

## **FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** SPECIAL MEETING OF THE PLANNING AND DEVELOPMENT CONTROL COMMITTEE

**DATE:** WEDNESDAY MORNING 18 APRIL 2012

**REPORT BY:** HEAD OF PLANNING

**SUBJECT:** 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 AT RAF SEALAND SOUTH CAMP, WELSH ROAD, SEALAND

**APPLICATION NUMBER:** 049320

**APPLICANT:** Crag Hill Estates Ltd

**SITE:** "RAF Sealand South Camp", Welsh Road, Sealand, Deeside.

**APPLICATION VALID DATE:** 8/ 2/2012

**LOCAL MEMBERS:** Councillor Christine Jones

**TOWN/COMMUNITY COUNCIL:** Sealand Community Council

**REASON FOR COMMITTEE:** Scale of Development / Member Request

**SITE VISIT:** Major Application

### **1.00 SUMMARY**

1.01 This is an outline application for an employment led mixed use development with new accesses and associated infrastructure on 100 hectares at the former RAF Sealand Airfield site, off Welsh Road, Deeside. All matters except scale are reserved for later approval. The site is part of a larger allocation for mixed use development in the Flintshire Unitary Development Plan. The main issues are considered to be flood risk, highways, sustainable transport, layout and phasing of development including integration with the whole allocation, compliance with requirements of the development plan and other council policies.

1.02 Notwithstanding that this is an outline application, an illustrative layout has been submitted, but this is indicative only – to show that the proposals can be accommodated.

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

2.01 The proposal is recommended for approval subject to the following conditions.

2.02 Conditions

1. Outline – details of reserved matters for each phase to be approved before commencement.
2. Outline – Submission of Reserved Matters applications within 5 years.
3. Outline – Time limit on commencement.
4. Submission and approval of a Development Brief, Masterplan and Design Statement before submission of any reserved matters application.
5. Submission and approval of Phasing Plan prior to submission of any reserved matters application.
6. Detailed programme for each phase shall be approved prior to commencement of each of those phases including extent of works, amount and type of floorspace, impact & assessment of infrastructure works and timetable for implementation.
7. No built development to commence until after approval and implementation of a scheme for strengthening the River Dee flood defences.
8. Submission and approval of scheme for foul and surface water drainage.
9. Waste water connected to the foul mains system, unless otherwise agreed.
10. No site clearance works during bird nesting season, unless otherwise agreed by Local Planning Authority.
11. Prior to commencement of development a scheme for hours of working, including methods to deal with noise generation during construction is to be agreed.
12. Prior to commencement of development a noise level survey of the existing situation is required and any remedial measures included in the design.
13. Submission of a Construction Environmental Management Plan.
14. Programme of archaeology watching brief on areas of potential interest to be submitted prior to commencement.
15. Means of dust suppression during construction works.
16. Retail floorspace thresholds.
17. No development to take place until a Construction Traffic Management Plan has been submitted for approval, including

- for example, wheel wash facility; measures to keep highways free from mud arising from development site; working hours; loading and unloading and storage of plant and materials.
18. Traffic signals to be installed on A494 northbound and southbound slips at Deeside Industrial Park interchange with A548.
  19. Traffic signals to be installed on A494 northbound and southbound slips at Queensferry interchange with A550.
  20. Part-time traffic signals to be installed on A494 roundabout off slip at Drome interchange with A548.
  21. A494 northbound off slip at Drome interchange with A548 to be widened.
  22. Reconfiguration of merge arrangement on southbound carriageway of A494 between Drome interchange and River Dee.
  23. Timetable for implementation of works required in preceding conditions 18 – 22 to be agreed with Highway Authority before commencement of any construction works.
  24. The first reserved matters application to include a Schedule of Highway Works / Transport Implementation Strategy for approval and to include mitigation measures.
  25. Updated Schedule of Highway Work / TIS to be submitted with each reserved matters application.
  26. Timing of implementation of approved Schedule of Highway Work.
  27. Timing of occupation of development following approval of Schedule of Highway Work.
  28. Prior to commencement of development a Framework Travel Plan shall be submitted for approval.
  29. A Full Travel Plan for each phase and/or each type of development shall be submitted for prior approval.
  30. Monitoring Strategy for each phase to be submitted for each phase.
  31. Measures to protect Public Footpath 3 along the west side of the site from interference during construction.
  32. Prior to commencement of each construction phase details of the first access to that phase to be submitted and the link to subsequent phases.
  33. Existing sewers across the site must be safeguarded in agreement with DCWW.
  34. Retention/relocation of pill boxes, unless otherwise agreed.
  35. All non-residential buildings to achieve at least 'very good' BREEAM rating.
  36. All dwellings to achieve the Code for Sustainable Homes rating.
  37. Implementation of landscaping scheme, maintenance and replacements.
  38. Prior to commencement of each phase existing trees and hedges to be surveyed and retained where appropriate.
  39. Tree protection and fencing.
  40. Waste Audit to be submitted prior to each phase commencing.

41. Construction waste disposal and collection means to be submitted prior to each phase commencing.
42. Construction and Site Management Plan submitted before each phase commences.
43. Public Open Space details to be submitted for prior approval.
44. Scheme for Public Open Space implementation, management and maintenance to be submitted for approval.
45. Affordable housing to be provided in accordance with council policy and an appropriate scheme is to be agreed detailing precise numbers, sizes and tenures.
46. Prior to commencement of any residential development a scheme for the delivery of additional on-site and off-site school places shall be submitted for approval.
47. Site investigation for contamination to be undertaken for each phase and any necessary remedial measures to be submitted for approval.
48. Remediation strategy for unsuspected contamination.
49. Long term monitoring and maintenance plan for contamination remediation.
50. Additional details on changes to watercourses, biodiversity implications and mitigation for any habitat loss.
51. Flood Consequences Assessment for each phase.
52. Submission of surface water drainage scheme based on sustainable drainage principles.
53. Scheme to secure an acceptable means of water supply and to secure connection of foul drainage to the public sewerage system.
54. Submission of an Ecological Mitigation and Enhancement Strategy.
55. Retention and improvement of the bat house, unless otherwise agreed and appropriate mitigation provided elsewhere on site.
56. Submission of steps to ensure energy efficiency and carbon reduction.
57. In accordance with approved plans.

2.03 **NOTE.** These conditions are numbered here purely for ease of reference and will not necessarily relate to the numbering of conditions on the decision certificate. It should also be noted that additional conditions may be required to address any further information submitted.

### **3.00 CONSULTATIONS**

#### 3.01 Local Member Councillor Ms C Jones

Requests the application is referred to the Planning Committee due to the size of the development.

#### Adjoining Member Councillor D Wisinger

Requests the application is referred to the Planning Committee.

3.02 Sealand Community Council – no objections.

Queensferry, Shotton and Connah's Quay Community Councils – no response.

3.03 Head of Assets and Transportation

As this is an outline application with all matters, except scale, reserved for subsequent approval, this application merely seeks permission for the principle of development. On that basis, there are no objections subject to conditions.

Public Footpath 3 abuts the west side of the site but appears unaffected by the development. Recommends a condition to protect the path during construction.

3.04 Head of Public Protection

No objection subject to a condition requiring a contaminated land survey and submission of any necessary mitigation measures for the Local Planning Authority's approval.

Also recommends a condition requiring a survey of current noise levels and to investigate and consider any potential noise issues for the proposed mixed use. The applicant is then to provide a scheme of noise attenuation, if appropriate, for prior approval.

3.05 Public Open Spaces Manager

Play and recreation spaces are required at the rate of 56.65 sq m per dwelling, as set out in the Local Planning Guidance Note 13 Open Space Requirements.

Formal recreation facilities are required including sports pitches, tennis courts, changing rooms and car parking facilities.

A hierarchical level of play provision is required ranging from:

- A Destination play area with facilities for children of all ages.
- Formal recreation facilities which can form a key design feature for the development and next to a destination play area.
- Neighbourhood play areas located strategically across the development, to include Multi-Use Games Areas and free space for informal kick about.

Play and recreation facilities must be accessed via safe pedestrian routes/bike routes/ green corridors and be an integrated part of the overall design to enhance the quality of life of the new community.

Should FCC adopt and maintain the public open spaces a commuted sum for 10 years maintenance will be required.

3.06 Head of Lifelong Learning

As this is an outline application the council does not have sufficient detail to establish the level of additional educational requirements required. However this is an outline application and surplus places at the local schools may have changed when permission to build Phase One is sought. Therefore requirements may need to be revised at that time.

Assuming Phases Two, Three and Four follow sequentially, they cannot be commented on at present. Therefore a condition is recommended which requires submission of a scheme for the delivery of additional on and off site school places prior to the commencement of each phase of residential development.

3.07 Head of Housing Strategy

Currently the council has 277 applicants registered for social housing within the immediate area, therefore on and off-site provision for affordable housing is appropriate. The development is to provide affordable housing in accordance with the council's policy, however, at this outline stage it is appropriate to require a scheme to be submitted for agreement detailing precise numbers, sizes and tenures.

3.08 Airbus

Cannot fully assess the application given the limited amount of information provided. Wish to be consulted at the full application stage to assess landscaping schemes and any crane activity during construction.

3.09 Dwr Cymru Welsh Water (DCWW)

DCWW recognizes the importance of the site and the need to see it come forward and supports this stance. A holding objection has been made on the grounds that the existing sewerage and water supply networks are insufficient to serve the proposed development. The objection is based on the fact that this application does not cover the whole Flintshire Unitary Development Plan allocation, yet proposes a higher quantum of development than the Flintshire Unitary Development Plan envisaged (and because the remainder of the site is to come forward at a scale yet to be determined).

Given the uncertainties over the scale of development likely from this site, a Grampian style condition is recommended. This caters for DCWW's concerns and requires the carrying out of hydraulic modeling assessments to determine the types of improvements required, prior to the submission of any reserved matters. This information would allow DCWW to assess the capital investment required, aligning the need for improvement with the phasing plan.

DCWW has further clarified its holding objection by saying that it is fully support of economic growth/regeneration as ultimately the development will provide us with income from new customers. Given the size of the development and the potential impact this will have on our assets is why we have put forward a 'holding objection'. The

development can be controlled through pre-commencement conditions and phasing which will need to reflect the need that a Hydraulic Modelling Assessment will be required on the public sewer network and a feasibility study on the Queensferry Waste water Treatment Works. The conclusions from the assessment and study will determine what works/improvements will be required to be implemented to facilitate the development. Depending on timing, the development may coincide with DCWW's Asset Management Plan 6 (2015-2020) submission and subject to approval could highlight we will deliver a scheme as part of these Regulatory Improvements. However, if this is not the case then the applicant/developer will be required to fund any improvements in advance of our Regulatory Improvements.

3.10 Welsh Government –Transport

As Highway Authority for the A494 trunk road the WG Transport directs that 6 conditions be imposed in order to maintain the safety and free flow of trunk road traffic. These conditions require highway improvements which affect the A494 including traffic signals, road widening on slip roads, reconfiguration of merge arrangements and submission of a timetable for implementation of these works to be agreed with the WG prior to commencement of construction work. This will be delivered through a S278 agreement.

Highways Agency

3.11 No observations to make at this stage.

Environment Agency Wales

3.12 A Flood Consequence Assessment confirms this site is suitable for development subject to a number of mitigation measures which will be carried out prior to commencement of development. No objection subject to the inclusion of conditions to be applied to each phase of development covering flood mitigation, contaminated land, remediation and monitoring, water resources, water quality and biodiversity.

3.13 Cheshire West and Chester Council (CWAC)

A design/masterplanning approach should be encouraged to ensure the site is developed and delivered in a comprehensive manner in line with Flintshire Unitary Development Plan policies and to require a high standard of design. A suitable mechanism should be put in place to ensure the commercial/employment parts of the scheme come forward for development in line with the proposed phasing.

Given the large scale of the development and the conditions on the surrounding network the Traffic Assessment and the scope of the traffic modelling exercise are considered to be severely limited. They do not address in any specific detail the level of impact this development will have on roads within CWAC, particularly the A548 Sealand Rd, A540 Parkgate Rd and A5117 towards Ellesmere Port.

This needs to be examined in depth and suitable reports made on the scale of impact and the potential for mitigation of any detrimental effects. The application is therefore not supported. It is requested that CWAC is party to agreeing a revised scope.

Whilst there is mention made of a Transport Strategy Group for the site to work up the Travel Plan/public transport type measures, it is particularly light in its reference to the very obvious links between Chester and this site in terms of commuters in both directions. Much would need to be done to improve the public transport provision, involving CWAC.

CWAC is concerned about the effect the proposal may have on flooding in the Sealand Basin/Chester area and any impact on the European protected sites.

### 3.14 Clwyd Powys Archaeological Trust

Nationally important and unique military structures on this site were demolished prior to the completion of an historic record survey but some features of archaeological significance remain.

With regard to the proposed mitigation measures, it is preferable to keep the two pillboxes. Some elements of the former historic airfield should remain in-situ or be retained on the defensive circuit. Keeping the defensive circuit on the boundary of the new development layout would help to preserve the memory of this airfield and its extensive history within the local community. Should preservation of these pillboxes not be possible they should be fully recorded prior to any removal or ground disturbance. The 3<sup>rd</sup> pillbox that will be lost should be fully recorded prior to any removal.

The site of the former Dutton's Flying School is an incredibly important historical location, effectively the origin point of the initial Royal Flying Corps and later RAF as a fighting force. The degree to which any traces of Dutton's aerodrome survive as sub-surface deposits is currently unknown as there have been no investigative works. The Trust recommends that this area is carefully stripped (under direct archaeological control) of its non-archaeological soils down to the level of any surviving archaeological deposits. The full extent of the remains should then be stripped, cleaned, mapped and fully excavated.

The large pillbox/observer complex on the western boundary of the airfield must be fully recorded prior to any ground disturbance in this area. If the site of the former St. Andrews Church, terraced housing and institute are directly impacted by the layout this area must be fully stripped under direct archaeological control and all located archaeology fully cleaned, mapped and excavated.

Provided the above mitigation requirements, in addition to the



mitigation suggested in the application, can be incorporated into the development scheme there are no objections to the proposal.

#### **4.00 PUBLICITY**

##### **4.01 Press Notice, Site, Notice, Neighbour Notification**

The application and Environmental Statement have been publicised by way of site notices, neighbour consultation letters and press notice.

4.02 At the time of writing this report 3 letters and a petition signed by 16 people have been received from local residents objecting on the following grounds:

- Loss of privacy, especially 2 ½ storey houses next to existing bungalows
- Loss of open space
- Noise pollution
- Light pollution and loss of light to adjacent housing
- Dirt pollution
- Increase in traffic and danger to all road users
- Over development – too many houses
- Affect on wildlife, including protected species, especially around the brook and fields

4.03 The owners of the mineral rights under a large part of the site object as they cannot make a full assessment of the extent to which minerals will be disturbed because of the lack of information regarding location of engineering or proposed drainage/flood mitigation works, due to it being an outline application.

In response to this objection, the owners of the mineral rights have had since 2006 when the site was first allocated for development, to establish this information.

4.04 The adjoining land owner/developer Pochin Rosemound (Deeside) Ltd (PRDL) has submitted a holding objecting on the following 3 grounds:

1. The proposal does not comply with SR5 Outdoor Playing Space and New Residential Development policies and national planning policy. There is no adopted development brief, no master plan and no agreement between the land owners for the comprehensive delivery of land uses and phasing of infrastructure.
2. The proposal would hinder the comprehensive redevelopment of the Northern Gateway site and hence preclude the delivery of this major mixed use regeneration scheme with drainage and flood defences that would benefit the local community. The application does not include essential strategic flood mitigation measures.

3. The Environmental Impact Assessment does not robustly consider the cumulative environmental impacts of the whole Northern Gateway allocation site. This could result in the PRDL land being prejudiced and undermine the comprehensive development of the Northern Gateway Site. PRDL have prepared a master plan for the comprehensive site which reflects the aspirations of all parties, accords with SR5 Outdoor Playing Space and New Residential Development policies and delivers the key infrastructure.

## **5.00 SITE HISTORY**

- 5.01 049203 – Advertisement consent application for hoarding and signage boards currently under consideration.

There have been applications on the RAF site but these are not relevant as they relate to buildings now demolished.

## **6.00 PLANNING POLICIES**

- 6.01 Flintshire Unitary Development Plan Policies:  
SR5 Outdoor Playing Space and New Residential Development –  
New Development  
STR2 – Transport and Communications  
STR3 – Employment  
STR4 – Housing  
SR5 Outdoor Playing Space and New Residential Development –  
Shopping Centres and Commercial Development  
STR 7 – Natural Environment  
SR5 Outdoor Playing Space and New Residential Development –  
General Requirements for Development  
SR5 Outdoor Playing Space and New Residential Development –  
Development inside Settlement Boundaries  
HSG1 – New Housing Development Proposals  
HSG2A – Strategic Mixed Use Development, Land NW of Garden City  
HSG10 – Affordable Housing within Settlement Boundaries  
SR5 Outdoor Playing Space and New Residential Development –  
Design Quality, Location and Layout  
SR5 Outdoor Playing Space and New Residential Development –  
Design  
D3 – Landscaping  
TWH1 – Development Affecting Trees and Woodlands  
EWP3 – Renewable Energy in New Development  
EWP14 – Contaminated Land  
EWP17 – Flood Risk  
WB1 – Protected Species  
WB2 – Sites of International Importance  
WB3 – Statutory sites of National Importance  
AC7 – Protection of disused Railway Lines

AC13 – Access and Traffic Impacts  
SR5 Outdoor Playing Space and New Residential Development –  
Parking Provision and New Development  
MIN 8 – Protection of Mineral Interests  
EM1 (12) – General Employment  
EM3 – Development Zones & Principal Employment Areas  
SR5 Outdoor Playing Space and New Residential Development –  
Outdoor Playing Space and New Residential Development

6.02 Planning Policy Wales (PPW)

6.03 Technical Advice Notes:

TAN2 Planning and Affordable Housing  
TAN 8 Renewable Energy  
TAN 11 Noise  
TAN 12 Design  
TAN 15 Development and Flood Risk  
TAN 18 Transport  
TAN 22 Planning for Sustainable Buildings

**7.00 PLANNING APPRAISAL**

7.01 Introduction

The application site forms part of the larger Deeside Enterprise Zone (EZ), designated by the Welsh Government in September 2011 and part of the major strategic site at Deeside – ‘Northern Gateway’. The EZ has been designated to bring forward investment and new jobs, particularly in the manufacturing sector. The benefits of EZ status include creating the basis for improvements in infrastructure, especially public transport and an opportunity to create a large area of open space alongside the River Dee. The application site lies to the south of Deeside Industrial Park, employing 9000 people.

The Site and the Proposed Development

7.02 The site is located within the urban fringe about 1.5km north of Queensferry and adjacent to Garden City. Immediately to the north is the Bangor to Chester Sustrans cycleway and footpath and Deeside Industrial Park. To the west and south west is agricultural land, beyond which is the River Dee. To the east is residential development and the Old Welsh Road beyond which is the A494 trunk road. The site comprises brownfield land formerly occupied by RAF buildings and green fields. The only existing access is on the east side, to Old Welsh Road. The site includes existing council owned industrial units to the north of, and accessed through, Garden City.

The Application and Supporting Documents

7.03 This outline application for a major strategic proposal is for the following mix of development:

Storage and distribution floorspace – 280,000sq m (Class B8)  
Manufacturing floorspace – 10,000sq m (Class B2)  
Office floorspace – 9,000sq m (Class B1)  
Retail – 4,645sq m, mainly local, including convenience (Class A1)  
Road side uses – 8,000sq m  
Residential – up to 725 units  
Flood defences and Sustainable Drainage Systems  
Landscaping and public open space  
3 new access points - 2 on Welsh Road and 1 to Deeside Industrial Park

7.04 The submission includes the following documents which are summarised below.

- Design and Access Statement
- Planning Statement
- Environmental Statement
- Transport Statement and Framework Travel Plan
- Sustainability Statement, including BREEAM and Code for Sustainable Homes Assessment
- Parameter Plans and Phasing Plan
- Statement of Community Involvement
- Environmental Impact Assessment
- Masterplan – for illustrative purposes only

#### Design and Access Statement

7.05 The site forms part of the larger 170ha site allocated in policy HSG2A of the Flintshire Unitary Development Plan. The remaining 70 ha lie to the west and south of the site and are in a different ownership. The application site forms part of the former air base's South Camp. The North Camp was developed to form Deeside Industrial Park.

7.06 The site is within the Deeside Development Zone designated under policy EM3 and forms part of the "Northern Gateway". The nearby River Dee is tidal, creating environmental, ecological and hydrological conditions.

7.07 The site has excellent communications with the A550/A494/A55 corridor giving direct access to North and Mid Wales, The Wirral, Merseyside, Cheshire and Greater Manchester.

7.08 The South Camp originally comprised a complex of military buildings, hangers and a grass airstrip/glider field. The site is generally flat with bunding towards some edges and artificial drainage channels either within or adjacent to the site boundary.

- 7.09 The site is within Environment Agency Wales (EAW) Flood Zone C1 – Floodplain. The proximity of the River Dee and the low lying ground levels have required land drainage to be engineered and the site is liable to flood from fluvial and tidal sources. The handling of drainage and flood risk mitigation has been a key driver in the design and master planning of the site.
- 7.10 The layout is designed with residential development towards the south and east, adjacent to Garden City, with employment areas to north and west, close to Deeside Industrial Park. These areas will be separated by green spaces, drainage channels and ponds, known as a ‘blue/green’ environment.
- 7.11 A key aspect of development will be to maintain flexibility allowing units of varying sizes to be delivered, according to market conditions. The anticipated build time is 10-15 years in 4 phases.
- 7.12 The employment area could include very large scale B8 buildings up to 30m high, located in the north. Residential development will be up to 3 storeys or 10m high in attractive, informal layouts with a distinctive semi-rural character.
- 7.13 Access is a reserved matter but an access is proposed to link with Deeside Industrial Park to the north. This will require a new road across the Sustrans cycle path and presents an engineering challenge due to level differences. The northern access to Welsh Road will be for commercial traffic. The southern access onto Welsh Road is for residential traffic.

#### Planning Statement

- 7.14 This sets out the policy context and justification for the proposal. It says the fixed maximum parameters for key elements of the scheme will be adhered to in subsequent reserved matters applications. This is an established approach to schemes where core principles can be set at outline stage and thereafter detailed design developed.
- 7.15 The key benefits of the proposal include private sector investment to provide new development, new jobs and is envisaged that it will provide 2.4 million sq ft of employment space on about 63.8 ha and up to 725 homes. The quantum of development has been formulated through market testing to ascertain current occupier demand and pre-application consultation with the county council and the public.
- 7.16 It is suggested that a phasing condition would be appropriate requiring submission of a detailed programme for each phase including the extent of works, amount of floorspace, number of dwellings and infrastructure works for each phase.

#### Environmental Statement (ES)

- 7.17 This is an Environmental Impact Application because of its scale and location. It is classed as an urban development project likely to have significant effects on the environment. The Environmental Statement assessed the impact of the development on the environment in relation to ecology; water; ground conditions; landscape and visual; socio-economics; traffic and transport; air; noise and cultural heritage.
- 7.18 The ES explains that the application is submitted in outline because the precise details of the proposed development are not known and these are then brought forward in subsequent reserved matters applications. The conclusions for the impact of the development on each of these topics, as described in the ES are summarised below.
- 7.19 The Environmental Impact Assessment Regulations requires the EIA to consider 'alternatives' to the proposed development and indicate the reasons for progressing the chosen alternative. As the application site forms part of a larger 170ha allocation under policy HSG2A of the UDP, it has been assessed through a Strategic Environmental Assessment during development of the UDP. Therefore it is not necessary for the application to consider alternative locations for the proposed development, because this has already been done.
- 7.20 The Ecology survey reviews current ecological characteristics and habitat value and assesses likely effects of development. The main area of the site comprises semi-improved grassland of little value. There are a range of habitats some of which are used by protected and notable species. A bat barn has been created for roosting from a former pump house in the northern part of the site. Mitigation measures include the retention, protection and enhancement of habitats; the introduction of ponds, bat boxes etc and production of an Ecological Mitigation Strategy and Framework Habitat Management Plan.
- 7.21 Water - there are several surface and buried watercourses and ditches within and adjacent to the site. The River Dee is 400m south. The site is at risk from flooding and mitigation measures include: appropriate siting of land uses; modifications to the drains; removal of culverts and a new open channel; SuDS; ground profile changes; flood bunds to protect the site; flood storage areas and standard construction measures to avoid water pollution.
- 7.22 As the development will be brought forward in a phases, through individual reserved matters applications, detailed flood and drainage mitigation requirements for each phase will be determined at that stage.
- 7.23 Ground conditions - assessments have found contamination

associated with fuel spillage when the site was used by the RAF and some asbestos. Prior to construction, further surveys may be required to determine mitigation requirements.

- 7.24 Landscape and Visual Quality - the site has low landscape value, scenic quality and a limited visual envelope, set in the context of the Deeside Industrial Park. Mitigation includes retention of existing vegetation where possible; new peripheral and internal landscape planting and reduced building heights to minimize visual impacts.
- 7.25 Socio-economics - the ES has identified the socio-economic conditions in the area and assessed the impact which the proposed development would have on conditions such as employment, deprivation levels and the housing market. There would be beneficial long term economic benefits at sub-regional level due to the net gain of over 2,200 jobs and residential units.
- 7.26 Traffic and transport - the ES and Transport Assessment studied the potential impact on highways, public transport, cycling and walking during the construction and operational stages of the development. During the construction phase there will be some adverse impacts for pedestrians, cyclists, bus users and other highway users due to the implementation of improvement works. Once complete, there will be improvements for all road users.
- 7.27 Air quality in Flintshire is generally very good. Those likely to be most affected by the development are residents of Garden City and Welsh Road. During construction mitigation measures are proposed to reduce generation of emissions and dust eg turning off engines on site and dust suppression techniques.
- 7.28 Noise - due to the presence of nearby residential properties a baseline noise monitoring survey was undertaken which established that current noise levels are dominated by road noise from the A550 and Deeside Industrial Park. Mitigation for construction noise includes solid boundary hoardings at specific locations and restricted working hours. An earth bund is proposed along the central corridor of the site to mitigate against noise from the industrial area. It is considered that noise impacts as a result of the development, including from traffic generated during construction, on the local highway network, will be negligible.
- 7.29 Cultural heritage - until 1737 the site was part of the Dee Estuary and in 1916 a flying school was established. During World War 1 it was requisitioned by the War Office and in 1924 it became RAF Sealand, used for training purposes. During World War 2 the site was occupied by a Maintenance Unit, then loaned to the United States Air Force. The majority of the military buildings have been demolished except 3 pill boxes. Mitigation includes retention of 2 pill boxes and building recording for the 3<sup>rd</sup> one. At the location of the former flying school

aerodrome there will be a watching brief.

#### Transport Statement and Framework Travel Plan

- 7.30 A Transport Assessment (TA) sets out the technical issues and constraints to which development proposals should respond. It illustrates that the site is accessible by a variety of modes, including footpath and cycle routes. These facilitate access to bus and rail services located within 2km of the site. The walking environment near the site is of a good standard to encourage and facilitate journeys and the local cycling infrastructure is of excellent standard.

#### Sustainability Statement

- 7.31 A BREEAM rating of 'Very Good' will be met for the industrial and office buildings and code level 3 of the Code for Sustainable Homes Assessment will be met for the residential development.
- 7.32 Local materials and reclaimed materials, or those with low environmental impact, will be specified and sourced and used in construction. A Site Waste Management Plan will be implemented to monitor, report and target reductions in quantities of waste generated on site and identify opportunities for recycling of building materials.
- 7.33 There are opportunities to promote linkages between employment opportunities and residential areas. Also, there are opportunities to create and attract a significant number of jobs to the site and provide employment opportunities for local Flintshire residents and the sub region.
- 7.34 The development includes 1.5ha of formal open space; 3.55ha of informal open space, a central 25m wide green corridor, additional planting against the Sustrans cycle path and presents the opportunity to link Garden City with Deeside Industrial Park.
- 7.35 To improve energy efficiency it is proposed to incorporate low/zero carbon technologies to reduce CO2 emission by 10% at the reserved matters stage.
- 7.36 The development will promote safe access to all local transport nodes and a Framework Travel Plan will be prepared.

#### Masterplan – for illustrative purposes only

- 7.37 A master plan gives an indication of the location of each of the different land uses. For example, it shows public open space along the south east side of the site, abutting Garden City, where there are currently trees and a grassed area. There is a convenience store, offices and car dealerships facing Welsh Road. There are small manufacturing units behind the offices, behind which are very large



employment buildings for B8 storage and warehouse use. Residential use is shown nearest to Garden City. Although a very useful plan it does not form part of the application.

### Parameter plans

The application includes Parameter Plans which are described below.

- 7.38 Parameter Plan 1 – Zonal Land Use, Maximum Building Heights and Site Access. Shows a spatial framework for the distribution of land uses and the urban structure of the development with main employment areas to the north, residential areas to the south and mixed uses to the east.
- 7.39 Employment areas would be up to 236,000sqm and up to 725 residential units. Employment buildings would be a maximum of 30m high and residential development would range from 25-40 dwellings per ha. Green corridors are shown along the northern boundary; west to east across the central area of the site and along the south east boundary with Garden City where there are currently trees and open space. Employment uses include storage and distribution (B8); business (B1); general industry (B2); shops (A1); financial and professional services (A2); restaurants and cafes (A3); hotels (C1); non-residential institutions (D1); assembly and leisure (D2) and sui generis.
- 7.40 Parameter Plan 2 - Green Infrastructure and Flood Mitigation shows areas of indicative open space; land drainage; existing land drains retained and enhanced along part of the northern boundary; a 35m wide central green corridor and potential tidal and fluvial flood storage areas in the western part of the site. A primary function of the plan is to help mitigate against flood risk. Detailed flood risk and drainage mitigation are to be addressed at reserved matters stage. Green infrastructure is to become a fully integrated component of development – in helping mitigate flood risk and providing ecological/biodiversity functions and a network of recreation spaces.
- 7.41 Phasing Plan – shows indicative phases with each phase being the subject of a reserved matters application.
- 7.42 *Phase 1* – starts approximately 12 months after permission is granted and lasts about 6 years. It is the south east part of the site and will deliver the main access to the residential parcels and open space. A new access to Welsh Road to serve commercial and industrial development parcels will be created, with release of early phases of employment development.
- 7.43 *Phase 2* – starts at the same time as Phase 1 and lasts about 4 years. It is in the north and north east part of the site and will see intensification of structural landscaping and extension of the main

spine road through to a new access into Deeside Industrial Park. Development of residential and employment land will continue.

- 7.44 *Phase 3* – starts after phases 1 & 2 and lasts about 2 years. It is in the central part of the site and is for employment and residential.
- 7.45 *Phase 4* – starts after phases 1 & 2 and lasts about 2 years. It is the western part of the site and is for employment (B8) use.
- 7.46 Phases 1 and 2 will be brought forward together, followed by Phases 3 & 4. The construction is proposed to last 10-15 years.
- 7.47 Flood protection measures are to be proposed on a phase by phase basis as part of reserved matters applications. The measures will be implemented prior to operation/occupation of each phase.

#### Statement of Community Involvement

- 7.48 A public consultation event was held in November 2011 at the Days Hotel, Chester to allow the public and the local business community to view and comment on a Masterplan for the proposals. Over 200 people attended of whom 80% were supportive of the proposals. People engaged in the pre-application process included Welsh Government, local councillors, community councils, the AM and MP, DIP Business Forum, local town centre manager and owner of adjacent land Pochin Goodman.
- 7.49 A website was also set up and an on-line questionnaire. As a result of this consultation the applicants were able to confirm that the majority of local residents and businesses made constructive and supportive comments. They share the applicant's desire to deliver a landmark development which will benefit the site and the wider Northern Gateway area as a whole.

### **8.00 ISSUES**

- 8.01 As can be seen from the description of the submitted documents in the previous section the application includes a considerable amount of information, but further details are required on various issues. For example, permission is sought for various parameters and quantum of development, but the council is not in a position to agree to these in the absence of a Development Brief and a Master Plan, hence they are reserved for later approval. Nevertheless, the principle of development is clearly acceptable, subject to certain safeguards, which are addressed in detail below.

#### Principle of Development and Policy Position

- 8.02 The site is located within the Deeside Development Zone in the adopted UDP and within the Enterprise Zone recently declared by the Welsh Government. This area is of strategic economic importance within the sub-region of eastern Flintshire, west Cheshire and the Wirral - forming the 'Northern Gateway' to the County. The application site forms part of a larger area allocated for general employment land.
- 8.03 The majority of the northern boundary of the site abuts the route of a former railway line which is protected by Policy AC7. The application site and land to the west and south is located within an area at risk from flooding and the criteria associated with Policy EWP17 sets out the tests which must be met by new development. Paragraph 13.3.1 of Planning Policy Wales (PPW) recognises that 'government resources for flood and coastal defence projects are directed at protecting 'existing' developments and are not available to provide defences in anticipation of future development'.
- 8.04 The central premise for the Northern Gateway site is, and always has been, to provide a sustainable employment driven mixed use development in the heart of Deeside. The site has local, regional and national significance and is recognised widely as having the potential to deliver significant economic and community benefits. However, the site also has significant infrastructure challenges to overcome in the form of highways infrastructure and traffic management, as well as major flood consequences mitigation. All of this was recognised by the Council when it made the allocation in the UDP, which it did on the basis of there being clearly demonstrated solutions to both of these issues. Equally the UDP Inspector was satisfied that "in principle the proposal meets the objectives of sustainable development set out in PPW".
- 8.05 Given the nature of the allocation and the consideration given to the allocation at the UDP Inquiry, it is self-evident that the allocation must be considered as a whole in order to bring forward its successful development, the delivery of appropriate infrastructure improvements, and securing benefits to the local community and the economy of Flintshire. That is why the UDP states:
- 8.06 "A detailed development brief will need to be produced and agreed, which will contain a master plan for the overall development, a design statement and a schedule identifying the phasing of development and associated infrastructure improvements required at each stage".

The policy also requires any proposal to incorporate:

"appropriate and acceptable flood risk mitigation measures"  
in accordance with the development solution produced to support the

allocation of the site, agreed with the EAW. Any variation from this, or an alternative solution, would require EAW approval in order for the council to be satisfied.

- 8.07 The policy also requires a comprehensive transport solution, delivering appropriate access, traffic circulation and management, as well as other network improvements as deemed necessary. The successful development and delivery of this site therefore has to be based on acceptable solutions to both of these issues being identified.
- 8.08 At the time of the UDP Inquiry the council was supportive of a draft Planning and Development Brief produced jointly by the two site owners at the time (MoD and Pochin Goodman) which set out the context and approach to developing this site. Whilst not adopted planning guidance, and notwithstanding the change of ownership of the MoD land to Praxis, the requirement for such a framework is essential to guide the phasing and form of development on this site. Such a requirement is therefore recommended as one of the conditions of granting permission.
- 8.09 Since Praxis took ownership of the MoD part of the Northern Gateway site (the current application site), the need to review and update the development brief and master plan has been consistently emphasised by the council to Praxis and their agent. Also, the pre-application advice given regarding the acceptability of the application was in terms of any application submitted that was not for the full extent of the site, would need to be accompanied by and clearly justified in terms of a master plan for the whole site, which demonstrated how the proposal could be delivered in the context of the UDP Policy requirements, and the wider context of the whole site. The need for an 'EAW approved' flood mitigation scheme was also re-emphasised, as was the need to phase the early delivery of employment development.
- 8.10 It is worth noting that as part of the public consultation exercise carried out by Praxis towards the end of 2011, the statements made to the public and in the promotional literature were that since acquiring the site:
- “PREM [Praxis Real Estate Management] has been working closely with stakeholders including Flintshire County Council, the Welsh Government, Environment Agency Wales, Taith and the other landowner – Pochin Goodman – to produce a master plan for the entire 400-acre site”.
- 8.11 The applicant states that the submitted master plan, covering only the land owned by PRAXIS, provides an illustrative indication only and does not form part of the application. However, and notwithstanding the applicant's view, the test of the value of this plan relates to its degree of compliance with the requirements of the policy and on statements such as those made above. For the submitted master plan

to be a relevant context to the consideration of the application and to set in context the development as proposed, it has to:

- Be agreed by all relevant stakeholders;
- Meet the requirements of the UDP;
- Set out a clear development framework for the whole of the allocation;
- Deal with the key infrastructure issues satisfactorily; and
- Clearly capable of being delivered.

- 8.12 As far as the principle of development is concerned, the general principle of the application is broadly acceptable. As far as the principle of development as it relates to this outline application is concerned, the factors above are the key tests which need to be satisfied in order to come to a positive recommendation of this application. However, this does not obviate the need to also satisfy other policy considerations that relate to aspects that include urban design, ecology, landscape and setting, recreation and open space, affordable housing, public transport, accessibility and so on.
- 8.13 In relation to the existence of an agreed master plan for the whole allocation, the master plan submitted with the application has not previously been seen by the Council in any detail. It is understood that it has not been agreed with the other land owner, Pochin Goodman, therefore it is not an agreed plan. It is also deficient in that it omits several aspects from the policy (e.g. location of district centre/community facilities), and incorporates other elements (e.g. commercial development and greater quantum of housing) the need for which is not completely justified by the application. Whilst noting that the applicant does not include the master plan as part of the application, the submission of one is a policy requirement and on that basis the submitted plan can be given little weight.
- 8.14 There is no agreed master plan for the allocation (including the application site), but the Council was supportive of the detailed work done to support the case for the site at the UDP Inquiry.
- 8.15 In lodging an objection to this application, Pochin Goodman have submitted their own master plan which updates the position put forward at the time of the UDP Inquiry. Looking at the three variant plans together, it is clear (but at the same time frustrating) that there are no significant differences between them, which could not be aligned through sensible discussion.
- 8.16 Without an agreed detailed development brief which includes a deliverable master plan, design statement and phasing plan to guide the development of the whole allocation, the current application does not really take the applicants much beyond the broad principle of development which is already established by the development plan.

8.17 Any planning permission granted would therefore have to be framed in terms of a significant body of pre-commencement conditions. For instance, apart from the need for a proper master plan and phasing plan for the whole application, as set out above, this would also need to cover/incorporate supporting information that is absent/inadequately dealt with by the current application and which is expanded upon later:

- Landscape strategy;
- Ecological Mitigation and Enhancement Strategy;
- An acceptable Flood Mitigation Solution;
- An acceptable Transport Implementation Strategy;
- Details of the connectivity of the site to the wider network with consideration of public transport enhancements, cycling and walking including phasing proposals;
- Urban design study and integration of the site with Garden City;
- Acceptable scheme for the provision of affordable housing;
- Scheme for the adequate drainage of the site, disposal of foul water, availability of water supply, SUDS.

8.18 Given all of the above, whilst it is technically possible to grant planning permission for this application, such a permission needs to be carefully framed in terms of prior-commencement requirements to deal with matters such as those listed above and conditions. This will provide the safeguards for the Council to ensure that the permission would (and should) only reaffirm the broad principle of development that is already established by the Development Plan, without committing the Council to much, if any, of the suggested detail within the current application. For example, apart from the further information of the sort referenced above, that will be required by condition, a proper justification is required for elements of the proposal that are not catered for by the UDP Policy – the commercial development and the increase in the overall quantum of housing as examples.

8.19 A permission framed in these terms will also allow the Council to set out the absolute requirement for a detailed master plan to be drawn up and agreed, to guide how the site is subsequently developed. Equally it allows more time to discuss and agree the various planning obligations and community benefits that are triggered by the development of this site, how they will be provided and when. Given the outline nature of this application and the economic importance of the site, a recommendation of approval on these terms will

demonstrate positive intent on the part of the Council.

### Landscape and Trees

- 8.20 The application lacks detail in many areas, including trees and landscape, which makes a detailed assessment of the proposals difficult. A landscape assessment will be required to inform submission of reserved matters applications and this can be incorporated with the required master plan.
- 8.21 Whilst the land within the site boundary is of no special landscape value, a landscape assessment should set out how the proposed layout integrates with near and far elements of the surrounding landscape. The indicative layout does not appear to have done this. Examples of how the layout could have been informed by the surrounding landscape include views towards Moel Famau, the blue bridge, cycle bridge over A550 and cycle track. The indicative layout also relates very poorly to Garden City and this will require more detailed consideration as a precursor to the reserved matters being submitted.
- 8.22 The application does not include the required British Standard tree survey which might have also informed the layout. Whilst there are no outstanding trees there are individual trees and groups of trees that merit inclusion within the development. This includes the group of trees in the SE corner of the site adjacent to the Garden City properties and trees in the NE of the site near the cycle bridge. The absence of such information will require its submission prior to reserved matters and a condition is recommended to require this.
- 8.23 The landscape master plan should include a list of appropriate species for tree (e.g., Lombardy Poplar), shrub and hedge planting and might also include elements of hard landscaping (e.g. fencing, benches, light columns) that will be adopted across the site.

### Ecology

- 8.24 An ecological survey and assessment of the site has been undertaken, which emphasises the need for a Framework Ecological Mitigation Strategy for the whole site, to ensure coherent mitigation of each phase of development. At this stage the habitats and species need to be annotated on a baseline plan to overlay all aspect of development. Until this is done it is not clear what habitats will be retained. The UDP allocation included a river park and retention of a working farm for flood defence reasons and it is unclear if these will be included in the future development.
- 8.25 The key ecological features of the site are:
1. Linear habitats associated with the ditches - with their neutral

grassland, scrub and orchid, also otter, water vole, badger and common lizard. The key issue is the width of this area and whether it will be compromised by either flood defence works or proximity of development with associated noise, lighting and recreational disturbance. The SUDS proposals represent an opportunity to create new wetland habitats with associated safety measures.

2. Bats – as mitigation for the demolition of the RAF buildings a bat roost was provided in the former Pump House and bat boxes mounted in trees along the boundary. It therefore needs to be retained and improved, or further licences obtained for the loss of this roost which would need to be replaced elsewhere on the site. The building is within a strip of neutral grassland which naturally links in to the corridor adjacent to the northern drain and this corridor should be retained.

3. Breeding birds – particularly the skylark in the large area of semi improved grassland. Mitigation of this breeding area needs to be considered to avoid a net loss of biodiversity on site. The only opportunity will be through creation of 'green roofs' eg the Rolls Royce building in Chichester has a 40,000sqm roof used by nesting skylark.

4. Wintering birds – the ecology report emphasises the importance of tall hedgerows and associated scrub for wintering red wing. These features to be retained need to be shown on a baseline plan and a condition is required to cover this.

### Flooding

- 8.26 Policy HSG2A states that “Detailed proposals will need to demonstrate that the proposed development incorporates appropriate and acceptable flood risk mitigation measures, in accordance with the development solution identified and agreed with the Environment Agency Wales in the flood consequences assessment carried out to support the allocation of this site.”
- 8.27 Initially the EAW objected to the proposal on grounds of insufficient information to determine whether the proposals would be acceptable with respect to flood risk on and off-site, in accordance with TAN15. Also, that sufficient water resource and adequate sewerage infrastructure and disposal is available, or can be made available to accommodate the development, without causing pollution or deterioration of the water environment.
- 8.28 The application site is within Zone C1 and the Flood Consequences Assessment failed to demonstrate that the consequences of flooding could be acceptably managed over the lifetime of the development. Work vital to any development on this site is the strengthening of the existing Dee flood defences and new flood bunds to provide protection to Garden City. The application site does not include these areas.



- 8.29 Negotiation has resulted in agreement of a Grampian style condition requiring provision of strengthening works to the existing River Dee defences prior to built development commencing on site. Subject to reserved matters approval of infrastructure such as roads, utilities, on-site flood protection measures and land profiling could be brought forward in advance of or at the same time as flood defence works. Depending on the nature of these works they may require a specific Flood Consequences Assessment at that time.
- 8.30 EAW were also concerned about water resources, water quality, ground water, contaminated land and biodiversity. However, negotiation on all these issues has resulted in agreement on suitably worded conditions including a pre-commencement condition.

#### Highways and Transport

- 8.31 On the basis that this application merely grants the principle of development on the site there are no highway objections subject to conditions. The means of access to the development is a reserved matter but the amount of traffic generated by the development will have a marked impact on the local highway network. There are safety concerns associated with the existing footway/cycleway north of the River Dee in that there are not lit.
- 8.32 Once a master plan has been submitted it will require a Transport Assessment (TA) to be carried out on it. Then a TA will be needed for each phase, followed by a revised TA once each phase is built.
- 8.33 The current TA does not adequately address how this site will be serviced by sustainable transport measures, particularly public transport. Given the nature of the development this can be resolved through suitably worded conditions.
- 8.34 In responding to the submitted TA, it should be pointed out that it makes reference the application site having access to bus and rail services. In fact these services are limited and infrequent. Also the local cycling infrastructure which is referred to is only on the north side of the River Dee.

#### Connectivity with adjacent development

- 8.35 The development will link northwards to DIP and the proposed cyclepaths and footpaths towards the Wirral. It will link eastwards to Welsh Road and southwards to Garden City. To the west the land between the application site and the cyclepath and footpath is outside the applicant's ownership. However, links to Shotton and Hawarden Bridge Stations are possible along the existing road network and footways/cycleway north of the River Dee. As a minimum requirement, which will be established in the Master Plan, the

development is to link to land to the south, in a different ownership.

### Urban Design and Public Open Space

8.36

The indicative master plan illustrates a development pattern which fails to achieve a satisfactory standard of urban design because:

- The form and disposition of the employment buildings fail to create satisfactory enclosure or overlooking of public spaces and appears jumbled and random.
- The residential area lacks a clear sense of internal cohesion or indication of how a community might develop here.
- The circulation is inadequate, failing to exploit potential linkages within and beyond the site.
- There is no indication of measures to achieve a sustainable urban or landscape form.

8.37

A site of this size should ideally have a Design Brief in place to drive up quality standards. The following are summarised heads of terms of the key issues and requirements considered necessary to inform the urban design of the master plan:

- Urban design of commercial and employment development including layout, pedestrian circulation, parking area locations, office elements of industrial buildings, materials, exterior lighting, special requirements for the eastern fringes of the site, location of commercial facilities.
- Urban design of residential development including the form and massing of houses, overlooking of the site access and distributor roads adjacent to residential areas, layout of housing, materials, central open space and community area.
- Site circulation and access including good pedestrian, vehicular and cycle circulation within the site and connecting with neighbouring areas; cycle links across the site; exploiting the water way and offering a network of recreational routes, links with Garden City; overlooking of all routes, public spaces and car parks; treatment of all routes with appropriate planting or boundaries.
- Landscape including a park and play area at the junction of the new and existing communities; a 15m tree belt along the north boundary; provision of open space focal points and children's play areas and playing fields; landscape schemes.
- The development proposal should indicate the intention to achieve a sustainable development form incorporating a sustainable urban drainage system, including green roofs, grey water recycling, retaining ponds and wetland areas; compensatory measures for

loss of wildlife habitat, to include suitable green roofing surfaces on the sheds to trap water and provide nesting and foraging for ground nesting birds; retention of all existing trees and hedges; sowing of native species; possible planting of coppice crops for biomass production; sustainable energy production on site through the orientation of domestic roofs towards the south and by installation of solar panels on industrial roofs.

A condition is therefore recommended that the master plan must be accompanied by a design brief following this design framework. This will give the developer and the council a strong vision of how the whole site must be developed so that there is no risk of it being developed in a piecemeal fashion. It will give a clear steer as to the required quality standard and ensure that the re-sale value of each part of the site reflects the need to invest heavily in good design.

### Residential Development and Affordable Housing

- 8.38 Policy HSG2A states that development will be phased over the plan period (2000 – 2015) and should comprise 20-25 ha (at least 650 dwellings) 30% of which will be sought as affordable. At 30 dwellings per ha this would generate between 600 and 750 dwellings, on the whole allocation.
- 8.39 The Planning Statement provides justification stating the policy identifies the overall site should provide 20-25ha of housing (at least 650 units). The current application proposes 725 dwellings and covers an area of about 25 ha, therefore the proposal generally accords with this policy guidance. However, as officers do not necessarily agree with these amounts, which require further information, conditions are included which cater for this.
- 8.40 As this is an outline application with development to come forward in phases over a 10-15 year period, taking us beyond the plan period of the UDP, the best course of action is to require an appropriate scheme to be agreed which details precise numbers, sizes and tenures of affordable housing to be provided.

### Employment and Economic Development

- 8.41 The importance of this site in economic development and regeneration terms need to be emphasised and is set out in the response from the Regeneration Manager as follows.
- 8.42 The Northern Gateway allocation has been recognised for some time as a potential crucial economic driver for the sub-region. In the West Cheshire/ North East Wales Spatial Strategy 2006-2021 the site was identified as an important future employment site. The site was further recognised in the Flintshire Regeneration Strategy 2008-2020 as a critical location for future employment use and wider regeneration

benefit.

8.43 The site has the potential to play a major part in realising the aspirations for this area as a hub for future business investment and job creation and as a centre for advanced manufacturing excellence, research and skills development. The site is judged to have the potential to accommodate an estimated 5,000 of the 7,000 jobs target for the Deeside Enterprise Zone. This is crucially important as the Enterprise Zone has a major role to play in providing employment and supply chain business across North Wales and North West England and has the potential to bring major regeneration benefits to the Deeside area as a whole.

8.44 However, these aspirations will only be realised if the development is consistent with them in terms of quality. There are a number of areas where the planning process, at this stage and subsequently as more detailed applications are developed and submitted, will need to ensure that the proposed development will be suited to realising the aspirations for the site. These areas are listed below:

- 1) The design of the site in terms of buildings, open space and transport corridors will need to be of sufficient quality to attract high quality employers, especially from the advanced manufacturing sector.
- 2) The flood risks inherent in this low-lying site need to be thoroughly mitigated.
- 3) Similarly, given a future of rising energy prices, the design of each stage of the development will need to enable high levels of energy performance, use of sustainable and energy micro-generation to offer a competitive edge.
- 4) The density of employment use will need to be monitored as each stage of the development is brought forward to ensure that, overall, the site is able to accommodate a quantum of employment consistent with the importance of the site and its context.
- 5) The links between the site and Garden City will need to be designed to ensure permeability and legibility so residents of Garden City are able to easily access employment and services on the site.
- 6) The transport infrastructure onto and around the site will need to offer the convenience and resilience required by both residents and business users and will need to facilitate access to the site by pedestrians, cyclists and public transport providers.
- 7) Any retail provision will need to be carefully considered to avoid

negative impacts on town centres in the surrounding area.

#### Concerns raised by local residents

- 8.45 Some local residents are concerned about the loss of privacy especially if 2 ½ storey houses are built next to bungalows. This is a matter which will be addressed when reserved matters applications are submitted when the design and layout of the proposed residential areas are known. The development will be required to comply with the council's standards for space around dwellings and private garden space, ensuring protection of privacy and no material loss of light to neighbouring dwellings.
- 8.46 Loss of open space is also a concern. However, the site is privately owned so the space is not available for public use and the views across it are not a planning matter. Also the site has been allocated for development for a considerable time.
- 8.47 Issues of noise and dirt pollution are covered by the recommended conditions.

Whilst it is acknowledged there will be an increase in traffic as a result of the development, the nearby highway, cycle and footway networks are to be upgraded to accommodate this increase.

The issue of the number of houses will be determined at later stages and density will be in accordance with the council's policies. A condition covers this matter.

Concern is raised about the effect on protected species and this matter will also be covered by appropriate conditions.

#### Concerns raised by adjacent land owner

- 8.48 PRDL own the remaining part of the allocated site in the UDP which is not subject of this application. Despite an ongoing dialogue with PREM they have been unsuccessful in reaching agreement that would have facilitated both parties being able to bring the allocated site forward on an agreed joint basis.
- 8.49 Since submitting this objection, the Northern Gateway allocation now forms part of the newly designated Deeside Enterprise Zone, and PRDL, PREM, the Council, and the Welsh Government have been involved in active discussions to examine the benefits that the Enterprise Zone status can bring, that will enable the Northern Gateway allocation to move forward. It is also right to say that notwithstanding the objection they have made, PRDL share in the mutual desire to bring this important site forward for development.
- 8.50 Taking into account the nature of the objection made by PRDL, it is

my view that the conditions which are required to enable this application to be positively considered and determined, also provide the safeguards that should reassure PRDL that the issues they have raised have been taken into account in arriving at the recommendation in this report.

### Minerals

- 8.51 There is no objection in principle. Whilst the area is underlain by alluvial and fluvio-estuarine sand, mud and silts, there is no comprehensive information on the quality or extent of the sand resource available to the Mineral Planning Authority. Indications are that the quality is variable and unlikely to be a particularly high quality deposit. Similar sandy deposits have been worked in the 1980s at Shotwick Lakes by pumping sands from Shotwick to raise the level of land on what is now the Deeside Industrial Park to raise land for flood control purposes and to bury contaminated land. There is no history of commercial sand exploitation in the locality which is indicative of a lack of high quality sand resources.
- 8.52 The purpose of policy MIN8 is to ensure that mineral resources are not unnecessarily sterilised by other development and to only allow other development where it is considered to have benefits that demonstrably outweigh the value of the resource. The proposal is part of a major strategic development on the overall Northern Gateway Project which is a significant mixed use with substantial economic and social benefits to the industrialised and residential area around Shotton and Queensferry and the Deeside Industrial Complexes, as well as to Flintshire, North Wales and the immediate Wirral, Chester and Cheshire West areas. Given the likely overall low quality of the sand, compared with the scale and benefits of the proposal, the proposed development outweighs the need to protect mineral resources at this location.
- 8.53 The ground at RAF Sealand and Garden City represents the dried out bed of the River Dee Estuary from when the River Dee was Canalised, so the materials will only be loosely consolidated. Ground investigations will be required to support the reserved matters applications, to investigate ground conditions and ground water levels. An appropriate condition is recommended to cover this.
- 8.54 In addition, the wholesale pre-extraction of the mineral in the area is not practical, because markets are insufficient to utilise the sand in a reasonable time frame. Also because it will cause a general lowering of the land, which would exacerbate flood risks, and paradoxically place pressure to infill the land with other mineral and suitable rock/demolition waste from elsewhere, causing unnecessary consumption of mineral from permitted mineral sites elsewhere in Flintshire and nearby counties.

## Sustainable Energy Use

8.55 There is significant potential to develop infrastructure to utilise heat energy, both from nearby existing sources of heat and from any new heat generating development within the application site and other locations nearby. A ring main pipe to carry low grade heat or steam from power-stations, paper mills and process cooling on sites in Zones 3 & 4 of the Deeside Industrial Park could be used to provide district heating, for example, which might be a major factor in uptake of plots and meeting sustainable energy use, as required by national and local plan policies.

## **9.00 CONCLUSION**

9.01 The information submitted covers all the issues and it is recommended that outline permission is granted subject to a suite of conditions.

9.02 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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