FLINTSHIRE COUNTY COUNCIL

REPORT TO:	**PLANNING AND DEVELOPMENT CONTROL COMMITTEE**
DATE:	**10TH OCTOBER 2012**
REPORT BY:	**HEAD OF PLANNING**
SUBJECT:	**FULL APPLICATION - ERECTION OF KELSTERTON CONVERTER STATION COMPRISING VALVE HALLS, A CONTROL BUILDING AND A SPARES BUILDING TOGETHER WITH OUTDOOR ELECTRICAL EQUIPMENT AND ASSOCIATED INFRASTRUCTURE, SECURITY FENCING, LANDSCAPED AREAS AND HABITAT CREATION AT "CONNAH'S QUAY POWER STATION", KELSTERTON ROAD, CONNAH'S QUAY, DEESIDE**
APPLICATION NUMBER:	**049981**
APPLICANT:	**NATIONAL GRID**
SITE:	**"CONNAH'S QUAY POWER STATION", KELSTERTON ROAD, CONNAH'S QUAY, DEESIDE**
APPLICATION VALID DATE:	**24.07.2012**
LOCAL MEMBERS:	**CLLRS P. SHOTTON & P. MACFARLANE**
TOWN/COMMUNITY COUNCIL:	**CONNAHS QUAY TOWN COUNCIL**
REASON FOR COMMITTEE:	**MAJOR DEVELOPMENT, SCALE, HEIGHT, NOISE LEVELS**
SITE VISIT:	**YES**

1.00 SUMMARY

1.01 The proposal is a full planning application for erection of converter station comprising valve halls, a control building and a spares building together with outdoor electrical equipment and associated infrastructure including security fencing, landscaped areas and habitat creation at "Connah's Quay Power Station", Kelsterton Road, Connah's Quay, Deeside. The converter station will link the Scottish and English/Welsh electricity transmission networks via a Western

Voltage Direct Current (HVDC) subsea cable. The converter station will allow for electricity to be converted from direct currents to alternating current for onwards transmission onto the existing electricity network and also would allow for a two way flow between. The Western (HVDC) link will increase cross-border transmission capacity on the GB Transmission System and support the continued development of renewable energy generation in line with Government and European targets. The issues for consideration are the principle of development/planning policy context, impacts on adjacent residential amenities, visual impacts, highways, ecology and drainage.

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

2.01 The proposed development is recommended for planning permission subject to the following conditions,

1. Five year time limit.
2. In accordance with approved plans.
3. Foul and surface water to be drained separately.
4. No surface water to connect to public sewerage system unless otherwise approved by Local Planning Authority.
5. Land drainage run-off not permitted to discharge to public sewerage system.
6. No development to commence until a scheme approved for comprehensive/integrated drainage of the site showing foul, surface and land drainage and a strategy for containment of any operational spillages of oil.
7. All buildings to be located at 7.49 AOD and safe access routes from site at 7.30 AOD as indicated at Section 6.2 of the FCA.
8. Flood emergency response plan as per section 6.2 of the FCA.
9. Traffic Management Plan to be submitted for approval setting out site access/egress arrangements, delivery routes/times, emergency vehicle routes.
10. Submission and approval of contamination strategy and all remedial works.
11. Prior to commencement of development, details to be submitted for approval of the surface treatment, boundary treatment and lighting of the All Wales Coastal Path and Sustrans Route, which runs along the southern boundary of the site and to include a timeframe for implementation. Any implemented route, shall thereafter be exclusively retained for this purpose.
12. Hours of operation to be submitted and approved.
13. Lighting requirements of overall site to be submitted and approved and to include the use of timers and/or motion sensors.
14. Noise attenuation scheme to include minimum construction noise and operational noise and noise monitoring.
15. Implementation of hard and soft landscaping scheme and to include long term management of mitigation land adjacent to

the River Dee and also to make provision for otter habitat.

16. Details for a scheme indicating hard and soft landscaping works and/or any necessary land profiling and to include advanced nursery stock and the timing of such works.
17. Submission/approval of an Environmental Management Plan.
18. Development to be carried out in accordance with mitigation works as stated at Table 17-1 of the submitted Environmental Report (excluding D13).
19. Prior to commencement of development details shall be submitted indicating barriers to stop wildlife gaining access to the construction site and restriction of construction activities/machinery to specific areas.
20. Any material imported onto the site shall be submitted for approval to confirm that it contains no contaminants.
21. Confirmation of the timing of works in regards to nesting birds and mitigation if necessary.
22. The existing conifer trees adjacent to the southern boundary of the site to be retained and incorporated into an overall landscape plan for the site.

3.00 CONSULTATIONS

3.01 Local Members

Cllr. P. Shotton
Requests application be referred to Planning Committee and there be a Committee Site Inspection due to strong concerns over height and noise levels and also states residents would prefer converter located onto the north side of river.

Cllr. P. MacFarlane
Requests the application be referred to Planning Committee and there be a Committee site inspection due to the proposal being a major development and there are considerable local concerns surrounding the application. Has been advised that due to the proximity of his home to the site he has a “prejudicial interest” in the application.

Adjacent Member

Cllr. J.B. Attridge
Agrees to determination under delegated powers

Connahs Quay Town Council
Reiterates its support for local residents objections on the grounds of scale and size together with the potential for noise pollution should the development take place

Head of Assets and Transportation
No objections

Environment (Rights of Way)
Public footpaths 27 & 28 which run through/adjacent to the site are going to be the subject of diversion orders

Network Rail
No objection in principle

Civil Contingencies Manager
No comments or objections

SP Powersystems
Note to applicant advising of need to contact SPPS to identify the location of plant/apparatus

Civil Aviation Authority
No specific comment

The Coal Authority
Draw applicants attention to an informative note

Countryside Council for Wales
Not likely to have an adverse effect on national heritage interests. Does not object

Dwr Cymru/Welsh Water
Advisory notes.
Wales and West Utilities
Draw attention to recorded apparatus in the area.

Airbus Health and Safety Executive Hawarden Installation Directorate
Does not advise on safety grounds against the granting of planning permission.

Clwyd Badger Group
Ask that mitigation be included to allow for loss for loss of foraging by planting of trees and shrubs to provide fruit and to allow some ground foraging around the development when it is completed.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification
The proposed development has been advertised by way of press and site notices and neighbour letters/e mails.

Four letters of objection have been received which can be summarised as follows,

- Concerned over the high risks due to dust pollution and noise

pollution during construction or operation.

- Concerned about light pollution
- Concerned that development works would be carried out on contaminated land where harmful materials reside such as asbestos
- Due to proximity of adjacent residential property no type of mitigation could protect residential amenity
- Questions why the converter station can't be located to the north side of the river Dee
- Questions the accuracy of the submitted environmental reports

5.00 SITE HISTORY

5.01 The site was formerly the Connah's Quay Coal Fired Power Station which operated up to 1982 before being demolished in 1992.

049136
Outline application for the erection of converter station comprising a maximum 3 No. building units housing specialist electrical equipment and associated works on land at "Connahs Quay Power Station". Refused on 17th February 2012 for the following reasons,

"The proposed development close to residential development would, due to its noise and visual impacts, be potentially detrimental to the residential/visual impacts, be potentially detrimental to the residential/visual amenities of the area."

This decision is now the subject of an appeal which is to be heard by way of public inquiry which is scheduled to be heard on the 12th-14th December.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
Policy GEN1 - General Development Control Requirement
Policy D1 - Design Quality
Policy D2 - Location and Layout
Policy D3 - Building Design
Policy EM1 - Employment Uses
Policy EM6 - Protection of Employment Land
Policy EWPF16 - Flood Risk
Policy AC18 - Parking Provision and New Development
Policy CF9 - Development of Utilities
Policy L3 - Green Spaces
Policy WB2 - Sites of International Importance
Policy WB3 - Statutory Sites of National Importance
TAN5 - Nature Conservation and Planning
TAN8 - Planning for Renewable Energy
TAN12 - Design

TAN15 - Development and Flood Risk
TAN18 - Transport
TAN22 - Planning For Sustainable
Planning Policy Wales 2012
The proposal would generally comply with the above policies and advice

7.00 PLANNING APPRAISAL

7.01 Proposed Development with General Overview and Site Description
The proposal is a full planning application for erection of converter station comprising valve halls, a control building and a spares building together with outdoor electrical equipment and associated infrastructure including security fencing, landscaped areas and habitat creation at "Connah's Quay Power Station", Kelsterton Road, Connah's Quay, Deeside.

7.02 The application is further detailed as follows:

- Valve Hall/DC Buildings, control building and spare parts store. Approx. internal floor area of 7143 sq.m. ranging in height from approx. 10 metres to 25 metres. The proposed buildings are linked as one unit, are contemporary in design and would utilise primarily metal cladding for the roof/walls and brick plinths
- Converter transformers. Steps AC voltage back up for onward transmission, following its conversion from DC in the valve hall. The transformer units are sited outdoors and are contained within fire and acoustic walls.
- Landscaped mounding to approx. 4.5 metres high to the southern/eastern boundary adjacent to the railway line, additional landscaping/ecological buffer and wetland creation to the eastern/northern boundaries
- Noise walls. Three in total. To the southern boundary will be 12 metres high. The northern wall will be 10 metres high and there will be a 15 metre high wall to the rear of the spare parts building.
- SUDS compliant drainage system including filtration trenches, soakaway, oil interceptors and oil sump tanks.
- Access. The proposed access for the site is indicated as via a private road onto Kelsterton road opposite the athletics track. The proposed temporary access during construction works is indicated via a private road which links further along to the west onto the A548 Chester Road past the Connah's Quay Power Station access road.

7.03 The application is accompanied by a Design and Access Statement, Planning Statement, Environmental Reports, Flood Consequences Assessment, and a Tree Survey. Members should be aware that any onshore cables linking the proposed development to off shore cables do not require formal planning permission and are not being

considered as part of the application.

7.04 The Government has set ambitious targets to increase renewable energy generation and to combat climate change. In order to achieve this major reinforcements of the current transmission system are proposed with the Western Voltage Direct Current (WHVDC) link being one such reinforcement. The WHVDC will connect the electricity transmission network in Scotland with England and Wales by subsea HVDC cable. At present the electricity transmission system between Scotland and England is operating at full capacity. The WHVDC link will increase cross border transmission capacity and support the continued development of renewable energy generation in line with the UK and European targets. The WHVDC link comprises a converter station and substation at Hunterston in North Ayrshire which will connect to the existing system and be transmitted via subsea and underground cables to a converter station at Connah's Quay where the electricity would be converted from DC to AC for onwards transmission onto the existing electricity network.

7.05 The applicant studied potential sites across the Dee Estuary area with the majority of sites being discounted for reasons including visual impact, contamination, impacts on existing industrial uses and being adjacent to the SSSI. The considered sites are detailed as follows,

Site 1 – The proposed application site
Site 2 – Vacant E.ON land to the west of the existing Connah’s Quay power Station on the southern banks of the river Dee
Site 3- Deeside Industrial Estate .Vacant land located on the north of the river Dee
Site 4 – Vacant land within the UPM Paper Mill site
Site 5 – Birkenhead Junction East, vacant land Deeside Industrial Estate
Site 6 – Agricultural land forming part of the former RAF Sealand Airfield
Site 7 – Vacant land on Deeside Industrial Estate
Site 8 – Vacant land to the north of Deeside Industrial Estate
Site 9 – Vacant land to the west of Deeside Industrial Estate adjacent to the Dee Estuary

7.06 The application site was chosen as the best option to develop the converter station due to it being a former power station site and considered in keeping with the existing adjacent land uses which include electricity generation and transmission and will be seen in the context of the wider industrial area. The site would require the shortest length of AC cable to connect the converter station to the adjacent Deeside substation, minimising the River Dee cable crossing requirements and potential to affect the River Dee and Estuary protected sites.

7.07 The application site is previously developed land where prior to its

demolition in the 1990's stood the former Connah's Quay coal fired power station. The site is located to the south of the new Flintshire Bridge and covers an area of approximately 17 hectares. To the north and east of the site is the River Dee, to the north west is an existing substation (beyond which is Connah's Quay power station). The site is bounded to the south by the main north Wales railway line beyond which are residential properties and a public open space which fronts onto Kelsterton Road/Church Street.

- The applicant maintains the revised design reduces the built footprint of the valve halls / ancillary building by over half from approximately 17550m2 to 6400m2 which significantly reduces the scale of the valve halls.
- Height of the valve halls has been reduced from 30m to a maximum of 25m.
- The valve halls are separated by a lower height link building to provide a break in the roof line and built frontage to the south western elevation facing Connah's Quay.
- A building of significant architectural merit has been designed to respond to the character of traditional built form within Connah's Quay.
- The previously refused outline planning permission referred to at paragraph 5 of this report was accompanied by an Outline Design Framework (ODF)). At that time the applicant has not clarified the exact design of the converter station and as a result the ODF indicated the maximum possible parameters in regards to its design / layout.
- Outdoor electrical equipment / noise walls have been developed to a greater level of detail which shows a maximum height of 18m.

7.08 The applicant maintains the previously refused design in the outline planning application and the current design differ as follows:

- Height, scale and massing of the valve halls have been considerable reduced in comparison to the original ODF.
- Current application will have electrical equipment reducing in height from 12-15 metres with the exception being two gantry towers at 23.5m. The height of the noise walls are primarily between 10-12m which are within the parameters of the ODF.
- Acoustic walls along the south western boundary facing Connah's Quay will be 12m high and are designed to have a minimal visual impact with the top 2metres, being constructed in a transparent material, with the walls having graded colour tones and vertical timber boarding to provide a contrasting element to create visual interest.
- Woodland planting within the landscape buffer along the south western boundary has been widened from 15-30m (at the widest point). There will be a 5m high earth mound proposed along south western boundary to provide additional screening

which will include a high proportion of advanced nursery stock trees (4-6m high in the year of planting) to provide some initial effect.

7.08 Principle of Development

Within the UDP the site falls under the remit of Policy EM1 (General Employment Land Allocations) which allocates the land for the following employment uses B1 (Business Use), B2 (General Industry) and B8 (Storage and Distribution). The proposed development is considered acceptable in principle as regards the UDP i.e., industrial type development in an area zoned for industry, reuses "brownfield" land and it would enhance the provision of security of supply of electricity. Also the site whilst allocated for B1, B2 & B8 industrial uses, it is considered to have limitations for industrial use due to site constraints e.g. access/electrical infrastructure. The other sites considered by the applicant are within the Deeside Development Zone and the Deeside Enterprise Zone which are considered more strategically important sites in regards to employment potential and which are more likely to be progressed for employment purposes over and beyond that of the application site.

7.09 Design and Appearance

Within the site the applicant considered four possible locations for the siting of the valve halls / linked building as these would be the most visually dominant elements of the scheme. The options were as follows,

Option 1 – south west corner of the site parallel to the railway line / Kelsterton Road.
Option 2 – south west of the site (perpendicular to the railway)
Option 3 - north of the site (parallel to the railway line but some 200 metres from it)
Option 4 – north east of the site (perpendicular to the railway

Each of these is considered in detail in the Design and Access Statement (DAS), with representations of their relative impact from a physical, visual and acoustic perspective. The DAS concludes that Option 1 is favoured from an architectural perspective for the following reasons :

Option 1 was selected as the preferred option as it responds most positively to all these requirements and considerations:

- Being sited furthest away from the River Dee it positions the largest built form away from the important area of nature conservation – the Dee corridor. It should be noted that a number of environmental bodies have been consulted at various stages in the application and they approve of this location from an ecological perspective.

- In this position the building responds to the site's historic precedent. The building's orientation and position follows the historic position of the large scale brick offices of the former coal fired power station.
- In this orientation and position the Valve Hall buildings also follow the historic grain of Connah's Quay and its linear forces which are created by the railway and Church Street.
- With the Valve Halls located in this location the existing leylandii trees will provide a degree of instant mature screening thereby helping to integrate the buildings into the landscape from the outset.
- In regards to views and visual impact with the building in this position and orientation the working facade of the Valve Halls is facing away from the town.
- Also relating to views in this orientation a significant proportion of the external electrical equipment will be screened by the building.

As regards the visual analysis of the proposal the applicant states

In addition to the architectural design measures, the visual mitigation of permanent effects also includes the following landscape measures:

- The valve halls have been located in the most visually enclosed part of the site, set back from the site boundary as far as possible to reduce the perception of visual enclosure in views from the adjacent settlement in Connah's Quay, and to utilise screening potential of retained vegetation;
- The valve halls have been positioned to appear as an extension to existing, adjacent development in views, to reduce the potential urbanising effect on the Dee Estuary, a key landscape feature in a number of key views;
- The orientation of the valve halls will utilise the buildings as a visual barrier to screen views of the electrical infrastructure in views from the south and west, and will foreshorten the buildings to some degree in oblique views of the site from the closest residential properties in Connah's Quay to the north west (Kelsterton Road) and south east (Dee View) where receptors will face the narrowest elevation to help to reduce potential effects on enclosure and intrusion;
- Creation of a planted buffer on three sides of the development will help to reduce the overall visual prominence of the site, and restrict the potential footprint of the development to an appropriate size for the site;
- The valve halls have been located away from the immediate setting of the A548 road bridge, to avoid the potential for obscuring views of it, particularly in views along or across the Dee Estuary;

- Retention of the row of evergreen trees to the southern boundary of the site to maintain a visual screen in the short term. The existing trees will be supplemented and eventually replaced by a [20-30]m wide belt of native woodland planting on earth mounding to provide a long term visual screen and buffer to the development;
- Proposed planting will contain a mix of sizes, including some evergreen species and a high percentage of advanced nursery stock trees in key areas to provide an instant visual effect. Planting will be undertaken in advance of the development to help establish proposed native planting and provide an immediate impact upon completion of the development;
- Native planting within the ecological buffer will help to visually integrate the site in views in the medium to long term and screen close proximity views from the south east;
- Security fencing will be located behind proposed planting/mounding areas where possible to reduce visual prominence in close proximity views; and
- Lighting will be directional and designed to minimise light spillage and/or glare.

The applicant has provided a series of photomontages to illustrate the potential visual impact of possible structures on the site when viewed from Church Road at Years 1 and 15 of the development.

7.10

<u>Design</u>

The proposed development is contemporary in design terms and the applicant has drawn inspiration from the immediate locality to inform that design process and also from the functionality of the development itself. The valve hall building would convert DC electricity into AC electricity. As AC electricity travels in a wave pattern – the roof has been designed to reflect this. The proposed palette of colours takes its inspiration from local contexts, for example, the inspiration for a green coloured roof has come from:

- The existing natural landscaping which is visible in certain parts of Connah's Quay i.e. Wepre Park
- The Welsh national colours echoed in the Connah's Quay Coat of Arms
- Aerial photograph of the salt marshlands to the north of the Dee and to a certain extent the site itself.

The DAS maintains that the regimented roof form breaks free at what would be eaves level on a more conventional building, where it curves over the top of the wall around the southern boundary (facing into Connah's Quay) to avoid a sharp obtrusive eaves line.

The applicant's acoustic specialist has recommended that a number of Acoustic walls are required in order to keep the operational noise from the Converter station below existing background noise

levels.These walls have got to be not only functional but they need to be designed appropriately bearing in mind their height and extent.

As regards the southern wall i.e. facing onto Connah's Quay it will be made of metal cladding with graded colours from green to white and a top 2 metres constructed from a clear Perspex acoustic panel.
The southern walls will also have timber fins fitted to provide a sculptural element and to link the acoustic wall to the design of the main building to create a wave form when viewed from a distance.

The northern wall will be located much further into the site and at 10 metres is 2 metres lower than the southern wall. The acoustic wall to the north facing elevation of the valve hall building and to the west of the spare parts building will be 15m high. Both of these walls incorporate the design principles referred to in the paragraph above as applied to the southern wall.

The overall design principles will not be replicated at the lower levels as they will largely be screened by a landscaped mound which extends along the southern boundary of the site, curves to the east and partially follows the eastern boundary. The mound will be approximately 4.5 metres high and planted with vegetation and trees. It is proposed to plant a number of semi-mature trees (4-6 metres high) at appropriate locations on the brow of the mound.

There is an ecologically buffer to the north and east of the site to separate the site from the River Dee. This buffer should enhance existing habitats, improve biodiversity and maintain habitat along the bank of the River Dee.

Currently views from Kelsterton Road/Church Street into the site are dominated by existing vertical features such as electricity pylons/overhead lines and the A546 bridge, both of which are prominent urbanising features. Whilst there is a degree of subjectivity in regards to appraisal of the visual impacts of any development, the applicant's visual analysis and design rationale is considered, on balance, to be a reasonable interpretation of the wider environment and a response which is a form of development which would not appear out of character with this setting. In broad terms the development would be seen against an existing industrial backdrop. Any buildings on the site would benefit from existing landscaping in the form of mature conifers (to be retained by condition) which are located to the southern boundary, and these would be supplemented by further landscape works within the site. The scale of the development means it will be seen from distant views to the north i.e. the Deeside Industrial Park side/estuary however, these views are set against and filtered by existing commercial/industrial development of a similar scale/nature to that proposed.

The scheme was submitted to the Design Commission for Wales

whose principle comments related to the following,

- The design of the acoustic walls (they were deemed overly visually fussy and could have the opposite effect in visual terms to what was ensilaged i.e. would draw the observer's eye to them
- The material on the roof of the main structure should be copper due to its patina and visual qualities as it ages
- Landscaping would soften the impact of the proposal however a structure of the scale proposed could never possibly be screened fully.

7.11

Effect on Residential Amenity

Whilst the site is located mainly opposite the Church Street park, it does extend over a wider area. The nearest residential properties to the site would be those found along Kelsterton Road/Church Road/Rock Cottages/Bank Road. The buildings on the site would be located behind the existing mature conifer hedging which would also be supplemented by a further landscaped mounded area which would act as a visual buffer between the site and the residential properties. The applicant has stated that landscape works would be undertaken as part of the initial construction programme so that planting is at a more mature stage by the time construction is complete and that within the planting more mature stock would be used to provide rapid visual mitigation - this planting can be secured via an appropriately worded planning condition.

Whilst Members concerns regarding the visual impacts of the previously proposed outline development were subsequently incorporated into the reasons for refusing that particular development, the applicant in this full application has sought to overcome those concerns as detailed above in this report As explained earlier the visual impacts of any proposal can be subjective and in this instance (on balance) the impact of the proposed development is not considered unduly detrimental to the visual amenities of residential properties located primarily to the southern boundary of the site beyond the existing railway lines.

Members concerns over noise impacts with regards to the previously refused application have been expanded / clarified by the applicant in this detailed proposal. The applicant states that the findings of the acoustic report determined that noise emissions from the proposal needed to be kept below current background levels. The applicant undertook noise monitoring at a number of locations in order to establish existing day and night time background noise levels with a focus on locations to the south and east of the site along Church Street and Kelsterton Road. The applicant also prepared noise models based on predicted noise generated by a converter station.

A range of mitigation measures has been included in the detailed design of the proposed converter station. This includes reducing noise at source through the use of noise enclosures or equipment design, as well as use of acoustic walls or barriers to provide further noise reduction if required. Mitigation measures incorporated in the detailed site design and subsequent noise prediction model include the following:

- Layout and orientation of site infrastructure to maximise the distance between noise sources and receptors and use of site buildings and firewalls as barriers;
- Use of acoustic hoods on converter transformer tanks and shunt reactor tank;
- Use of noise hoods on filter reactors;
- Acoustic screens around filter banks;
- The use of high damping facades where practicable;
- Low noise designs on cooling fans;
- Staged operation of pumps and fans on cooler banks;
- Insulation and sound proofing of building units; and
- Use of acoustic walls or barriers at the site boundary.

The Council's Public Protection Manager has not raised any objections to the proposed development on noise grounds subject to appropriately worded conditions. The submitted noise information indicates that the proposal is not likely to have a significant noise effect on nearby residential properties, nonetheless a noise attenuation scheme should form part of the conditions attached to any planning permission with such a scheme making reference to specific noise generated by all buildings/plant/machines relative to sensitive noise receptors at pre and post construction stages and also to include use of acoustic enclosures/noise hoods/filter reactors / screens /walls /barriers /walls, use of high "damping" facades insulation / sound proofing to buildings, and in particular potential for noise generated along the site's southern boundaries. Lighting of the site does have the potential to affect adjacent residential amenity, however, an appropriately worded planning condition should ensure that unnecessary light spillage is minimised and directed away from residential properties. Therefore, overall, the proposal is not considered detrimental to adjacent residential amenity as the site is considered to be reasonably well distant from those residential properties and would be subject to additional landscape mitigation to reduce the visual impact by way of planting to the boundaries of the site.

7.12

<u>Ecology</u>

The site is located in close proximity to internationally/nationally designated sites of ecological importance i.e. the Dee Estuary SSSI/SAC/SPA/Ramsar Site and River Dee SAC. The site comprises a variety of habitats ranging from vegetation and improved grassland to scrub and scattered trees with areas of these habitats being lost

due to the footprint of the works, however, areas of each will be retained and enhanced within the landscaping/ecological mitigation areas in addition to new areas of woodland being created. The applicant's Environmental report stated that protected species surveys were undertaken to identify the presence, or potential presence of mammals and/or birds at and close to the proposed site. During construction, the convertor station would have potential effects on legally protected faunal species including badger, bats, otters, water voles, breeding and wintering birds, and reptiles. These effects can be mitigated for by programming of the works to avoid working during key parts of the day or year for species such as birds, badger and bats, and adhering to standard guidelines covering issues such as pollution control. The applicant states that in taking mitigation measures into account, there will be no significant effects on species of note during construction. The applicant is of the opinion that no designated sites will be directly adversely affected by the proposed works, however, the adjacent statutory designated sites associated with the Dee Estuary and River Dee have the potential to be indirectly adversely affected. The applicant maintains that appropriate mitigation will be implemented including the creation of a linear mitigation area adjacent to the inter tidal habitats and pollution prevention procedures/treatment of surface water runoff from higher risk areas within the site e.g. diesel generator/car parking and prevention of light spill into the designated sites through lighting design and timing of works. The construction period will be temporary and provided those works are carried out in accordance with mitigation and precautionary measures as stated in the Environmental Report and reinforced in the Council's conditions then any adverse effects will be avoided. It is considered there will be no adverse effects during the operation of the converter station providing the stated mitigation/precautionary measures are carried out and appropriate planning conditions attached. The council’s ecologist and the Countryside Council for Wales have not objected to the proposed development. It is reasonable to conclude that the proposal can be sufficiently conditioned to avoid a likely significant effect on the Dee estuary SAC/SPA and River Dee SAC designated features and a more detailed "Appropriate Assessment" is not required.

7.13

<u>Highways/Drainage/Contamination</u>

The permanent access would be via the private road which emerges onto the Kelsterton Road at a point roughly opposite the Athletics track. The applicant maintains that operational traffic effects would be minimal post construction and therefore would not be expected to generate vehicular trips other than occasional maintenance trips. As regards construction traffic, it is anticipated a temporary access to the site would be via a private road to the west of the site which links onto the A548 Chester Road via the access road for the Connah's Quay Power Station. The Head of Assets and Transportation has raised no objections to the proposal, however, as regards site construction

traffic a condition should be attached to any permission to control site access/egress arrangements, agreed delivery routes/times and emergency access arrangements. A public footpath (and the proposed All Wales Coastal Path/Sustains Route) has been indicated to run to the southern boundary of the site - it should be conditioned that surfacing, boundary and lighting details along with a timeframe for implementation be submitted for approval prior to the commencement of development.

As regards drainage, neither Welsh Water, not the Environment Agency have objected to the proposal and therefore subject to conditions the proposal is considered acceptable from a drainage perspective.

Whilst objections have been raised as regards the potential for pollution, nonetheless, the Head of Public protection has raised no objections to the proposal on contamination grounds subject to a standard condition being imposed which should address this issue.

8.00 CONCLUSION

8.01 The proposal is presented in the application as an important strategic infrastructure development in a national context. There is no doubting its significance in this context but the planning system must address its impacts (as well as its benefits), particularly on a local scale. The previous outline application was refused on the basis of its potential impact on residential properties from the perspective of its scale in visual terms and on amenity from any noise generated.

8.02 This full application provides the detail which addresses these issues and whereas there is no taking away from the scale of elements of the development, the careful and detailed design proposals are considered to provide a satisfactory solution in this location, whereby it has been shown that any adverse effects have been mitigated. The development is acceptable in principle and subject to appropriately worded planning conditions it is recommended for approval.

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

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