

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **1<sup>st</sup> FEBRUARY 2023**

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

**SUBJECT:** **RESERVED MATTERS APPLICATION FOR PROPOSED STORAGE AND DISTRIBUTION UNIT WITH ANCILLARY OFFICES, CAR PARKING, SERVICE YARDS, SECURITY GATEHOUSE, ELECTRICITY SUBSTATION, PUMP HOUSE AND LANDSCAPING**

**APPLICATION NUMBER:** **RES/000385/22**

**APPLICANT:** **COMMERCIAL DEVELOPMENT PROJECTS (CPD) LTD**

**SITE:** **PLOT B, THE AIRFIELDS, NORTHERN GATEWAY, WELSH ROAD, GARDEN CITY, DEESIDE**

**APPLICATION VALID DATE:** **25<sup>TH</sup> AUGUST 2022**

**LOCAL MEMBERS:** **COUNCILLOR CHRISTINE JONES AND COUNCILLOR DALE SELVESTER**

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

**REASON FOR COMMITTEE:** **DUE TO THE SCALE OF THE DEVELOPMENT**

**SITE VISIT:** **NO**

**1.00 SUMMARY**

1.01 This is an application for reserved matters following the grant of outline planning permission on land at Plot B, The Airfields, Northern Gateway. The application seeks consent for the erection of a storage and distribution unit with ancillary offices, car parking and associated infrastructure.

- 1.02 The single industrial unit will provide approximately 45,801 sq m internal employment floorspace for storage and distribution use together with 2508 sq m internal ancillary Office floorspace over three floors. The main building height will extend to a maximum of around 18 m to underside of haunch and around 22.5 m to ridge.
- 1.03 The Airfields site is identified for predominantly B8 uses, supported by B1 and B2 employment development as part of its allocation under Policy HSG2A in the Flintshire UDP (2011) for mixed use development and has outline planning permission (ref: 054758) on this land for an employment led mixed use development granted in May 2014. This application aligns with the masterplan for the site and will provide employment opportunities during construction and operational phases.
- 1.04 As Members may be aware the site is located within a defined C1 Flood Zone. A comprehensive Flood Consequences Assessment has been submitted with the application which has been modelled on the agreed mitigation scheme as part of the outline planning permission.
- 1.05 Finished Floor Levels (FFL) across the site are, with the exception of the loading dock and service areas, within the previously agreed parameters and both the Council and NRW are satisfied that there are no concerns and therefore no objections.
- 1.06 Further material planning considerations including highway safety; character and appearance; protected species and impact on neighbouring amenity.
- 1.07 In conclusion, this reserved matters application proposes the erection of a new storage and distribution unit on land within the strategic mixed use Airfields site. The principle of development is compliant with both local adopted and emerging development plans, together with national policy. It is therefore recommended that planning permission be granted, subject to the inclusion of conditions

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

- 2.01
- Compliance with plans
  - Submission and approval of a detailed scheme for the alteration and widening of the existing access
  - No works shall commence until the site access is constructed to the satisfaction of the Highways Authority
  - Submission and approval of a detailed scheme for the proposed additional site access
  - The access from the existing estate road shall have a visibility splay of 2.4m x 90m

- The proposed access from the Welsh Government Road 2 shall have a visibility splay of 2.4m x 90m in both directions
- The stated visibility splays at the proposed point of access shall be made available and kept free from all obstructions for the duration of site construction works.
- The proposed access gates shall be designed to open inwards only
- Adequate facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles.
- Submission of a scheme for positive means to prevent the run-off of surface water from any part of the site onto the highway
- Submission of a full travel plan
- Submission of a Construction Traffic Management Plan
- Off-site highway works
- Landscaping details to be implemented and retained
- Contaminated land verification

### **3.00 CONSULTATIONS**

#### 3.01 Local Member

Councillor Christine Jones – No response received at time of writing report

Councillor Dale Selvester – No response received at time of writing report

#### Sealand Community Council

No response received at time of writing report

#### Community and Business Protection

Notes that there is a housing development in progress to the South of this site, the applicant taken this into consideration and has submitted a noise impact assessment and lighting assessment. No objections.

#### Highways Development Control

No objections subject to the inclusion of conditions

#### Welsh Water/Dwr Cymru

No objections received

#### Natural Resources Wales

No objections received in relation to flood risk; protected species or contaminated land.

#### Welsh Government

The outline planning permission for this site required the completion

of a number of off-site highway works once the development reached a trigger. That trigger has been met but the works not completed. Recommends the inclusion of a condition requiring that those works be completed prior to occupation of the building

#### **4.00 PUBLICITY**

4.01 Site Notice – No responses received at time of writing report

#### **5.00 SITE HISTORY**

5.01 062898

Application for approval of reserved matters following Outline Approval reference 061125 for the erection of 368 no. dwellings. – Approved 22.02.22

059938

Application for the approval of details reserved by condition nos. 7 (sustainable drainage scheme), 15 (landscaping) and 19 (construction environmental management plan) attached to planning permission ref. (058990) – Partially Discharges 13.08.19

059903

Application for the approval of details reserved by condition nos. 5, 7, 8, 9, 11, 12, 15, 17, 18, 19, 20, 21, 22, 23, 25, 27, 28, 29, 31, 32, 33, 35, 36 & 41 attached to planning permission ref. 058990 – Approved 19.08.19

059514

Application for approval of reserved matters following outline approval for the erection of 283 no. dwellings. – Approved 25.09.19

058990

Application for removal or variation of a condition following grant of planning permission. (049320) – Approved 25.10.18

058950

Application for approval of reserved matters phase 1 informal landscaping and POS following outline approval. (049320) – Approved 13.03.19

058531

Application for the approval of details reserved by condition no. 27 (construction management plan) attached to planning permission ref. 049320 – Approved 02.08.18

058514

Application for the approval of details reserved by condition

nos. 5 (phasing scheme) 6 (development brief), 30 (highway works/transport implementation strategy), 34 (framework travel plan) and 38 (scheme for the layout, design and timetable for implementation of works) attached to planning permission ref. 049320 – Approved 24.08.18

058508

Application for the approval of details reserved by condition nos. 5 (construction environmental management plan) and 6 (ecological compliance audit report) attached to planning permission ref. 057404 – Approved 07.08.18

058506

Non-material amendment following grant of planning permission 057404 – Approved 06.07.18

058452

Non-material amendment following grant of planning permission 057404 Amendment to shape of area for proposed temporary stockpiles of imported fill materials – Approved 14.06.18

058244

Application for approval of details reserved by condition No5 & No6 attached to planning permission ref 057404 – Partially Discharges 17.05.18

057404

Application for approval of reserved matters following outline approval 049320 for phase one enabling works comprising an access road, surface water drainage, landscaping and engineering works to create developments platforms – Approved 09.03.18

054488

Reserved matters application for phase 1 of the highway works and associated infrastructure works following outline approval 049320 for a mixed use development and associated infrastructure – Approved 01.03.16

051764

Temporary contractors compound to facilitate flood defence strengthening works – Approved 15.04.14

051139

Discharge of condition no.24 (Framework Ecological Mitigation and Enhancement Strategy) attached to planning permission ref: 049320 – Approved 25.09.13

050730

Engineering works to provide flood defence strengthening

along 1.5km of the River Dee embankment, to include sheet piling to a maximum depth below ground of 12m and a minimum height of 7.2m AOD and a proposed temporary access route and site compound – Approved 25.06.13

049320

Outline application for the redevelopment of a strategic brownfield site for an employment led mixed use development with new accesses and associated infrastructure including flood defences and landscaping. – Approved 07.01.13

## **6.00 PLANNING POLICIES**

### 6.01 Flintshire Unitary Development Plan

STR1 – New Development

STR3 – Employment

STR7 – Natural Environment

GEN1 – General Requirements for Development

D1 – Design Quality, Location & Layout

D2 – Design

D3 – Landscaping

L1 – Landscape Character

AC3 – Cycling Provision

AC4 – Travel Plans for Major Traffic Generating Development

AC13 – Access & Traffic Impact

AC18 – Parking Provision & New Development

HSG2A – Strategic Mixed Use Development, Land NW of Garden City

EM1 – General Employment Land Allocations (12)

WB1 - Species Protection

EWP12 – Pollution

EWP13 – Nuisance

EWP14 – Derelict and Contaminated Land

EWP16 – Water Resources

EWP17 – Flood Risk

### Local Development Plan Policies

Policy STR1: Strategic Growth

Policy STR2: The Location of Development

Policy STR3A: Strategic Site: Northern Gateway

Policy STR4: Principles of Sustainable Development, Design and Placemaking

Policy STR5: Transport and Accessibility

Policy STR6: Services, Facilities and Infrastructure

Policy STR7: Economic Development, Enterprise and Employment

Policy STR8: Employment Land Provision

Policy PC2: General Requirements for Development

Policy PC3: Design

Policy PC5: Transport and Accessibility

Policy PC6: Active Travel

Policy PE1: General Employment Land Allocations  
Policy EN14: Flood Risk  
Policy EN15: Water Resources  
Policy EN16: Development on or near Landfill Sites or Derelict and Contaminated Land  
Policy EN18: Pollution and Nuisance

Supplementary Planning Guidance Notes

SPGN No. 3 - Landscaping  
SPGN No. 11 – Parking Standards

National Policy

Planning Policy Wales Edition 11  
Future Wales Act 2020-2040  
TAN 11: Noise  
TAN 12: Design  
TAN 18: Transport

As the site forms part of the strategic mixed use allocation of HSG2A the principle of mixed use development including the B1 (office accommodation) and B2 (industrial production) and B8 (distribution) uses proposed is established.

**7.00 PLANNING APPRAISAL**

7.01 Introduction

This application seeks reserved matters permission for the proposed erection of a storage and distribution unit with associated infrastructure on land at Plot B, The Airfields, Northern Gateway. The application proposes the construction of a large building together with ancillary office buildings.

7.02 The main issues to consider in determination of this application are the principle of development having regard to local and national planning policy together with matters including

7.03 Site Description

The application site comprises of to an area of land extending approximately 10.9 hectares (27.1 acres) in size and forms part of the former RAF Sealand 'South Camp' site, now referred to as the Airfields, which forms part of the Northern Gateway Strategic Mixed Use Development site. It is designated as Plot B on the Approved Airfields masterplan.

7.04 The northern boundary of the site comprises the Sustrans cycle path known as the Chester Millennium Greenway cycle route. Beyond that is Deeside Industrial Estate. The southern boundary of the Site is fronted by the Welsh Government's phase 1 commercial spine road. Beyond this there is a landscaped mound topped with an acoustic fence which has been constructed to screen residential

development which is taking place on the southern side of the phase 1 commercial spine road.

- 7.05 Beyond the Site's eastern boundary is Plot A which has been developed and is occupied by Amazon warehouse. The western boundary is the proposed alignment of the Welsh Government's phase 2 spine road. A length of the existing Northern Drain is located within the Site.
- 7.06 The Site had comprised managed grassland with some trees within the site along the northern boundary. The site already has an existing highway access to the phase 1 commercial spine road.
- 7.07 Proposed Development  
The Proposed Development includes a single industrial unit which will provide approximately 45,801 sq m internal employment floorspace for storage and distribution use together with 2508 sq m internal ancillary Office floorspace over three floors. With the gatehouse, pumping station and transport offices also added in this totals 48,685 sq m.
- 7.08 The main building height will extend to a maximum of around 18 m to underside of haunch and around 22.5 m to ridge.
- 7.09 The principal B8 use will operate 24 hours per day, 7 days per week and 52 weeks per year. The applicant details that the functional requirements of the building and the processes it provides for dictate the scale, nature, form and layout of the development. The site will also accommodate areas for habitat creation and enhancement in order to increase biodiversity.
- 7.10 The main building will be located centrally within the Site and is rectangular in shape. The office block of the development would be located on the southern side of the main building. The development car park for employees will be located to the west of the main building and will accommodate 400 car parking spaces. This includes 24 accessible parking spaces, 16 mobility spaces and 20 EV charging spaces with 20 future EV charging spaces. A further 48 Future EV charging spaces for HGVs are shown in the service yard. 38 HGV trailer bays would be located on site. There are 60 cycle spaces and 18 motorcycle spaces. There will also be additional surface level and docking spaces (where HGV's will dock to load or unload to and from the building) around the north and south perimeters of the building. A one-way circular route for HGVs around the main building leading to service and delivery areas is proposed which would be secured with security gatehouses at the entry and exit points to the west of the main building.
- 7.11 In terms of the external appearance of the buildings, this has, by necessity, been driven by visual effects of the proposals, function

and operational requirements. Materials and colour will be uniform across the application site and aim to minimise visual effects as much as possible by selecting an appropriate palette of materials and colour. It is intended that the external roof and walls would be coated profiled steel cladding with Low Level Brickwork to the Office Block with natural mortar. Retaining Walls and the low level plinth to Warehouse Area will be in Pre Cast Concrete. Composite corner feature panels are proposed for the main building.

- 7.12 It is anticipated that the proposed development will generate 500 new full time jobs and 600 full time construction jobs.

#### Principle of Development

- 7.13 The site forms part of the strategic mixed use development allocation HSG2A land North West of Garden City within the Flintshire Unitary Development Plan. The Airfields and the Former Corus, Garden City site together make up the 'Northern Gateway', a comprehensive mixed use redevelopment which takes advantage of the strategic location and the availability of previously developed land.

- 7.14 Both component sites have the benefit of outline planning permission which as part of the approved mixed use includes a large commitment to providing employment generating, commercial and industrial development opportunities within the Deeside Enterprise Zone.

- 7.15 The proposed development will generate significant employment opportunities not only during the construction phases (600 full time) but once operational it is expected that more than 500 full time employment (FTE) jobs will be created.

- 7.16 The site's allocation for mixed use reflects both the strategy of the Flintshire Unitary Development Plan, Local Development Plan and the principles embodied in Planning Policy Wales. Furthermore, the Future Wales Plan identifies this area of Deeside as a National Growth Area for the promotion of economic growth and employment opportunities. In this context, there is a clear policy framework supporting the principle of commercial development on this site. The location of these proposed B2 and B8 uses within Plot B of the Airfields site conforms with the approved Masterplan for the site.

#### Highway Safety

- 7.17 The proposed development will be served by two accesses. The principal southern access will be taken from the Phase 1 spine road approved under permission 05448 and provides access to Welsh Road. A secondary western access is also proposed.

- 7.18 The accesses will be built to adoptable standards having visibility splays which are designed in accordance with a 30 mph speed limit. As required by the Outline Planning Permission the first 20 metres of each access that may be used by construction traffic will be surfaced to a wearing course before the commencement of development. As outlined at paragraph 2.01 of this report, following consultation with the Highways Engineer, notwithstanding the submitted information a number of conditions relating to the existing and proposed site accesses is suggested.
- 7.19 In terms of parking the recommendation set out in SPGN1 is 1 space per 100 sq m of floorspace for car parking spaces and 1 space per 1000 sq m for cycle parking. The proposals show a total of 400 spaces and 60 cycle spaces plus disabled, mobility and EV charging spaces.
- 7.20 Members will note the consultation response received from Welsh Government and the suggested condition relating to the implementation of off-site Highway Works. These works were required as part of the Outline planning permission subject to triggers being met across the whole Northern Gateway site. The landowner has entered into s278 Agreements with the Local Authority and Welsh Government and work is due to commence shortly. It is anticipated that the off-site highway works will be completed by May 2023 and therefore before occupation of this proposed industrial building but to afford security to all parties it is recommended that the suggested condition still be imposed.
- 7.21 The proposals accord with policies AC13 and AC18 of the Flintshire Unitary Development Plan.
- 7.22 Character and Appearance  
The submitted Design and Access Statement confirms that the external appearance of the buildings, this has, by necessity, been driven by function and operational requirements. Materials and colour will be uniform across the application site and consistent with those used for this type of development. The elevations of the building will be broken up by vehicle docks, windows and fire exits.
- 7.23 The outline planning permission for the site required the submission of a Green Infrastructure Plan which has recently been updated to reflect the latest planning consents across the Airfields site. In addition to the approved details this application proposes additional hard and soft landscaping details which are considered acceptable. In addition, it is recommended that a condition be imposed that the landscaping be implemented and retained.
- 7.24 Flood Risk  
The planning application proposes less vulnerable development.

The Development Advice Map (DAM) Flood Risk Map confirms the site to be within the C1 Flood Zone. The Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls into Flood Zones 2 and 3: Rivers.

- 7.25 A Flood Consequences was submitted and following consultation with NRW the applicant has amended the proposal to increase finished floor levels. Most of the development platform is now shown to be at a level of 4.83m AOD (or higher), which is the agreed development platform level in the FCA. The loading dock and service areas are still shown to be below this level, with proposed levels of 4.52 to 4.70m AOD. The applicant explains that this is an operational requirement, as there must be a 1.2m level difference between the loading area and the finished floor level to allow unloading from articulated vehicles into the warehouse building. Due to this operational constraint there is a deviation from the agreed levels, and therefore the updated levels plan does not strictly comply with the mitigation measures outlined within the FCA.
- 7.26 However, it is noted that the entire perimeter of the site is to be raised to a level of 4.83m AOD or above, so levels would slope down from the outside edge of the site towards the loading areas. The applicant also details that the service yard has been designed to ramp back up to the minimum platform level within the confines of the service yard itself.
- 7.27 NRW consider that having lower levels in the loading area / service yard does not significantly compromise the principles of the agreed flood risk mitigation measures, on the basis that the remainder of the surrounding development platform is at or above the agreed minimum level.
- 7.28 The proposal is therefore considered compliant with Policy EWP17 of the FUDP and TAN15.
- 7.29 Land Contamination  
The application is supported by reports demonstrating that the risk to controlled water from previous land uses of the site is low and can be adequately controlled by condition.
- 7.30 Protected Species  
Bats and Great Crested Newts (GCN) may be present at the application site which are identified in supporting reports. It is considered that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 7.31 Furthermore, it is considered that the proposed development is not likely to harm or disturb the Bats and GCN or their breeding sites

and resting places at this site, provided the avoidance measures described in the CEMP are implemented.

7.32 Other Matters

The proposed development will achieve BREEAM Excellent and be designed in accordance with the energy hierarchy and a fabric first approach to reduce energy use and carbon emissions.

7.33 Members are advised that although the Flintshire Unitary Development Plan Policies are listed, the Local Development Plan policies as outlined at 6.01 align.

**8.00 CONCLUSION**

This application seeks reserved matters consent for the development of Plot B on the Airfields, Northern Gateway site, to provide a new storage and distribution unit. Works include the provision of large detached building with ancillary office buildings, security gatehouse, car parking and associated infrastructure.

The application site is located within a strategic mixed use development site which has the benefit of an extant outline planning permission for B1, B2 and B8 uses. The principle of this development on the former brownfield land is supported both in local adopted plan policy (HSG2A) and national planning policy (PPW11 and the Future Wales Plan).

Matters including highway safety, flood risk and air protected species have been considered and are considered acceptable. have also been addressed.

For the reasons outlined above it is considered that the proposal satisfies planning policy and I therefore recommend that planning permission is granted subject to the imposition of 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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