 2 counts. Firstly in that it would require the applicant to seek control or agreement over land not within their control and therefore be beholden to another party, who is also in fact a competitor, in actually implementing the consent and secondly, the site is well served by existing linkages.

7.10 Highway Issues

The site is presently served by a single point of vehicular access off Lead Mills. This access is presently wide and catered for the high speed departure of emergency vehicles from the site. The proposals seek to amend this access and locate it slightly further to the north of the eastern boundary and provide for left turn entry and exit only. In consideration of this issue, regard has been had to the nature of the proposed use and the relationship of the proposed access to the Chester Street and King Street roundabouts and the junction of Lead Mills and St. David's Lane.

7.11 Primarily, the consideration has centred upon the need to ensure that vehicles entering or leaving the site do not impede the free movement of traffic upon Lead Mills and the other roads feeding into this road. In response to this issue the proposals have been amended to provide for a central island within the access opening, configured in such a way as to prevent access to vehicles on Lead Mills wishing to perform a right turn and also preventing vehicles exiting the site from performing a similar manoeuvre. The island will also provide a pedestrian refuge for those seeking to cross the access itself.

7.12 These access arrangements are proposed to be coupled with signage at both the access itself and upon Lead Mills which advise highway users of the prohibited turns. In addition it is proposed that the applicant will enter into a S.106 agreement or unilateral undertaking to secure, or will make advance payment of, £2500 to enable the Council to progress a Traffic Regulation Order to prohibit right turn movements from St. David's Lane.

7.13 The proposals have been the subject of consultation with the Head of Transportation and Assets who has advised that the proposal is acceptable subject to the conditions identified in Section 2 of this report and the provisions of the proposed S.106 agreement.

7.14 Design

The area of the application site has emerged in recent years as a small retail park, albeit of a somewhat fragmented nature, within and

adjacent to the town centre. Buildings have been erected over the years of varying architectural styles and finishes but of essential functional appearance. The building presently upon the site is reflective in terms of its' appearance with the neighbouring Fire Station of emergency service premises of the 1960's

- 7.15 The design approach to this scheme has sought to recognise that the site occupies a prominent position at a main transport node within the town at a point at which the levels of both the topography of the landform and the heights of buildings, both traditional and of more modern origins, rise. It was appreciated that built form along Leadmills is fairly low level and generally set back from the frontage of the road. However, it was considered that the siting of car parking areas to the front of a building set back at this point would not enhance the street scene and therefore a building which provides a street presence has been negotiated.
- 7.16 The proposed building seeks to give the impression of verticality in the street scene and more particularly at the node of the Chester Street roundabout, and provide a sense of enclosure at this point. The provision of gabled roof seeks to reflect the traditional roof forms in evidence within the area and the pitch proposed seeks to mirror that at the adjacent funeral directors. The roof is proposed to be finished in a material which gives the appearance of a copper finish, echoing the finish of St. David's Church opposite.
- 7.17 The elevations of the building are predominantly formed by glazing, especially to the site frontage and those elevations present a face towards entrance areas or routes of approach. The remainder is formed by coloured cladding panels. It is proposed that the columns supporting the roof structure of the building are faced in a material to match the gabled ends of the building.
- 7.18 The roof slope facing away from Leadmills is proposed to contain 20% roof lights. This is proposed to reduce the internal dependency within the unit upon artificial lighting and therefore reduce energy costs. Whilst this building is not of sufficient size to require BREAM compliance, this proposal to reduce energy usage is welcomed.
- 7.19 It is considered that the amended design is an improvement and reflects elements of other buildings in the local vernacular.
- 7.20 Other matters
The proposals have been considered by the Coal Authority who note the site is located in an area of historical mining activity. I am advised that consideration of the impact of this legacy can be addressed via the imposition of a condition requiring an assessment of ground conditions to be undertaken prior to the commencement of the development. Such scheme is envisaged to seek to identify what, if any, shallow mine workings may be evident and whether there are

any issues with mine gases to be addressed. I am advised however that there is no objection to this requirement being addressed via a conditions precedent. I therefore propose to condition accordingly.

7.21 The site is located entirely within a C1 flood zone. The proposals have been considered by Natural Resources Wales who have advised that whilst the site was flooded in November 2000, they consider the proposals to represent a low risk use. Furthermore, in considering the issue and having regard to the Flood Consequences Assessment accompanying the application, they note that the site benefits from the protection afforded as a result of the Mold Flood Alleviation Scheme which was implemented as a direct result of the 2000 flood event.

7.22 A view has been taken that the risks arising from the proposals can be managed to an acceptable level through the imposition of notes in respect of flood proofing and the NRW flood warning system upon any subsequent permission. I propose to add such notes

8.00 CONCLUSION

8.01 I am satisfied, having had regard to the provisions of the applicable policies and all other material considerations, that this proposal would, through the suggested S.106 Obligation and conditions, represents an appropriate and acceptable form of development in this location.

8.02 In considering this planning application 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.

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