

FLINTSHIRE COUNTY COUNCIL

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

DATE: **25TH JULY 2012**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **ERECTION OF NON-FOOD RETAIL UNITS UTILISING EXISTING VEHICULAR ACCESS POINTS, SERVICE YARD, CUSTOMER CAR PARK AND PEDESTRIAN LINK AND REMOVAL OF EXISTING PETROL FILLING STATION CANOPY.**

APPLICATION NUMBER: **049292**

APPLICANT: **WM MORRISON SUPERMARKETS PLC**

SITE: **SALTNEY RETAIL PARK, RIVER LANE, SALTNEY**

APPLICATION VALID DATE: **20/12/2011**

LOCAL MEMBERS: **R. LLOYD**

TOWN/COMMUNITY COUNCIL: **SALTNEY COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 The proposed development seeks full planning permission for the erection of 5 non food retail units with a gross footprint of 2,650 sq.m. and a further 1,705 sq.m. at mezzanine. The existing car park would be reconfigured and landscaped in addition to other landscape/highway works on/adjacent to the site. The main considerations are the principle of development, impacts on the adjacent residential amenities, visual, ecology and highway impacts.

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

- 2.01 Subject to the completion of a S106 agreement, receipt of an Unilateral Undertaking, or issuing an advance voluntary payment of £20,000 in respect of the provision of public art, conditional permission.

Conditions

1. Time limit on commencement
2. In accordance with approved plans.
3. Materials to be agreed
4. Submission of a landscaping scheme and to include measures for nature spaces to encourage water voles, measures to eradicate Japanese Knotweed and boundary treatments.
5. Implementation of a landscaping scheme.
6. Details of noise insulation measures for any future plant/equipment associated with development.
7. Remove from permitted development rights any mezzanine floors.
8. Drainage conditions.
9. Hours of operation restricted.
10. Parking to be provided and retained prior to store being brought into use.
11. Details of all external lighting and measures to prevent light spillage.
12. Details for the public art work on site.
13. Restriction on piling/foundation works unless otherwise agreed
14. Contamination
15. No land raising
16. Surface water regulation
17. Implementation of flood warning/plan measures outlined in Section 4.2.1 of submitted FCA
18. Details to be submitted for finish treatment of the foot bridge and railings to Bridge Street
19. Fence design following course of Balderton Brook to be submitted for approval.
20. A management scheme to be submitted and agreed for the long term management within the site of the channels/brook of Balderton Brook.
21. Off site highway improvements along Bridge street to be completed prior to development being brought into use and subject to a S. 278 Agreement.
22. Details required for after treatment of redundant fuel tanks on the site.
23. Layout/design of the means of access to be submitted for approval.
24. Proposed access to maintain visibility of 2.4m by 43m during site works and thereafter in perpetuity.
25. Provision of parking to be submitted for approval including details for bin storage/collection and

- thereafter retained.
26. Positive means to prevent run-off of surface water to be submitted and approved.
 27. No development until a construction management plan has been submitted for approval.

3.00 CONSULTATIONS

3.01 Local Member

Cllr. Lloyd R Lloyd

Agrees to determination under delegated powers

Town/Community Council

No response at time of writing report

Head of Highways and Transportation

No objections subject to conditions

Public Protection Manager

No adverse comments

National Grid

Notes to be included in any decision for the applicant

Coal Authority

No comments

Network Rail

No objections – notes to applicant

Environment Agency Wales

No objections subject to conditions

Public Rights of Way

No observations

Airbus

No objections

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

The proposal has been advertised by way of site notice and neighbour letters. No letters of representation have been received at the time of writing the report. Prior to the May local elections former Cllr. Armstrong-Braun agreed to determination under delegated powers.

5.00 SITE HISTORY

- 5.01 The site forms part of the former Morrisons foodstore in Saltney (on River Lane) which closed in 2006 following the merger of Safeway and Morrisons and has recently been occupied by Go Outdoors - the existing parking area which served the former Morrisons would serve both Go Outdoors and the proposed development.

6.00 PLANNING POLICIES

6.01 Adopted Flintshire Unitary Development Plan

Policy STR1 - New development
Policy STR2 - Transport and Communication
Policy STR5 - Shopping centres and commercial development
Policy STR10 - Resources
Policy GEN1 - General requirements for development
Policy GEN2 - Development within settlement boundaries
Policy S6 - Large shopping developments
Policy D2 - Location and layout
Policy D3 - Building design
Policy D4 - Landscaping
Policy D7 - Public Art
Policy AC4 - Major traffic generating proposals
Policy AC12 - Airport safeguarding zone
Policy AC13 - Access and traffic impact
Policy AC18 - Parking provision and new development
Policy EWP16 - Flood risk
Policy S1 (7) - Commercial allocation
Policy S6 - Large shopping developments.

7.00 PLANNING APPRAISAL

7.01 Proposed Development /Principle of Development

The proposed development seeks full planning permission for the erection of 5 non food retail units with a gross footprint of 2,650 sq.m. and a further 1,705 sq.m. at mezzanine (46,875 sq.ft.). The existing car park would be reconfigured and landscaped in addition to other landscape/highway works on/adjacent to the site. The site forms part of the former Morrisons food store on River Lane and which has recently been occupied by the national retailer "Go Outdoors". The overall proposed development is further detailed as

- There would be approximately 429 car parking spaces (369 customer spaces and 60 staff). 10% of the customer spaces are to be dedicated for those with disabilities/parents with young children.
- Vehicular access arrangements are as existing i.e. off River Lane and the existing pedestrian access from Bridge Street onto the site by way of a bridge over the Balderton Brook is to be upgraded
- Location of new artwork indicated on gable wall of north elevation/in vicinity (details to be subject to later approval).

- Existing grassed area within car park to become pedestrian link with crossing point provided adjacent to “Go Outdoors”.
- Landscaped areas introduced within car park area, to break up large tarmac areas..
- Introduction of lighting columns adjacent to brook to improve pedestrian safety
- Existing 1.6m high concrete panelled fence adjacent to pedestrian bridge to be replaced with palisade fence to improve pedestrian visibility and omit ‘hidden corners’. Existing footbridge to be improved – timber deck finish is unstable and requires additional support for deck.
- Improvements to highways beneath railway bridge to consist of new coloured tarmac for pedestrians and vehicles, together with new lighting.
- Overall site landscaped including boundary with Balderton Brook
- The buildings would be contemporary in design but reflect and complement features on the new Morrisons store nearby e.g. use of curved canopy feature along the building’s frontage.

7.02 The application site is roughly rectangular in shape, has railway lines to the south, to the west there are existing industrial/commercial premises, to the east by Bridge Street and to the north by River Lane which sides onto the Dee. The total application site is approximately 3.26 hectares in area.

7.03 The application is accompanied by a Design and Access statement, Retail & Planning Statement, Transport Assessment, Ecological Appraisal, Sustainable Energy Statement, Flood Consequences Assessment and a Contamination Report.

7.04 The proposed building will be contemporary in design utilising aluminium framed glazing, brick and cladding. A curved canopy feature on the main elevations would reflect the design of the canopy to the adjacent newly built Morrisons at High Street. The development is to utilise the existing car park and to share it with the newly opened Go Outdoors. The proposed development would provide for landscaping within the site and for the improved management of Balderton Brook which runs through the site on the eastern boundary. The proposed development would also provide for the partial rebuilding of an existing foot bridge within the site which links the site into Bridge Street and for highway improvements along Bridge Street to encourage safe pedestrian movement.

7.05 Within the adopted Flintshire UDP the application site is within the development boundary of Saltney. The store would be located adjacent to the town centre and it is considered would encourage more shoppers to visit the town centre as a shopping destination. In

more general sustainable terms the proposed development consolidates the retail centre of Saltney which would discourage unsustainable car journeys to retail outlets outside the area and the site will be accessible by a choice of transport due to its location near to a main bus route and also for pedestrians due to the surrounding "walk in" catchment area. The proposal is therefore acceptable in principle.

7.06 Design & Appearance

The proposed store is contemporary in design and would utilise a mix of external materials primarily including external cladding, but with an element of brick and other materials. A curved solid canopy facing the main car parking areas will provide both shelter and architectural detail to the design and reflect the canopy design to the newly built Morrisons on High Street.

7.07 As regards design, the proposed store is relatively low in height and has a scale which is sympathetic and complimentary to the overall site and that of surrounding development. The site would benefit from a comprehensive scheme of hard and soft landscaping which integrates the redeveloped site into the wider environment. Significantly the proposed scheme retains and enhances, with planting works, the Balderton Brook which runs through the site and which creates a "green" corridor within the site.

7.08 The proposal will include an element of public art in line with Policy D7 of the UDP. Any public art would be located on the northern boundary of the site either on the building itself or as a stand alone structure. The exact details of the public art has yet to be determined and would be subject to a Section 106 legal agreement to ensure such works are carried out in liaison with the Council and that the developer pays £20,000 towards the commissioning of such work on the site.

7.09 Bearing in mind the fact that the site has been unoccupied up until the arrival of Go Outdoors and in much need of redevelopment, the proposed scheme is considered a welcome improvement to the visual amenities of the area.

7.10 Affect on Residential Amenity

The nearest residential property to the proposed development is located to the eastern boundary on the opposite side of Balderton Brook, otherwise the development is relatively distance from other residential properties. No objections to the proposal have been raised by the Head of Environmental Health. Bearing in mind the historical use of the site and the site's separation distance from this residential property, it is not considered the proposed development would be unduly detrimental to residential amenities subject to control over the hours of use i.e. 7.00 am to 10.00 pm Monday to Friday and 10.00 am to 4.00 pm on Sundays and Bank Holidays - these hours should be controlled via an appropriately worded condition in the interests of

residential amenity. The delivery yards are located to the rear of the site at some distance from residential property. The lighting columns within the site can be controlled via condition to minimise light spillage. Whilst the risk of mechanical cooling/ventilation systems are highly unlikely to cause a nuisance to residential properties due to separation distances it is nonetheless considered appropriate to impose a condition to secure details beforehand in order to reduce the potential for noise/disturbance.

Flooding

7.11 The Environment Agency have not objected to the proposed development subject to appropriately worded planning conditions.

7.12 Highways

The Council's Head of Highway has not objected to the proposed development subject to conditions and therefore offers no highway objections. The site will be accessible via a range of sustainable travel modes which should assist in minimising the need for travel using private vehicles i.e., is situated near to a main bus route and is within walking distance of a "built up" area. The car generated trips which the proposal will encourage would include those local drivers who from a sustainability perspective would no longer have to drive to Broughton, Queensferry, Chester and other places for shopping.

7.13 Pedestrian access to the site would be via two principal areas, namely the Bridge Street/Chester Road junction, and along River Lane. The existing foot bridge over Balderton Brook is in poor condition and is to be upgraded – this can be achieved subject to an appropriately worded planning condition. The proposal includes provision for a new wider footway along part of Bridge Street in addition to the marking of the highway to improve pedestrian safety under the railway bridge, and which is considered a significant gain to pedestrian users in the locality and to general connectivity as regards linking the site to the retail centre of Saltney. Overall the proposal is considered acceptable from a highways perspective subject to appropriately worded conditions.

7.14 Ecology

The key ecology feature on the site is the Balderton Brook which represents opportunities for enhancement of wildlife. Voles have been recorded in a tributary upstream with some vegetation currently suitable on the Balderton Brook bank side to attract them. A "green" corridor incorporating Balderton Brook is to be retained and enhanced with appropriate planting of native shrub/tree species which will also favour water voles. A condition should be attached to any grant of permission for landscaping which has a mix of species to encourage local wildlife and to include for the treatment of Japanese Knotweed which is present in the locality.

8.00 CONCLUSION

- 8.01 The proposal is considered acceptable in principle and detail subject to the legal agreement and conditions referred to at paragraph 2.00 of this report.
- 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.

Contact Officer: Declan Beggan

Telephone: 01352 703250

Email: declan.beggan@flintshire.gov.uk