

PLANNING & DEVELOPMENT CONTROL COMMITTEE

4 APRIL 2014

Minutes of the meeting of the Planning & Development Control Committee of Flintshire County Council held at County Hall, Mold CH7 6NA on Friday, 4th April, 2014

PRESENT: David Wisinger (Chairman)

Councillors\; Chris Bithell, Derek Butler, David Cox, Ian Dunbar, David Evans, Jim Falshaw, Alison Halford, Ron Hampson, Ray Hughes, Christine Jones, Brian Lloyd, Richard Lloyd, Billy Mullin, Mike Peers, Neville Phillips, Gareth Roberts and Carolyn Thomas

SUBSTITUTION:

Councillor: Marion Bateman for Carol Ellis

ALSO PRESENT:

The following Councillor attended as an observer
Councillor: Veronica Gay

APOLOGIES:

Councillor Richard Jones and Owen Thomas

IN ATTENDANCE:

Head of Planning, Development Manager, Planning Strategy Manager, Senior Engineer - Highways Development Control, Senior Planner, Principal Solicitor and Committee Officer

169. **DECLARATIONS OF INTEREST**

In line with the Planning Code of Practice:-

Councillors Derek Butler and Christine Jones declared that they had been contacted on more than three occasions on the following application:-

Agenda item 4.1 – Outline application – Employment led mixed use development incorporating logistics and technology park (B1, B2, B8) with residential (C3), local retail centre (A1), hotel (C1) training and skills centre (C2, D1), new parkland, conversion of buildings, demolition of barns and associated infrastructure, comprising construction of accesses, roads, footpaths/cycle paths, earthworks and flood mitigation/drainage works at Welsh Road, Garden City (050125)

170. **LATE OBSERVATIONS**

The Chairman allowed Members an opportunity to read the late observations which had been circulated at the meeting.

171. **OUTLINE APPLICATION - EMPLOYMENT-LED MIXED-USE DEVELOPMENT, INCORPORATING LOGISTICS AND TECHNOLOGY PARK (B1, B2, B8) WITH RESIDENTIAL (C3), LOCAL RETAIL CENTRE (A1), HOTEL (C1), TRAINING AND SKILLS CENTRE (C2, D1), NEW PARKLAND; CONVERSION OF BUILDINGS, DEMOLITION OF BARNES; AND ASSOCIATED INFRASTRUCTURE COMPRISING CONSTRUCTION OF ACCESSES, ROADS, FOOTPATHS/CYCLE PATHS, EARTHWORKS AND FLOOD MITIGATION/DRAINAGE WORKS AT WELSH ROAD, GARDEN CITY (050125)**

The Committee had resolved at its meeting on 15 May 2013 that a special meeting of the Committee should be convened to determine the above application. The Committee considered the report of the Head of Planning in respect of the application which had been the subject of a site visit earlier that day. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer detailed the background to the report explaining that the outline application for employment led mixed use development was part of the Northern Gateway site for a major mixed use 170 hectare site allocated in the adopted Flintshire Unitary Development Plan (UDP) under policy HSG2A. The application site formed part of the larger 200 hectare Deeside Enterprise Zone (EZ), designated by the Welsh Government in September 2011 and was part of the major strategic site at Deeside. The EZ had been designated to bring forward investment and new jobs, particularly in the manufacturing sector. The officer provided details of the site's location and explained that to the north was the former RAF Sealand 'south camp' which formed the other half of the UDP allocation and which was in separate ownership. The 70 hectare site was the former Corus Garden City site and comprised agricultural land and buildings namely Sealand Bank Farm and brownfield land with the listed John Summers complex of buildings and formal gardens which were previously occupied by Tata Steel. Sealand Bank Farm was accessed off Farm Road and the Tata Steel complex had an existing access off Welsh Road, which was currently used for emergency access only. Public Rights of Way 1 and 3 crossed the site along with a number of watercourses and ditches which were detailed in the report.

The landowners of the northern parcel of the allocation, Praxis, had an outline permission to develop their part of the site which had been approved by Committee on 18 April 2012 and an application to discharge condition 6 of their permission was approved by Committee on 6 November 2013. The application proposed 43 hectares of B1, B2 and B8 employment uses in the north west of the application site and the focal point for the B1 uses was the reuse of the Listed Buildings to create a campus style development. Light industrial uses B1 would act as a buffer between the listed buildings and B8 uses and within this area it was proposed that a hotel and skills & training centre would be sited. Adjacent to this area was to be a Regional Industrial and Logistics Park to build upon the success of Deeside Industrial Park.

The proposed residential development of up to 600 dwellings was to be located immediately to the west of the existing settlement of Garden City including approximately 70 dwellings being accessed from Farm Road. It was proposed that 21 hectares of parkland comprising formal and informal open

space, ecological areas and flood risk and drainage mitigation would be created adjacent to the River Dee which would form an important part of the flood risk and drainage strategy for the site along with providing ecological enhancement and recreation opportunities. The flood protection and drainage strategy, included the strengthening and reinforcement of the existing flood defences, were to be implemented along the River Dee by Welsh Government.

The application included a masterplan framework and an illustrative Masterplan had also been included. The main issues included the highway impact and a Transport Assessment (TA) had been produced to accompany the application as part of the Environmental Statement by Curtins. It had assessed the traffic impacts of the development for two scenarios. Phase 1 of the scheme represented the total quantum of development which could be accommodated on the existing highway network utilising the Welsh Road access without the need to link through to the adjoining PRAXIS site. This equated to 600 residential units and 12,500m² of B2 (Industrial) and 12,500m² of B8 (Warehousing).

The Council was concerned about the highway implications of this quantum of development using the Welsh Road access. Lengthy negotiations had taken place and the applicants Pochin Rosemound Deeside Ltd (PRDL) had suggested a reduced quantum of development which were 290 dwellings (option 1) or 230 dwellings and 12,500m² of B8 storage and distribution units (option 2). The Council was satisfied that the proposed reduced quantum of development in option 1 or 2 of Phase 1 could be accommodated on the county highway network subject to the submission, approval and implementation of a scheme to optimise the signals at the ASDA (Queensferry) junction. The Council were also in agreement that 70 dwellings could be served from the Farm Road access. Any further development after the initial Phase 1 (Options 1 or 2) would require a full Transport Assessment.

On the issue of ecology, an Ecological Mitigation Strategy had been produced which covered the key ecological issues and had satisfied Natural Resource Wales's (NRW) initial concerns. NRW were satisfied in principle with the application on the issue of flooding and a flood mitigation strategy had been produced which included flood risk mitigation measures which were detailed in the report. The application proposed to re-use the listed buildings on the site and details would be included in future reserved matters applications. On the issue of infrastructure requirements and community benefits, the officer explained that this would be covered by conditions which would set out the requirement for the applicant to submit schemes at the appropriate time.

Mr. D. Rowlinson, the agent for the applicant spoke in support of the application. He explained that PRDL were specific employment developers and not residential developers. The site, which was the largest in the UDP, was of national and regional importance and the total square footage of employment, the residential developments, the open space and the benefits for the community were significant. He explained that approximately 2,000 to 3,000 permanent jobs would be created, along with temporary jobs during the construction of the proposals, and would provide an £11m net expenditure into the economy. It would breathe new life into the area and would provide up to 600 dwellings along with cycle and pedestrian linkages to and from the site area and the works on the flood defences would be a betterment for Garden City. Mr. Rowlinson felt that

approval of the first phase was critical and added that there had not been any objections from statutory consultees.

The local Member, Councillor Christine Jones, proposed the recommendation for approval which was duly seconded. She thanked the Planning Officer, Senior Engineer - Highways Development Control, and Planning Strategy Manager for their work on the application, with particular reference to the discussions that had taken place with CADW to enable the listing of the John Summers complex of buildings. She welcomed the conditions which would be included at the reserved matters stage for educational contributions and was of the view that an extension to the school should be secured. She commented upon the likely future need for other community infrastructure such as a health centre and community meeting room. She queried where the compound for the flood defence works would be sited and she hoped that the development would blend in with the main area of Garden City, as the current proposal was some way from that area. Councillor Jones felt that the access off Farm Road was very narrow and asked if a review of the junction could be considered during the reserved matters stage.

Councillor David Evans welcomed the application but queried whether the conditions referred to in the late observations sheet would be included as a matter of course. On the issue of infrastructure he said that the other side of the river did not have any flood defences and asked about the possibility of providing a link between Shotton Station and Hawarden Bridge Station. Councillor Evans raised concern about the possible proposal for three storey properties as he felt that these would be out of character with the area.

In welcoming and supporting the application for a mixed use development, Councillor Mike Peers commented on aspects of the site that he would like to see in the future. He felt that the focus should be upon the areas of leisure, recreation and sustainability, and added that this was an opportunity to maximise the waterfront part of the site. He suggested that housing be located on the river front to make use of the southern aspect and that this area could also include leisure and recreational areas. Councillor Peers referred to condition 27 about public transport improvements including enhancements to Hawarden Bridge Station, which he felt should include interchange facilities and car parking. He suggested that the condition be amended to include infrastructure improvements as referred to in paragraph 7.62. He asked for further information on the Circular 1/2003 referred to in paragraph 3.30 in the response from the Civil Aviation Authority. He welcomed the recommendation from the Housing Strategy Manager that affordable housing should be provided in accordance with the Council's policy of 30% provision. Councillor Peers felt that the listed building could be used as a hotel rather than for the light industrial use proposed in the application, and he was keen to ensure that the opportunity which the application provided should be maximised.

Councillor Ian Dunbar welcomed the excellent report and the retention of the listed buildings and maintenance of the gardens on the site. He felt that the housing would complement the much needed employment aspect of the site but queried whether the flood defences being put in place would result in flooding further up the river. Councillor Alison Halford commented on the very exciting project and celebrated the fact that serious progress had been made on the

application to develop the site. She encouraged all Members to approve the application. Councillor Derek Butler felt that the application was fundamentally important for Flintshire and for the region and was a site of national significance. He commented on the discussions between Praxis and PRDL to link the two parts of the site.

Councillor Chris Bithell concurred that this was a very important development for the whole of Flintshire and the North East Wales Region. He commented on the significant amount of work on the application and he welcomed the submission of the application. He asked whether condition 46 was robust enough in respect of educational contributions and queried whether a Section 106 obligation was more appropriate. He said that it was important that the contributions were sought as the development would have an impact on the schools in the area but it would be difficult to calculate the number of places needed at this stage. With reference to flooding, he referred to the Flood Consequences Assessment which had been undertaken in September 2012 and asked if an updated assessment was required following the wettest winter since 1795. He said that flood defence measures were being put in along the area but queried whether this might result in flooding elsewhere. Councillor Bithell referred to the last line in the comment from the Housing Strategy Manager and asked if the word 'locations' could also be included as it was important that the affordable housing was spread out across the development. Regarding the John Summers building, Councillor Carolyn Thomas made a plea that it become a hotel, café and heritage centre as she felt that this would be an ideal location, especially as it was on the All Wales Coast Path.

In response to the comments made and questions asked, the officer said that:-

- it was envisaged that the compound for the flood defence works would be on this site on a hard standing area on the John Summers land. WG had put in an application for a temporary compound on the Praxis site, but if planning permission was granted today then the landowners might allow use of the land
- three storey dwellings would only be included where appropriate and the details would be the subject of future reserved matters applications
- discussions had taken place regarding the provision of housing on the river front, but NRW had raised concerns that residential uses were more vulnerable to flooding
- the circular 1/2003 reflected the need to ensure that the proposal did not conflict with the operation of Hawarden Airport, which it did not
- condition 27 could be reworded to cover all railway stations in the area
- as the provision of spaces in schools would change during the phases of the development, it was proposed that a condition be included to submit a scheme at reserved matters stage which would assess the appropriate contribution required at the time to ensure that the correct monies were provided
- on the Flood Consequences Assessment completed in September 2012, consultants had been in constant discussion with the applicants and account would be taken of recent events of flooding
- the location of the affordable housing would be determined at the reserved matters stage

The Planning Strategy Manager said that the approval of planning permission would allow the opportunity to develop and bring the site forward but reminded Members that details of the proposals, such as the location of affordable housing, would be included at the reserved matters stage. A number of good ideas had been suggested during the discussions and these could and would be picked up as further details emerged. On the issue of the location of the compound during the flood defence works, the applicant had indicated that they were amenable to its being relocated. In referring to the comments about the need to connect the site to the wider community and that enhancements to the station were important, the Planning Strategy Manager commented on the better working relationship between the two developers helping the delivery of the spine road which was important to this development, and the fact that this development and the PRAXIS site had the potential to use the station. He confirmed that safeguards were in place to ensure that the correct educational contributions were made and it was felt that the measures in place to alleviate the flood risk, which had been a fundamental issue, were appropriate and a robust solution.

The Head of Planning suggested that the word 'implementation' in condition 6 be amended to read 'completion' and that condition 45 include the word 'locations' after 'detailing precise numbers, size and tenures'. He added that the conditions referred to in the late observations would be included.

The Principal Solicitor asked whether the proposer and seconder were prepared to include the amendments suggested by the Head of Planning and they confirmed their agreement.

In summing up, Councillor Christine Jones welcomed the positive comments from the Committee on this exciting application and she looked forward to seeing it develop. She felt that jobs, retail, houses, recreation and leisure were much needed in the area along with the development of the waterfront.

On being put to the vote, the proposal to approve the application with the amendment to conditions 6 and 45 as suggested by the Head of Planning and conditions 22 and 27 as reported in the late observations was CARRIED unanimously.

RESOLVED:

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning with the amendments to conditions 6 and 45 as suggested by the Head of Planning and conditions 22 and 27 as reported in the late observations.

172. **MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

There were 4 members of the public and 2 members of the press in attendance.

(The meeting started at 1.30 pm and ended at 2.25 pm)

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Chairman