

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **30TH MARCH 2022**

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

SUBJECT: **FULL APPLICATION – PROPOSED DEVELOPMENT CONSISTING OF 4 NO. RETAIL UNITS FOR USE CLASS E (a) AND E (b) FOOD AND RETAIL WITH ASSOCIATED CAR PARKING AND SIGNAGE**

APPLICATION NUMBER: **062863**

APPLICANT: **VALEDOWN DEVELOPMENTS LTD.**

SITE: **FORMER GATEWAY TO WALES HOTEL SITE, WELSH ROAD, GARDEN CITY**

APPLICATION VALID DATE: **16TH APRIL 2021**

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

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

REASON FOR COMMITTEE: **MEMBER REQUEST – CONCERNS REGARDING USE OF THE SITE AND HIGHWAY IMPACT**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 Members will recall that this application was deferred at the Planning Committee on 2nd March for reasons concerning the delivery arrangements for the development and how delivery vehicles, specifically HGVs can be accommodated within the site without compromising the access off Welsh Road.

- 1.02 Following discussions with the applicant, an additional plan has been provided which demonstrates that delivery vehicles, specifically HGVs can access and be accommodated within the site without interference with the access off Welsh Road. In addition, the additional plan also identifies 2 no. designated loading and unloading areas. Further to discussions with the Applicant it has been confirmed that all deliveries and services to the proposed units will be outside of the opening hours as conditioned and this commitment will be reflected in the wording of the opening hours condition. As such, it is considered that the additional plan together with the condition for a Service/Delivery Plan and the hours of opening are sufficient controls to appease the concerns members initially raised.
- 1.03 The recommendation to grant planning permission is therefore maintained and the summary of the application is as follows:
- 1.04 This a full planning application for the proposed redevelopment of the former Gateway to Wales Hotel site, Garden City, to provide 4 no. food and retail units with associated parking.
- 1.05 The schedule of development is listed below:
- Convenience Store (372sqm);
 - Drive-Thru Coffee Shop (168sqm);
 - Two Food Retail Units (Combined 260sqm).
- 1.06 Access to the site will be retained from the existing access arrangement from Welsh Road. The access arrangement will have improved geometry with 10m corner radii, a carriageway width of 7.3m and footways either side with a minimum width of 2m, including tactile paving with dropped kerbs.
- 1.07 A total of 63 no. on-site car parking spaces will be provided, including 6 no. disabled spaces.
- 1.08 The application site extends for 0.51ha and is located within Garden City. The site benefits from a prominent roadside location positioned between the A494 Trunk Road and the B4551, Welsh Road. The site is cleared and vacant following the demolition of the former Gateway to Wales Hotel, which was subject to fire damage in 2017. The site has an existing access off Welsh Road, and is neighboured by residential development.
- 1.09 The site is located within the settlement boundary of Garden City which is a category B settlement in the adopted UDP. The UDP also identifies in Policy S1 that Welsh Rd, Garden City is a Local Shopping Centre. The site is also previously developed land, being the former Gateway

to Wales Hotel site, and therefore its reuse would be in line with the definition and principles set out within PPW11 which states at para. 3.55 that within settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome.

1.10 This re-submission addresses the reasons of refusal on the previous application (LPA Ref: 062202) which are listed below:

1. *The Local Planning Authority considers that the proposed development will result in an intensification of the existing access, requiring access by large delivery vehicles. As such insufficient information has been submitted with regard to addressing the impact upon the capacity of the associated A494 trunk road junction and the local highway network. In the interest of maintaining highway safety the proposal is contrary to Policies GEN1 and AC13 of the Flintshire Unitary Development Plan.*
2. *The Local Planning Authority considers the proposed site layout to be unacceptable as the proposal will result in built development being located over an existing culvert to a main river and within the protection zones of the public sewer network. The site is also located within a C1 Flood Zone, for which the Flood Consequence Assessment submitted fails to demonstrate that the risks and consequences of flooding can be managed to an acceptable level. As such the proposal is contrary to the guidance set out in TAN15 and Policies GEN1, D1 and EWP17 of the Flintshire Unitary Development Plan.*
3. *The Local Planning Authority is aware of the historical use of the site as a former petrol filling station, the recent site clearance works undertaken following the demise of the former hotel, and concerns raised of the underlying Secondary Aquifer below the site. It is therefore considered that insufficient information has been provided in respect of land contamination contrary to Policies GEN1 and EWP14 of the Flintshire Unitary Development Plan*

1.11 It is considered that all planning and technical matters have been addressed, as such the recommendation is to grant planning permission subject to the conditions as set out in paragraph 2.01 of this report.

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

2.01 Conditions

1. Time commencement
2. In accordance with approved plans
3. Materials
4. Site and Finished Floor Levels
5. Hours of Opening limited to: 0700 – 2300hrs with Deliveries restricted to outside opening hours
6. Siting, Layout and Design of Access
7. Detailed design of Access
8. Visibility Splays – 2.4m x 35.7m right of exit and 2.4m x 40.2m left of exit
9. No obstruction to visibility and to be retained
10. Facilities for the loading, unloading, parking and turning of vehicles
11. Prevent surface water run-off onto highway
12. Construction Traffic Management Plan
13. Prior to occupation, submit Service/Delivery Management Plan
14. External lighting
15. Scheme for Security and CCTV
16. Landscaping implementation
17. Details of Costa pole sign adjacent A494 to be submitted
18. Internal Traffic Management Plan to be submitted
19. Undertake Capacity Assessment of Drone Corner Roundabout within 12 months of permission
20. Foul and Surface Water Drainage Scheme
21. Remediation Strategy (Contamination) Condition
22. Long Term Monitoring Plan for protected sites and Contamination
23. Biosecurity Risk Assessment
24. Emergency Flood Evacuation Plan

3.00 CONSULTATIONS

3.01 Local Member - Councillor Ms. C M Jones

Raises concerns with respect to the access arrangements and the threat of highway safety. Also raises concerns regarding the appropriateness of the end use of the site as proposed. Requests the application be determined at planning committee.

Sealand Community Council

The community council raises objections to this application on the grounds that the proposal may increase traffic flows leading to potential safety problem with its nearness to the traffic roundabout and bus stop.

The entrance to the site is of course the same entrance as used by the former Gateway to Wales Hotel, however, there is now more traffic using this roundabout than in the past. The expanding local developments including the new Amazon distribution centre, the significant new housing developments will add further to these traffic flows.

The proposed development potentially may cause traffic queues that could prove a danger to traffic leaving the dual carriageway to enter Welsh Road. Added to this is the nearby bus stop. Council urges that consideration should be given to improving the current entrance and exit for the proposed site if this development is to go ahead.

Welsh Government - Highway Authority

No objection subject to the imposition of conditions:

- Details of Costa pole sign adjacent A494 to be submitted
- Internal Traffic Management Plan to be submitted
- Undertake Capacity Assessment of Drone Corner Roundabout within 12 months of permission

Highways Development Control

No objection subject to the imposition of conditions:

- Siting, Layout and Design of Access
- Detailed design of Access
- Visibility Splays – 2.4m x 35.7m right of exit and 2.4m x 40.2m left of exit
- No obstruction to visibility and to be retained
- Facilities for the loading, unloading, parking and turning of vehicles
- Prevent surface water run-off onto highway
- Construction Traffic Management Plan
- Prior to occupation, submit Service/Delivery Management Plan

Business and Community Protection

No objection subject to the imposition of a condition to require a detailed remediation strategy.

Dwr Cymru /Welsh Water

No objection subject to the imposition of conditions:

- Foul and Surface Water Drainage Scheme

Natural Resources Wales

No objection subject to the imposition of conditions:

- Long Term Monitoring Plan for protected sites and Contamination
- Biosecurity Risk Assessment

Airbus

Confirms no aerodrome safeguarding objection.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

At the time of writing six no. neighbour consultation responses have been received. Three representations objecting to the proposal and three representations of support were received.

The objections related to traffic impact on the A55 towards the M56 being raised as a cause for concern in relation to speed and increased traffic. Additionally, the visibility for traffic joining the Welsh Road from Hawthorn view has been raised as a current issue due to vans and lorries being parked on this road. Similarly, concern has been raised regarding the safety of traffic exiting the site due to a number of near misses between vehicles on the road and lorries leaving the site. A neighbour objector also raised concern over the traffic safety at Drome Corner.

The objections also raised concern that the proposal may not comply with the government's "Transport Decarbonisation Plan", as the plans do not show electric vehicle (EV) charging points.

Due to the increase in traffic levels in the area concern has been raised about the added air pollution and potential for any health problems related to this.

Fails to meet sequential test as required by UDP policy S6 as there is an alternative site for retail development within 300m which already has planning permission and is a more sustainable location. The former Gateway to Wales Hotel site does not have good access for pedestrians and cyclists as it is the 'wrong side' of Welsh Road and is relatively remote from the Garden City community as well as the Airfield's development.

Development would undermine the vitality and viability of the District Centre and Aifields site.

Summary:

- Traffic impact on A55 towards the M56.
- Lack of consideration for local residents and safety. Raised concern over existing poor visibility from Hawthorn Road onto Welsh Road.
- Compliance with “Transport Decarbonisation Plan”. And query whether Costa will be bringing Instavolt to the site when it opens.
- Access to the site is fine, exiting the site is dangerous Objector raised point that there have been a number of near crashes from lorries turning right.
- Noise concerns outside and inside the home.

Three representations of support have also been raised stating that the development would be an asset to the community, is within walking distance and will bring jobs to the area, therefore benefitting the local economy. Additionally, it was considered that the development would visually improve the site through filling the existing void.

5.00 SITE HISTORY

5.01 062202

Proposed development consisting of 4 No. food and retail units and associated car parking and signage.
Refused 05/03/2021

051951

Application for removal or variation of conditions 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 17 & 19 following grant of planning permission ref: 046298.
Refused 07/03/2015

043688

Construction of new entrance and internal alterations.
Approved 07/02/2008

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

GEN1 General Requirements for Development
GEN2 Development Inside Settlement Boundaries
D1 Design Quality, Location and Layout
D2 Design
D3 Landscaping
D4 Outdoor Lighting
D5 Crime Prevention
D7 Outdoor Advertisement

AC4 Travel Plans for Major Traffic Generating Developments
AC13 Access and Traffic Impact
AC18 Parking Provision and New Development
S1 Commercial Allocations
S6 Large Shopping Developments
S8 Hot Food Takeaways, Restaurants and Cafes
EM4 Location of Other Employment Development
EWP12 Pollution
EWP13 Nuisance
EWP14 Derelict and Contaminated Land
EWP17 Flood Risk

Supplementary Planning Guidance
SPGN no.11 Parking Standards

National Guidance
Planning Policy Wales Ed.11 (February 2021) (PPW11)
Future of Wales: the national plan 2040
TAN 4 Retail and Commercial Development
TAN 23 Economic Development

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full planning application for the proposed redevelopment of the former Gateway to Wales Hotel site, Garden City, to provide 4 no. food and retail units with associated parking and signage.

7.02 Site Description

The application site extends for 0.51ha and is located within Garden City. The site enjoys a prominent roadside location positioned between the A494 Trunk Road and the B4551, Welsh Road. The site is cleared and vacant following the demolition of the former Gateway to Wales Hotel, which was subject to fire damage in 2017. The site has an existing access off Welsh Road, and is neighboured by predominantly residential development.

7.03 Proposed Development

The proposed development comprises the redevelopment of the former hotel site to provide 4 no. food and retail units falling within use class A1 and A3, together with landscaping, car parking and site signage.

7.04 With reference to the details submitted, it is acknowledged that the take up of the units, comprises a Costa Coffee café with drive thru proposed as unit 1 located to the north east of the site together with associated paraphernalia and signage. The remaining 3 units; unit 2 being a

standalone building positioned to the north west fronting Welsh Road with units 3 and 4 attached positioned at an angle adjacent to the boundary of Maes Helyg, a residential apartment building, remain without an end user at this stage. The floor area of each unit is as follows:

- Unit 1 (Costa Coffee Drive Thru) 168.04sqm
- Unit 2 (Retail Store) 371.71sqm
- Unit 3 (Food Retail) 130sqm
- Unit 4 (Food Retail) 130sqm

- Total floor area of buildings approx. 800sqm.

7.05 In terms of building appearance, each unit resembles a similar theme this being of steel portal frame construction, single storey with sloping monopitch roof. With the exception of units 3&4 (food retail units) which will have a traditional masonry wall finish, the elevations of the units will comprise cladded render wall panels, using British Western Cedar Timber clad feature panels, composite cladding panels (flat profile) and glazed shopfront elements.

7.06 The preference for glazing is to use aluminium framed curtain wall systems allowing for up to 50mm polyester powder coated glazing panels. All external fire doors and personnel doors are to match the surrounding cladding colour of the building. An insulated, built-up cladding panel system or similar approved product will be used on the roof. Contrasting eaves and verges are preferred in Anthracite RAL 7016 colour.

7.07 The existing red brick boundary wall as seen from the A494 will remain, with a 2.1m high feather edge boarded fence proposed to divide the site and neighbouring properties on Maes Helyg. Timber fencing consisting of British Western Red Cedar profiles is to be used to fence the food retail units service areas. It is to be no less than 2.4m high for security purposes. The service area gates will match this style of fence and be in the same colour. In less visible areas paladin fencing is proposed instead of the continuation of timber fencing. Whilst the site will predominately be hard surfaced, there is peripheral soft landscaping proposed to the North, North East and South East boundary limits.

7.08 The site will retain the existing site access off the B4551 Welsh Road, and provide a total of 63 no. car parking spaces including 6no. as disabled bays.

7.09 Principle of Development

The site is located within the settlement boundary of Garden City which is a category B settlement in the adopted UDP. The UDP also identifies in Policy S1 that Welsh Rd, Garden City is a Local Shopping Centre. The site is also previously developed land, being the former Gateway to Wales Hotel site, and therefore its reuse would be in line with the definition and principles set out within PPW11 which states at para. 3.55 that within settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome.

7.10 Policy S6 of the UDP permits new retail developments of more than 500sqm within town, district or local centres. The policy seeks to avoid development which is out of scale with the shopping centre and sets out further assessment criteria.

7.11 The local shopping centre at Garden City has a limited range of shopping and other commercial development along Welsh Road. It is also close to the Northern Gateway strategic mixed use development site and Deeside Industrial Park more generally. The site is sustainably located in terms of being within settlement and accessible by a range of transport modes, this includes public transport. Further the site is connected to an existing network of pedestrian links (pavements) and is on route of the National Cycle Path, therefore promoting active travel principles. In this context I do not consider that the proposed uses are out of context with the locality and will serve both existing and forthcoming residents as well as the needs of nearby commercial enterprises. The proposed development therefore satisfies the sequential test as set out in policy S6. As such, the principle of development is considered acceptable.

7.12 In writing this report, I am mindful of a recent appeal decision ref APP/A6835/A/20/3261103 Land East of McDonald's, St Asaph Road, Lloc whereby the Inspector on allowing the appeal noted that there is limited provision of roadside facilities along the A55, and what limited provision there is, often is restricted to be accessible only by vehicles travelling in one direction. In addition, the level of service provision available is often limited to single outlets such as a petrol filling station or a coffee shop. The Inspector therefore considered the level of service areas along the A55 to serve HGVs, tourists and other motorists to be low and lacks the quality of facilities that is required on such a popular, and busy route which experiences large fluctuations of traffic throughout the year and especially during the holiday periods, with 'staycations' becoming an increasingly popular holiday choice.

- 7.13 The appeal draws many similarities with the application before me, albeit the exception that the appeal site is located in open countryside, yet the overall balance went in favour of the proposed scheme in light of the economic benefits and employment prospects this would bring to the local area. The advantage in this case, and in addition to the merits shared with the appeal site, is that the site is well positioned within a defined settlement, which is recognised as a local shopping centre in the UDP and that the proposal would utilise vacant, previously developed land in need of attention. This together with the site's urban context and prime, accessible location weighs heavily in favour of the proposed development.
- 7.14 Highways
The proposed development will utilise the existing access off Welsh Road, which previously served the 40 bed Hotel. As members will be aware, the initial application ref. 062022 was refused, with reason no. 1 raising highway safety concerns; principally relating to the intensification of the existing access, and the impact upon the capacity of the A494 trunk road junction and the wider local highway network.
- 7.15 This application is now supported by further traffic assessments which factor in existing and committed new development within the immediate and surrounding area. A Junction Capacity Assessment has also been undertaken which analyses the A494 slip road junction onto Welsh Road.
- 7.16 The modelling results demonstrate that the proposed site access will operate comfortably within the capacity during AM and PM peaks in the 2026 'with development' scenario. The assessment shows that the development traffic will have a low residual cumulative impact on queuing, delay and capacity on Welsh Road. A percentage impact assessment has been undertaken for the Drome Corner roundabout junction which shows a low percentage impact on 3 of the arms. The biggest impact is on the Welsh Road south arm which is equivalent to less than 1 additional vehicle a minute. Welsh Government and the Local Highway Authority do not consider this to be a serve impact.
- 7.17 To validate the traffic level data used in the Transport Assessment a further traffic survey was requested to confirm if the data used is comparable with the actual 2021 traffic flows at the Dome Corner roundabout junction, which from the results of the Automatic Traffic Count (ATC) survey on the Welsh Road arm are anticipated to be lower than the traffic flows used in the original analysis. The results of the survey show that only one movement in each peak is higher in the recent survey than in the growth data.

- 7.18 The objections received have raised concerns that during peak periods there is potential for queuing traffic within the drive-thru to prevent access onto the development site, leading to queuing on the A494 Slip road and the B5441 Welsh Road, blocking Drome Corner roundabout. However, following a robust assessment using fast-food drive-thru trip rates, the split between in-store and drive-thru customers, the available stacking capacity at the drive-thru and the typical management measures put in place by operators it is not considered that there is a risk of queues impacting on the local road network. These views are supported by both the Local Highway Authority and Welsh Government and as such, it is not considered that the capacity and safety of the local and major highway would be compromised.
- 7.19 Notwithstanding the reason to refuse ref. 062202, the initial concerns regarding the adequacy of the site access and the resultant traffic generated by the proposed development and the impact upon the wider network, have been fully addressed by the applicant. In consultation with Welsh Government and the Local Highway Authority, it is considered that the access arrangements are suitable and safe, with adequate provision for car parking provided. Both Welsh Government and the Local Highway Authority raise no objection subject to conditions.
- 7.20 Further to the above, following the deferral at the 2nd March Planning Committee, the Applicant has submitted an additional plan. This plan demonstrates that delivery vehicles, specifically HGVs can be accommodated within the site without compromising the access off Welsh Road. The plan also identifies 2 no. designated loading and unloading areas. Further to discussions with the Applicant it has been confirmed that all deliveries and services to the proposed units will be outside of the opening hours as conditioned and this commitment will be reflected in the wording of the opening hours condition. As such, it is considered that the additional plan together with the condition for a Service/Delivery Plan and the hours of opening are sufficient controls to appease the concerns members initially raised.
- 7.21 Flood Risk
The application site is located within Development Advice Map Zone C1. The site is within both the tidal and fluvial flood zone extents, from the tidal River Dee and the Manor Drain respectively. The Manor Drain is a culverted main river which flows beneath the site from east to west. The proposal is for commercial development which is classified as less vulnerable development in Figure 2 of TAN15.

- 7.22 Following the refusal of ref. 062202 an updated Flood Consequences Assessment (FCA) has been submitted in support of the application. Through consultation with NRW, it is noted that the latest relevant modelling outputs have been used within the FCA.
- 7.23 The FCA states that the site is subject to flood depths of up to 0.34m during the design flood event, which is the 0.5% annual exceedance probability (AEP) in the 2095 flood event due to a breach at Garden City. This scenario is taken from the latest Tidal Dee Flood Mapping Study (2020). The FCA also recommends mitigation in the form of flood resilience and resistance measures including using durable materials and raised services.
- 7.24 NRW refer to the existing on-site planning use associated with the demolished hotel, which is classified as highly vulnerable in line with figure 2 of TAN 15, in comparison to the proposed development being less vulnerable. Whilst the finished floor levels of the hotel are unavailable, it is noted that the proposed development footprint is to be reduced. As such the redevelopment of this site for a less vulnerable use therefore satisfies the tests set out in section 6.2 of TAN 15. Based on the above, NRW consider that betterment is provided and therefore raise no objection on flood risk grounds.
- 7.25 Notwithstanding the advice from NRW, the site is still at risk of flooding and in order to remain consistent with the permissions granted within C1 flood risk zones, it is considered that conditions are imposed which request the submission of both site and finished floor levels of the development, and that an Emergency Flood Evacuation Plan is provided to ensure safe evacuation in the event of a flood.
- 7.26 Furthermore, NRW also welcome the change of layout, which ensures that there is an 8m easement around the culverted main river, with no buildings proposed over the top of it and this easement is now demonstrated on a plan within the FCA. The amended site layout therefore addresses reason no. 2 of ref. 062202.
- 7.27 Land Contamination
It is understood that the historical use of the site before the establishment of a hotel, was that of a petrol filling station, the concern is therefore in relation to the underlying Secondary Aquifer.
- 7.28 The location of the former underground storage tanks has not been confirmed; it is unknown if they remain on site or if they were removed during the hotel development.

- 7.29 However, exploratory holes and monitoring wells were targeted in and around the location of the former filling station. The former filling station was also in the footprint of the hotel and it is considered high likely that any underground tanks were removed during the construction of the hotel.
- 7.30 In carrying out the intrusive investigations no groundwater concentrations of Total Petroleum Hydrocarbons (TPH) were noted above the laboratory limit of detection in any wells surrounding the former filling station.
- 7.31 Soils with a faint hydrocarbon odour and extremely low level TPH were noted in the smear zone. This is more typical of the remnants of a former contamination source than evidence of an ongoing source such as an existing Underground Storage Tank. No free product hydrocarbons were noted during the site investigation.
- 7.32 In addition to the above investigations, the applicant is prepared to carry out a watching brief, further groundwater testing associated with the potential use of PFAS/PFOS (perfluoroalkyl substances (PFAS) and perfluorooctanoic acid (PFOA)) containing firefighting foam and present the findings in an updated version of the report to finalise the remediation strategy.
- 7.33 Officer and NRW agree that the further works required can be secured through suitably worded planning conditions as there is adequate information submitted to understand the contamination of the site and that there is confidence that the site can be adequately remediated. The information provided to date together with the imposition of conditions therefore address reason no. 3 of ref. 062202.
- 7.34 Character and Appearance
The site is situated within a defined settlement boundary, which given the surrounding context is urban in character. The site is tightly bound by development and highway infrastructure upon its limits, which whilst restrictive, does allow the proposed development to be visually and physically contained within the immediate surroundings, and any visual impacts would be localised. The immediate neighbour to the site is the 3 storey residential apartment building, Maes Helyg which has a longitudinal contemporary design incorporating cladded panels and red brick.
- 7.35 The proposed units, whilst single storey, have mono-pitched sloping roofs, and incorporate cladding and materials that are similar to that of Maes Helyg and of those found within the immediate area.

- 7.36 As such, the development would be seen within this context and would have an affinity with the existing built form. The proposed redevelopment of this site is therefore welcomed and considered a betterment to the current state of the site, which if left vacant will have a more harmful and long lasting impact upon the character and appearance of the area.
- 7.37 Impact on Living Conditions
As noted above, the site is closely bound by existing development this being predominately highway infrastructure and residential development. The immediate residents to the site being no. 118 Welsh Road and those residing in the 3 storey apartment building, Maes Helyg.
- 7.38 No. 118 Welsh Road is a bungalow which is 10.8m to the proposed retail/food unit at its closest point measured from the side elevation. The side elevation of no.118 consists of an attached wooden carport structure and therefore no habitable rooms are in direct conflict with the proposed unit. Notwithstanding this, the view of the retail unit and interaction with no.118 are further restricted by the existing boundary treatments upon the limits of no. 118's curtilage, comprising a 1.8m closed board timber fence. This fence does drop to 1m as it approaches the junction point of Maes Helyg to maintain clear visibility. As such, the existing fencing together with the single storey nature of the proposed development and the proposed 2.1m boundary treatments to the application site, are considered to sufficient to limit any adverse impact to the living conditions of no. 118 Welsh Road.
- 7.39 Maes Helyg measures 21.7m at its closest point from the nearest proposed retail/food unit. The ground floor apartment units of Maes Helyg are of most concern given that they would otherwise directly interact with the proposed development of the adjacent site. However, similar to no.118, there is an existing closed board boundary fence which limits views from the habitable rooms of the ground floor apartments to the application site. The single storey nature of the development together with the proposed boundary treatments are therefore considered sufficient to limit any adverse impact to the living conditions of these residents. Notwithstanding this, the separation distance is such that the existing outlook from the windows of habitable rooms upon the ground floor is not disrupted.
- 7.40 To further protect the living conditions of the neighbouring development, it is considered reasonable to impose a condition in relation to the submission of an external lighting scheme which will aim to limit the amount of light spill from the site.

7.41 Other Matters

The application has received a number of objections, these mainly concern the highway safety implications as a result of the proposed development, however these matters have been addressed above under the 'Highways' section of this report.

7.42 Other matters have raised that the proposed development does not comply with the Welsh Government's 'Transport Decarbonisation Plan', as the plans do not show electric vehicles (EV) charging points. Members are advised that the installation of EV charging points can be carried out under permitted development rights and therefore would not require the benefit of planning permission. Members are also advised that current UDP planning policy does not require the provision of EV charging points as part of development. However, it is noted that the site layout and parking arrangements have been designed as to allow the installation of EV charging points at a later date in order to future proof the development and accommodate customer choice/usage of electric vehicles. The installation of EV charging points would not however change the number of parking spaces or the proposed development should permission be granted.

7.43 Concerns have also been raised with respect to the increase in traffic levels and the resultant air and noise pollution, and the potential health problems as a consequence. It should be noted that the site is located directly adjacent to the A494, and this is the same for a number of properties travelling west along Welsh Road. The A494 is a busy road which in itself generates noise and pollution. It is not therefore reasonable to suggest that the redevelopment of this site alone will lead to or increase such levels of noise or pollution significantly to cause a health concern. It should also be noted that Business and Community Protection did not raise objection to the development. The need for the submission of a noise survey and/or air quality assessment was not warranted.

7.44 Additionally, whilst the noise concern does not differentiate between operational noise and construction generated noise, the proposed conditions include controls in relation to opening hours and require the submission of a Construction Traffic Management Plan. The imposition of such conditions will therefore seek to control and minimise disruption where possible.

7.45 Furthermore, comments have raised that the development would undermine the vitality and viability of the District Centre at the Airfields site. Whilst there is provision for retail/hospitality uses at the Airfield's site, the principle has only been secured by the outline permission, and the detail, commercial interest and commitment to develop the plots

available are yet to be realised through the submission of a reserved matters or full planning application. As such, members are advised that this is not sufficient reason to warrant the refusal of the application.

8.00 CONCLUSION

The proposal would see the refurbishment of an existing site within the settlement boundary of Garden City; a sustainable location which is supported by both national and local policies. The proposed refurbishment should be recognised as a valuable new investment within the local area, securing the provision of a greater range of local services and the creation of further employment opportunities; as well as bringing an underused site back into beneficial use; continuing to meet the everyday needs of the community and supporting local economic growth.

It is considered that the proposal complies with planning policy. Accordingly, I recommend that planning permission is granted subject to conditions as set out within paragraph 2.01 of this report.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

Responses to Publicity

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