

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **SPECIAL MEETING OF PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **4TH APRIL 2014**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **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**

APPLICATION NUMBER: **050125**

APPLICANT: **POCHIN ROSEMOUND DEESIDE LTD**

SITE: **FORMER CORUS SITE, WELSH ROAD, GARDEN CITY**

APPLICATION VALID DATE: **13.09.12**

LOCAL MEMBERS: **COUNCILLOR CHRISTINE JONES**

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

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT/LOCAL MEMBERS REQUEST**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is an outline application for an employment led mixed use development with new accesses and associated infrastructure on 70 hectares at the former Corus Garden City site, off Welsh Road, Deeside. Details of access have been provided with appearance,

landscaping, layout and scale being reserved for future consideration.

- 1.02 The site is part of a larger allocation for mixed use development in the Flintshire Unitary Development Plan. The main issues are considered to be flood risk, highways, sustainable transport, layout and phasing of development including integration with the whole allocation and impact on the historic environment.
- 1.03 The application is accompanied by an Environmental Statement, Design and Access Statement and Masterplan which defines the proposed uses and key parameters for development. It is considered that the proposed mix of development is acceptable and that the impacts of the proposed reduced quantum of development in Phase 1, Options 1 or 2, have been considered and can be mitigated subject to conditions.

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

- 2.01
1. In accordance with approved plans.
 2. Outline – details of reserved matters for each phase to be approved before commencement.
 3. Outline – Submission of Reserved Matters applications within 5 years.
 4. Outline – Time limit on commencement.
 5. Detailed programme for each phase shall be approved prior to commencement of each of those phases including extent of works, amount and type of floorspace, impact & assessment of infrastructure works and timetable for implementation.
 6. No built development to commence until after approval and implementation of a scheme for strengthening the River Dee flood defences.
 7. Condition limiting amount of development in first phase from Welsh Road to up to 290 dwellings or 230 dwellings and 12,500m² of B8 and a scheme for optimisation of the traffic signals at Station Road/Asda junction to be implemented in full prior to the commencement of development through S278. Up to 70 dwellings to be accessed from Farm Road.
 8. A full Transport Assessments required for any subsequent phases of development.
 9. S278 Welsh Road Traffic calming.
 10. Tata traffic restricted and controlled by physical means for emergency access only.
 11. Submission and approval of scheme for foul water drainage connected to the mains sewage system.
 12. Submission of surface water drainage scheme based on sustainable drainage principles.
 13. Scheme to secure an acceptable means of water supply
 14. Prior to commencement of development a scheme for hours of working, including methods to deal with noise generation during

construction is to be agreed.

15. Archaeological scheme of mitigation as appropriate
16. No development to take place until a Construction Traffic Management Plan has been submitted for approval, including for example, wheel wash facility; measures to keep highways free from mud arising from development site; dust suppression; working hours; loading and unloading and storage of plant and materials.
17. Traffic signals to be installed on A494 northbound and southbound slips at Deeside Industrial Park interchange with A548.
18. Traffic signals to be installed on A494 northbound and southbound slips at Queensferry interchange with A550.
19. Part-time traffic signals to be installed on A494 roundabout off slip at Drome interchange with A548.
20. A494 northbound off slip at Drome interchange with A548 to be widened.
21. Reconfiguration of merge arrangement on southbound carriageway of A494 between Drome interchange and River Dee.
22. Timetable for implementation of works required in preceding conditions 15-19 to be agreed with Highway Authority before commencement of any construction works.
23. The first reserved matters application to include a Schedule of Highway Works / Transport Implementation Strategy for approval and to include mitigation measures.
24. Updated Schedule of Highway Work / TIS to be submitted with each reserved matters application.
25. Timing of implementation of approved Schedule of Highway Work.
26. Full highway design details of roads
27. Public Transport improvements including enhancements to Hawarden Bridge Station
28. Prior to commencement of development a Framework Travel Plan shall be submitted for approval.
29. A Full Travel Plan for each phase and/or each type of development shall be submitted for prior approval.
30. Monitoring Strategy for each phase to be submitted for each phase.
31. Measures to protect Public Footpath 1 and 3 from interference during construction.
32. Prior to commencement of each construction phase details of the first access to that phase to be submitted and the link to subsequent phases.
33. All non-residential buildings to achieve at least 'very good' BREEAM rating.
34. All dwellings to achieve the Code for Sustainable Homes rating.
35. Listed Building method statement's
36. Implementation of landscaping scheme, maintenance and replacements.

37. Prior to commencement of each phase existing trees and hedges to be surveyed and retained where appropriate.
38. Tree protection and fencing.
39. Waste Audit to be submitted prior to each phase commencing.
40. Construction waste disposal and collection means to be submitted prior to each phase commencing.
41. Construction and Site Management Plan submitted before each phase commences.
42. Public Open Space details to be submitted for prior approval.
43. Scheme for Public Open Space implementation, management and maintenance to be submitted for approval.
44. Scheme for community infrastructure
45. Affordable housing to be provided in accordance with council policy and an appropriate scheme is to be agreed detailing precise numbers, sizes and tenures.
46. Prior to commencement of any residential development a scheme for the delivery of an education contribution in the form of the provision of land and /or facilitation of school places
47. Site investigation for contamination to be undertaken for each phase and any necessary remedial measures to be submitted for approval. Long term monitoring and maintenance plan for contamination remediation.
48. Remediation strategy for unsuspected contamination.
49. Flood Consequences Assessment for each phase.
50. Mitigation to be undertaken in accordance with the Framework Ecological Mitigation Strategy
51. Schemes to be submitted to meet requirements of Framework Ecological Mitigation Strategy
52. Construction Environmental Management Plan
53. Submission of steps to ensure energy efficiency and carbon reduction.
54. No site clearance works during bird nesting season, unless otherwise agreed by Local Planning Authority.

3.00 CONSULTATIONS

3.01 Local Member

Councillor C Jones

Requests Committee determination due to the size of the development and a site visit so Members are made aware of the area and surrounding community.

3.02 Adjoining Member

Councillor D Evans

Requests the application is referred to a special meeting of Planning Committee due to the significant importance of the development.

3.03 Adjoining Member

Councillor D Wisinger

Requests the application is referred to the Planning Committee with a

site visit due to the size of the site.

3.04 Sealand Community Council

- Importance of providing guaranteed flood management
- Traffic management and analysis vital to understand impact of additional traffic flows along Welsh Road
- Concern about traffic overload along Welsh Road
- Recognising the impact of strain on current facilities.
- Importance of recognising the impact on the existing community and strain that the new development will have on existing community and public facilities
- The need to build in expansion for Sealand Primary School to cater for the additional children that will come from the new development
- Protection of existing public rights of way
- Need to blend new development into and within existing community.
- Importance of providing community and retail facilities for the new community
- Importance of ensuring affordable housing is provided.

3.05 Connahs Quay Town Council

No objection.

3.06 Head of Assets and Transportation

No objection in principle to the reduced Phase 1 quantum of development subject to conditions.

3.07 Public Rights of Way

Public Footpaths No 3 and 1 affect the site. The legally defined public right of way must be marked out in strict accordance with the definitive map and with the prior approval of the surveying authority before design implementation. The surface of the rights of way must not be disturbed without lawful permission and development over the line of the public right of way must not commence until any necessary diversion or extinguishment has been lawfully authorised under the appropriate legislation.

3.08 The applicant must contact the Rights of Way Section before proceeding with any works. The applicant may be required to apply for a Temporary Closure Order to protect the public during the construction.

3.09 Head of Public Protection

No objection subject to a condition requiring a contaminated land survey and submission of any necessary mitigation measures for the Local Planning Authority's approval.

3.10 Head of Lifelong Learning

At present the exact number of residential units and therefore the impact of the development on the relevant schools namely Sealand County Primary and John Summers High School is unknown. At present both schools have surplus places, Sealand CP has 56 surplus places which equates to 25% and John Summers has 184 surplus places which equates to 33%, however this surplus will be filled by the cumulative impact of the Northern Gateway allocation as a whole and other potential residential developments in the area.

- 3.11 It is anticipated that if the proposed number of units come forward on both sites this will lead to the need for a significant extension to Sealand County Primary School which will have spatial implications in terms of the need to extend the school along with the external area for play space etc. It is estimated that this would lead to an additional land requirement of 3,400m² of land to allow for an extension of the external area to compensate for land taken up by any extension of the school building.
- 3.12 Public Open Spaces Manager
Play and recreation spaces are required at the rate of 56.65 sq m per dwelling, as set out in the Local Planning Guidance Note 13 Open Space Requirements. It would be a requirement on a phased development of this size that consideration be given to providing formal sports pitches, Multi-Use Games Area, changing rooms and car parking facilities.
- 3.13 Support the provision of a Dee Park and the provision of a high quality play area. However this park alone would be insufficient to cater for the wider open space needs for the community that is planned by this development.
- 3.14 Welsh Water/Dwr Cymru
DCWW understand that this site is part of a larger development part of which is subject to outline planning permission, therefore in assessing this planning application DCWW are mindful to look at the impact of the overall development on the public sewerage system. Based on the estimated foul flows that would be generated from the development it is unlikely that sufficient capacity exists in the public sewerage system to accommodate the additional flows. Normally we would object at this stage and request a Hydraulic Modelling Assessments to be undertaken at the developers costs so as to determine a connection point and/or any improvements works required to the public sewerage network to accommodate the development. However in this instance we would accept that a condition is placed on the planning application similar to that which was placed on outline planning application 049320. Preliminary discussions have been undertaken with the developer in relation to the HMA.
- 3.15 The existing water network has insufficient capacity to provide

guaranteed mains water supplies to this proposed development. Extensive off site water mains will need to be laid to the curtilage of this site for which initial contributions are required under Sections 40-41 of the Water Industry Act 1991. Preliminary discussions have been undertaken with the developer in this regard.

3.16 The proposed development is crossed by a trunk/distribution watermain and 2 no combined sewer rising mains which need to be safeguarded.

3.17 Natural Resources Wales
Flood Risk and Drainage

The application was accompanied by Hyder Consultants' "Northern Gateway Development, Deeside - Flood Consequences Assessment - Former Corus Garden City site", September 2012.

3.18 The application site lies entirely within zone C1, as defined by the development advice map referred to under TAN 15 Development and Flood Risk (July 2004). NRW's Flood map information, which is updated on a quarterly basis, confirms the site to be within the extreme flood outline.

3.19 We have assessed the submitted Flood Consequence Assessment (Hyder Consulting) and can confirm we have no objection in principle to the proposed development in terms of flood risk; subject to the inclusion of the following conditions:

- **Grampian Condition:** No built development authorised by this permission shall commence until such time as:

a) an agreed scheme to strengthen the River Dee defences has been submitted to, and approved in writing by the local planning authority

AND

b) the approved defence works have been fully implemented in accordance with the local planning authority's written approval and have been certified in writing as complete.

- Any individual or phased development (including roads/utilities/on-site flood protection measures/land profiling etc.) shall only take place (on any part of the site) if the applicant has undertaken and submitted an acceptable and specific Flood Consequence Assessment (FCA) to the local planning authority (lpa) in accordance with TAN15 guidelines.

- Requirement for a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, Flows should be regulated prior to discharging into the watercourse and additional volumes stored on site (the

1 in 100 year rainfall event should be managed).

- Requirement for a scheme to:
 - i. secure an acceptable means of water supply
 - ii. secure connection of foul drainage to the public sewerage system
- A site investigation, with appropriate remediation and verification to an agreed methodology to be submitted.

3.20 Ecology

The application site is located close to the boundaries of the River Dee and Bala Lake Special Area of Conservation SAC, Afon Dyfrdwy (River Dee) SSSI And Dee Estuary SSSI, SPA and Ramsar. It is also located within 2km of Deeside and Buckley Newt Sites SAC.

3.21 Ongoing discussions have been undertaken between NRW and the applicant's consultants in relation to the proposed species mitigation which have led to the formulation of the Framework Ecological Mitigation Strategy. No objections subject to the implementation of the measures set out within this document.

3.22 Welsh Government Highways

From an initial review of the submitted Transport Assessment (TA), a number of issues were raised in relation to the methodology, outputs and overall conclusions.

3.23 Following the submission of additional information contained in the ES Addendum Welsh Government directed the following conditions should be imposed;

- Traffic signals to be installed on the A494 Queensferry interchange with the A550
- The A494 northbound off slip at the Queensferry interchange with the A550 shall be widened to three lanes to provide a dedicated left turn lane for the superstore
- The A494 circulatory at the Queensferry interchange with the A550 shall be widened to three lanes
- Traffic signals shall be installed on the A494 Drome interchange with the A548
- The A494 northbound off slip at Drome interchange with the A548 shall be widened to two lanes
- Traffic signals shall be installed at the Deeside industrial Park interchange with the A548
- The existing merge arrangement on the southbound carriageway of the A494 between the Drome interchange and the River Dee shall be reconfigured

3.24 The timetable if the above shall be agreed with the Welsh government as Highway Authority prior to the commencement of any construction works.

- 3.25 Cheshire West and Chester Council (CWAC)
CWAC commissioned AECOM to review the submitted Transport Assessment to assess the potential implications upon the CWaC's highway network, whilst also to identify any implications upon the emerging Chester Transport Strategy.
- 3.26 The TA identifies a significant proportion of development trips will directly impact upon the CWaCs network. However the modelling exercise within the TA does not assess the impact upon CWaCs local highway network, notably the A548 Sealand Road. It is also envisaged the development will impact upon the wider A540 Parkgate Road and the A5117 towards Ellesmere Port, which have not been appraised within the TA.
- 3.27 The development will need to integrate within the Chester Transport Strategy, to ensure appropriate measures are explored to promote sustainable travel from the onset and reduce the impact of private vehicular travel upon the local highway network.
- 3.28 The proposed development has implications upon the Chester Transport Strategy in relation to capacity issues and demand for bus services from Garden City to Chester; capacity pressures on Park and Ride; capacity pressures on rail service; demand for more cycle and car parking at railway stations; upgrading of railway infrastructure such as waiting areas; low level of pedestrian infrastructure to facilitate movement; pressure on cycling corridors including the A548 and regional route 89; increase in HGV movements on the local highway network in the peak periods and to Ellesmere Port and impact on local air quality.
- 3.29 Airbus
No aerodrome safeguarding objection however any cranes used in the construction period would require a permit to be issued by Airbus.
- 3.30 Civil Aviation Authority
Provided that due attention is paid to National Assembly for Wales Circular 1/2003 the CAA has no comment.
- 3.31 Clwyd Powys Archaeological Trust
Information retained within the Historic Environment Record, and recently supplemented with a desktop assessment by Cotswold Archaeology (via NJL Consulting), suggests this area has a moderate archaeological potential relating to former pill box defences on the periphery of the RAF Sealand South Camp, the former Corus steelworks site including the listed 1907 office buildings and garden, a former row of cottages in the south eastern corner of the site boundary and surviving buildings plus a well at Sealand Bank Farm. There is also a potential for previously unrecorded sub-surface archaeology across the rest of the development area.

3.32 We have assumed that the listed buildings at the Corus Steelworks site will survive the development, but that all other surviving structures listed above will be lost. Consequently a scheme of mitigation including building recording, a watching brief and targeted excavation will be required secured by condition.

3.33 Network Rail

Concerns in relation to;

- The impact on Hawarden Bridge railway station. Investment will be needed in this station if the volume of passengers is to increase in the form of lighting, larger waiting shelters, improved footways, CCTV, improved signage and measures to complete equality act access.
- If there is a material increase in the volume or a material change in the character of the traffic using a level crossing would seek closure of the existing timber foot level crossing at Hawarden Bridge Station should and replacement with an equality act complaint alternative footbridge funded by the developer.
- Enhancements to Shotton High Level and Shotton Low Level railway stations should also be considered in the form of lighting, larger waiting shelters, improved footways, CCTV, improved signage and measures to complete equality act access.
- Improvements to the access road to the stations to facilitate dropping off and a pedestrian crossing at the developers expense
- Hawarden Bridge is a Listed Structure and the impact of increased footfall and pedestrian routes to and from it need to be assessed.

3.34 Do not object to the actual proposal more the facilitation of service provision given their asset base. Have other concerns in relation to the impact of the implementation of the development on their land and infrastructure in terms of drainage, flood defence, foundations, plant and materials, boundary fencing, access to their operational land, landscaping, ground disturbance, lighting and scaffolding.

3.35 SP Energy Networks

It has been noted that we SP Manweb plc have plant & apparatus within the area of the proposed development, the developer should therefore be advised of the need to take appropriate steps to avoid any potential danger that may arise during their works in relation to the Electrical apparatus.

3.36 National Grid

Due to the presence of National Grid apparatus in proximity to the specified area, the contractor should contact National Grid before any works are carried out to ensure our apparatus is not affected by any of

the proposed works.

3.37 Highways Agency

No observations to make.

3.38 Sustrans

This proposal is an ideal opportunity to construct a development that promotes sustainable development and transport and supports the strategies currently being promoted by the Welsh Government and Flintshire County Council. Sustrans Cymru would welcome the opportunity to work with the developer and the local authority to promote these issues.

3.39 Sustrans Cymru are concerned about a number of features of these proposals:

- further detail on the proposed walking & cycling links within the development
- confirmation that the proposed walking & cycling links within the development are to be constructed as part of the initial phase of the development
- walking & cycling routes are provided alongside all major access roads through the development
- the developer upgrades the existing network of walking & cycling routes around the proposed site so that they are suitable for use at all times, i.e. improved surfacing and lighting provision.
- The residential elements within the development are designed to the guidance provided within Manual for Streets and is fully permeable for pedestrians and cyclists.
- A travel plan is funded for a minimum of 3 years, ideally 5 years, after the development is completed.
- Suitable staff facilities to encourage walking and cycling are provided i.e. secure cycle storage, showers, lockers etc are provided within the business units.

3.40 Welsh Historic Gardens Trust

The Shotton Steelworks John Summers Garden is a recent grade II entry in the Cadw/ICOMOS Register of Landscapes, Parks and Gardens of special historic interest in Wales. This garden is an important survival by the landscape architect Brenda Colvin through Dame Sylvia Crowe with whom she shared an office designed to complement the head office and laboratory buildings of the Shotton Steel works. A purpose built garden on an industrial site is rare in Wales.

3.41 WHGT would like to see the whole site of the registered garden, the essential setting of the garden, which includes the setting of the listed buildings and the area to the east of the registered garden (partly used for car parking) and the surrounding trees, protected and retained.

- 3.42 The garden and surrounding area with mature trees should remain available for recreation for the occupants of the buildings, as originally intended, providing an ideal setting for a campus style development centred on the uses which are proposed such as a training and skills centre, offices, a hotel or leisure buildings.
- 3.43 The Landscape and Visual Impact Assessment carried out within the EIA as part of the planning application rates the impact of the development on the listed buildings, their setting and the registered landscape as 'High Adverse', reducing by mitigation measures over time to 'Moderate Adverse'. The main reasons considered for the adverse impacts include tree felling for flood relief works, damage to trees by the introduction of new roads, parking areas, etc, and the results of opening up views of the surrounding new developments partly as a result of tree felling. The proposals for this area should aim to minimise the adverse effect on the registered landscape, if necessary revising the flood relief scheme to reduce tree felling and the raising of ground levels. The whole area, the garden and the essential setting, including the listed buildings and the views from the garden should be are protected.
- 3.44 Ramblers Association
It is important that existing rights of way are clearly marked and protected. The path near to the John Summers building is particularly important and will be affected by early stage flood protection works. A suitable temporary diversion may be needed.
- 3.45 Council for the Protection of Rural Wales
Supportive of the proposed development on the condition that the mitigation as listed in the table entitled 'Operational Impact' in the Environmental Statement forms part of any planning consent granted. The site should also provide a certain percentage of 'affordable housing' within the area proposed for residential development.
- 3.46 Design Commission for Wales
Commented only on the Masterplan Framework document and Design and Access Statement and their subsequent revisions. This document goes some way to improving an understanding the design ethos and detail of the proposed scheme.
Make the following observations;
- Need to integrate with the existing local community at Garden City
 - Sustainable transport connections must be maximised
 - Masterplan should reflect landscape and visual impact assessment form Environmental Statement
 - Sub area masterplans for each character/use area would provide more detail on design development
- 3.47 Housing Strategy Manager

Currently we have 313 applicants requiring 1 and 2 bed rental accommodation and 202 requiring 3 bed rental accommodation within the Garden City, Queensferry, Connah's Quay, Shotton and Sealand area. The development should therefore provide affordable housing in accordance with the council's policy of 30% provision, however, at this outline stage it is appropriate to require a scheme to be submitted for agreement detailing precise numbers, sizes and tenures.

4.00 PUBLICITY

4.01 Press Notice, Site Notice and Neighbour Notification

2 objections received on the grounds of;

- How high will the foundations be for houses off Farm Road built opposite my house as they are on a floodplain
- Will the houses on Farm Road invade my privacy
- Impact on traffic in the area in an already busy area
- Impact of development in relation to school traffic
- How is land to be mitigated from flooding

4.02 Vectos submitted a review of the transport and highway matters associated submitted in response to the initial Transport Assessment and Supplementary Highways Note (February 2012) on behalf of the adjoining land owner/developer PRAXIS (Holdings) Ltd. The matters raised are summarised as follows;

- Concern over response from Welsh Government issued with little regard to the Curtins Transport Assessment
- Assumes all of the PRDL phase 1 development would come forward prior to any development coming forward on the adjacent PRAXIS site and does not recognise it as committed development.
- The Phase 1 strategy of only utilising the Welsh Road access is not considered to represent sound planning in terms of the environmental impacts to Welsh Road and in terms of the distance to bus stops
- Issues with predicted trip assignment data for Phase 1 and full development, does not match total trip generation figures
- Inadequate assessment of the environmental impacts of their trip distribution including HGV's therefore question the air and noise quality elements of the ES
- Errors and anomalies identified in development scenario figures has implications for the junction capacity assessments, no reliance can be placed on the conclusions of the TA

Further comments were submitted in light of the additional highways information submitted ;

- Unrealistic that Tata would use the Corus access road and therefore this approach is flawed
- PRDL have no control over Tata
- Applying historic traffic levels is not reasonable and not proper planning

- Use of 1983 data is not appropriate to calculate current trips
- Tata traffic would still be on the network

5.00 SITE HISTORY

5.01 Applications relation to adjacent site RAF Sealand South Camp
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.

051025 - Discharge of condition no.6 (submission of a Development Brief a Development Brief for the site comprising an illustrative land use Master Plan, green infrastructure plan and flood mitigation plan for built development and a Design Statement)attached to outline planning permission ref: 49320 Approved 07.11.13

051139 - Discharge of condition no.24 (Framework Ecological Mitigation and Enhancement Strategy)attached to planning permission ref: 049320 Approved 24.09.13

051214 - Partial discharge of condition no.41 parts (i) and (ii) (preliminary risk assessment)attached to planning permission ref: 049320 Part Permitted 24.12.13

051282 - Application for variation of condition 42 of planning permission (049320) to amend the timing for the submission of the land contamination information from 'Prior to the commencement of development' to 'Prior to the commencement of each phase being occupied' Approved 17.12.13

051764 - Temporary contractors compound to facilitate flood defence strengthening works. Under consideration.

051850 - Application for approval of details reserved by condition no.9 (residential development appraisal and affordable housing delivery plan) attached to planning permission ref: 49320 Under consideration.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
STR1 New Development
STR2 Transport and Communications
STR3 Employment
STR4 Housing
STR5 Shopping Centres and Commercial Development
STR7 Natural Environment
STR8 Built Environment
STR10 Resources

STR11 Sport, Leisure and Recreation
 GEN1 General Requirements for Development
 GEN2 Development inside Settlement Boundaries
 GEN5 Environmental Assessment
 HSG1 New Housing Development Proposals
 HSG2A Strategic Mixed Use Development, Land North West of Garden City
 HSG8 Density of Development
 HSG9 Housing Mix and Type
 HSG10 Affordable Housing within Settlement Boundaries
 D1 Design Quality, Location and Layout
 D2 Design
 D3 Landscaping
 D4 Outdoor Lighting
 TWH1 Development Affecting Trees and Woodlands
 EWP3 Renewable Energy in New Development
 EWP14 Contaminated Land
 EWP16 Water Resources
 EWP17 Flood Risk
 WB1 Species Protection
 WB2 Sites of International Importance
 WB3 Statutory sites of National Importance
 HE2 Development Affecting Listed Buildings and their Settings
 HE5 Protection of Registers Landscapes, Parks and Gardens of Special Historic Interest
 AC2 Pedestrian Provision and Public Rights of Way
 AC3 Cycling Provision
 AC4 Travel Plans for Major Traffic Generating Developments
 AC5 New/Improvements to Public Transport Facilities
 AC6 Railway Stations
 AC8 Buses
 AC13 Access and Traffic Impacts
 AC18 Parking Provision and New Development
 S3 Integrating New Commercial Development
 S4 Small Scale Shopping Within Settlements
 S6 Large Shopping Developments
 MIN 8 Protection of Mineral Interests
 EM1 (12) General Employment Land Allocations
 EM3 Development Zones & Principal Employment Areas
 SR1 Sports, Recreation or Cultural Facilities
 SR5 Outdoor Playing Space and New Residential Development
 SR8 The Dee Estuary Corridor
 CF2 Development of New Facilities
 CF6 Service Provision
 IMP1 Planning Conditions and Planning Obligations

6.02 Planning Policy Wales (PPW) Edition 6 February 2014

6.03 Technical Advice Notes:
 TAN2 Planning and Affordable Housing

TAN4 Retailing and Town Centres
TAN5 Nature Conservation and planning
TAN 8 Renewable Energy
TAN 11 Noise
TAN 12 Design
TAN 15 Development and Flood Risk
TAN 18 Transport
TAN 22 Sustainable Buildings
TAN23 Economic Development

It is considered that the proposed outline permission is in accordance with the above policies and policy advice notes.

7.00 PLANNING APPRAISAL

Introduction

7.01 This outline application proposes a mixed use development comprising a logistics park, technology park and mixed use campus, residential community, local retail centre, hotel and parkland on the former Corus Site, Welsh Road, Garden City. The application site is part of what is known as the 'Northern Gateway' site which is a major mixed use 170ha site allocated in the adopted Flintshire Unitary Development Plan under policy HSG2A.

7.02 The application site forms part of the larger 200 hectare Deeside Enterprise Zone (EZ), designated by the Welsh Government in September 2011 and part of the major strategic site at Deeside – 'Northern Gateway'. The EZ has been designated to bring forward investment and new jobs, particularly in the manufacturing sector.

7.03 Site Location and Description

The site is situated within the urban area known as Deeside to the west of the A494 and to the south of the existing Deeside Industrial Park. It is bounded by the River Dee to the south with a tree lined footpath, the existing settlement of Garden City to the east and the cycle path/former railway line to the west. The B5441 Welsh Road runs along the site's eastern boundary and Hawarden Bridge Railway Station is adjacent to the site to the north west with the Wrexham-Bidston railway line running partially along the western boundary. To the north is the former RAF Sealand 'south camp' which forms the other half of the UDP allocation and is in separate ownership.

7.04 The 70 ha site is the former Corus Garden City site and comprises 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. The site is predominately flat and open in character. Sealand Bank Farm is accessed off Farm Road and the Tata steel complex has an existing access off Welsh Road, which is currently used for emergency access only.

7.05 Public Right of Way 3 crosses the site from its south west corner near

Hawarden Bridge in a north easterly direction joining to the existing cycletrack. Public Right of Way 1 runs along the River Dee to the south. There are a number of watercourses and ditches which cross the site including the Northern Drain, Shotwick Brook, Manor Drain and Garden City Drain.

7.06 Planning Context
Allocation

The Northern Gateway site is a major mixed use development 170ha site allocated in the adopted Flintshire Unitary Development Plan under policy HSG2A.

7.07 The policy requires the proper planned development of the site given its strategic scale, comprising a masterplan which illustrates the overall development of the site, a design statement and development brief, and a phasing plan. To meet this aim Flintshire County Council produced a Framework Masterplan to provide guidance to both land owners/developers in relation to the Council's key strategic requirements for how this site is to be brought forward and developed. This was approved by Planning and Development Control Committee on 4th September 2013.

7.08 The landowners of the northern parcel of the allocation, Praxis, have an outline permission to develop their part of the site (049320) which was approved by Planning and Development Control Committee on 18th April 2012 and the decision was subsequently issued on 7th January 2013. They are currently looking to discharge all of the relevant conditions attached to that permission in order to submit reserved matters applications for the essential development infrastructure and first phases of development.

7.09 Application (051025) which was to discharge condition 6 of their permission required the submission of a Development Brief comprising an illustrative land use Master Plan, green infrastructure plan and flood mitigation plan for built development and a Design Statement was approved by Planning and Development Control Committee on 6th November 2013. The Praxis masterplan reflects the proposed land uses and mix of uses put forward at the time of their outline planning application, although not formally agreed at that time. This provides for 44 hectares of Employment Land (B2/B8), 7.22 hectares of Commercial Uses (A1, A2, A3, B1, C1, D1, D2) and 25.52 hectares of residential land. This could equate to approximately 700 houses at 30 per hectare.

7.10 The infrastructure works to strengthen the flood defences which are being implemented by Welsh Government as part of the Enterprise Zone have planning permission (application 050730 approved by Planning and Development Control Committee on 19th June 2013) and are currently out to tender.

7.11 Proposal

The planning application was accompanied by an Environmental Statement. A Masterplan Framework for the whole site also accompanies the application and adds to the information provided within the Design and Access Statement.

7.12 An ES addendum was submitted in November 2013 which includes additional highways modelling and sensitivity testing in respect of revised traffic flows at the Council's request. Consequently further assessments have been undertaken in respect of air quality and dust and noise and vibration, ecology and nature conservation, landscape and visual impact and socio-economic to address issues raised in consultation responses by Statutory Consultees.

7.13 The application proposes 43 hectares of B1, B2 and B8 employment uses in the north west of the application site. The focal point for the B1 uses is the reuse of the Listed Buildings to create a campus style development. Light industrial uses B1 (7,400m²) will act as a buffer between the Listed Buildings and B8 uses. Within the listed building 'campus' a hotel (3,000m²) is proposed along with a skills and training centre (4,000m²) to provide technology based business units for local start-ups and inward investors. Adjacent to this is a Regional Industrial and Logistics Park to build upon the success of Deeside Industrial Park (120,000m²). This will be primarily B8 and B2 uses with ancillary B1, with buildings to a maximum height of 18 - 20 m. The Transport Assessment concludes that 25,000m² of B2 and B8 uses can be accessed from Welsh Road prior to the connectivity of the site to the north to allow an early delivery of employment opportunities.

7.14 The proposed residential development is located immediately to the west of the existing settlement of Garden City. It is proposed to deliver approximately 600 dwellings on 17.7 hectares at the rate of 50 completions per year over 12 years. The need for affordable housing in the area is recognised with the exact type and tenure to be negotiated. The site can accommodate a range and variety of housing types with the potential for some higher density housing towards the parkland up to three storey's in height. The existing Sealand Bank farm house will be retained with the remaining farm buildings being demolished. Provision will be made in the Parkland area for formal play space in those areas close to the residential development. The proposed residential platform will be set at around 5.0m AOD with finished floor levels (FFL) at 5.54m AOD. This will involve the raising of an area approximately 24,800m² by an average of 6cm with the remaining area of approximately 153,500m² to be raised by 25cm. The Transport Assessment concludes that 600 dwellings can be accessed from Welsh Road with a small number approximately 70 being accessed from Farm Road.

7.15 21 hectares of parkland comprising formal and informal open space,

ecological areas and flood risk and drainage mitigation will be created adjacent to the River Dee. This forms an important part of the flood risk and drainage strategy for the site along with providing ecological enhancement and recreation opportunities. The Parkland setting will be defined with structural tree planting and landscaping along the River Dee frontage. The existing tree line of Poplar trees along the River Dee bank parallel with the PROW will be retained with a phased replacement of those trees which are coming to the end of their life. An area of car parking will be provided off the Corus Road and the area would be accessible from the footpath and cycleway from the Sustrans network. This will provide cycle and pedestrian connectivity to Hawarden Bridge station, Shotton High Level and Shotton Low Level Railway Stations.

- 7.16 The flood protection and drainage strategy includes the strengthening and reinforcement of the existing flood defences along the bank of the River Dee by sheet piling to 7.2m AOD being implemented by Welsh Government. Two additional penstocks will also be required at the outlet of the Shotwick Brook and at the outlet of the Garden City drain. The Parkland provides some of the compensatory flood storage required to facilitate development of the site. This will involve lowering an area of approximately 75,500m² to a level of 4.12m AOD and the creation of wetland features in addition to a network of drainage ditches and swales. The Garden City Drain (west) will be retained as a main drainage channel through the site with the removal of the two existing culverts and their replacement with a bridge and culverted bridge with a flap gate, along with widening and regrading in places to increase its capacity and to facilitate movement of water to the compensatory flood storage area. Surface water runoff from the residential areas will be directed to the nearest Parkland area. To address the foul drainage, investigations indicate that two pumping stations will be required to facilitate discharge into the existing sewer network in Welsh Road.
- 7.17 The development includes the provision of a 2,500m² (approx) local centre to the south of the site adjacent to Garden City to create a community hub between the new and existing residential areas and in order to create a 'walkable neighbourhood'. It is proposed that this will include a convenience store to serve the local shopping needs and will complement the existing retail. This would be up to two storeys 8m in height.
- 7.18 The site will have two main vehicular access points. Phase 1 access will be from Welsh Road utilising the existing Corus access into the site and Phase 2 will be accessed from Deeside Industrial Park via the link road into the former RAF Sealand site to the north. It is also proposed to use the access from Farm road to serve a small proportion of the residential development.
- 7.19 Environmental Statement (ES)

Under the Environmental Impact Assessment Regulations this application is classed as an 'urban development' project likely to have significant effects on the environment under Schedule 2 of the Regulations due to its scale and nature. The application was therefore accompanied by an Environmental Statement.

7.20 The Environmental Statement assessed the impact of the development on the environment in relation to ecology; water; ground conditions; landscape and visual; socio-economics; traffic and transport; air quality and dust; noise and cultural heritage. The conclusions in relation to the impacts of the development on each of these topics, as described in the ES are summarised below.

7.21 The Environmental Impact Assessment Regulations requires the EIA to consider 'alternatives' to the proposed development and indicate the reasons for progressing the chosen alternative. As the application site forms part of a larger 170ha allocation under policy HSG2A of the UDP, it has been assessed through a Strategic Environmental Assessment during development of the UDP. Therefore it is not necessary for the application to consider alternative locations for the proposed development, because this has already been done.

7.22 Ecology

An ecological assessment has been undertaken to determine the ecological value of the site and to assess the potential impacts of the proposed works on the statutory and non- statutory habitats and species identified in the study area. Extensive ecological surveys of the site identified that some of the habitats on the site were being used by protected and notable species including; common lizard, otter, watervole, bats (roosting and foraging), wintering lapwing and nesting house martins. A Framework Ecological Mitigation Strategy proposes the retention of key habitats including the Shotwick Brook and Garden City Drain and their adjacent habitats. This includes the creation of a large ecological mitigation area containing a mosaic of wetland and non-wetland ecologically rich habitats to provide ecological benefit to the site and key ecological buffer zones adjacent to the River Dee. It is recognised that the loss of the arable area will result in the loss of habitat being used by the wintering lapwing, however mitigation in the form of a commuted sum towards lapwing enhancement proposals in the areas has been offered.

7.23 Water

The site is adjacent to the tidal River Dee and is crossed by the Shotwick Brook and Garden City Drain and an interconnecting network of drains and culverted watercourses. A Flood Consequences Assessment has been undertaken. Flood risk mitigation measures include:

- Zoning land uses to locate lower vulnerability development in the areas at highest risk of flooding;
- Strengthening of flood defences along the River Dee and

- raising of the crest of the Dee defence;
- Optimising ground levels to maximise tidal and fluvial floodwater storage;
- Provision of compensatory floodwater storage parkland area and network of ditches/swales;
- Modifications to the watercourses, reducing the length of existing culverts and maximising open channels;
- Development free corridors (minimum 7m wide buffer zone) along the Shotwick Brook and Garden City drain.

A surface water drainage strategy incorporating sustainable drainage methods is proposed.

7.24 The existing sewer network requires upgrading to accommodate additional loads generated by the development.

7.25 Geology and ground conditions

Historical maps identify that the site has remained predominantly fields since before 1882, except the buildings associated with Sealand Bank Farm in the south east of the site, residential properties in the far south, and offices and associated buildings currently occupied by Tata Steel in the far west. Investigations to date have identified some thin made ground around the current Tata buildings in the west of the site. No significant contamination has been identified as part of contamination testing to date and based on the nature of the site and its history no significant contamination is anticipated across the majority of the site. Prior to construction, further investigations are proposed with localised remediation as appropriate.

7.26 Landscape and Visual Quality

A Landscape and Visual Impact assessment of the application site was undertaken along with a Tree Survey of the site. The Landscape Character of the application site was assessed as having a landscape value of 'local' importance with the exception of the Listed buildings and their setting along with the Registered Park and Garden which are considered to be of 'national' importance. There will be a significant visual impact on the views currently experienced from key receptor locations in the residential areas of Garden City and by cyclists and pedestrians using the network of routes in close proximity to the site, as the open views across the landscape will be replaced with built form. Landscape treatment to site boundaries and perimeters of plots will provide screening of buildings, roads and low level activities, however tops of industrial buildings and residential units will still be visible from certain viewpoints. The impact of the removal and replacement of the tree avenue along the southern boundary will have a 'moderate adverse' impact however this will be mitigated in the form of phased tree removal and replacement over a 10-15 year time frame to reduce the impact to 'minor adverse'.

7.27 Socio-economics

The proposed development has the potential to bring about a series of

significant benefits in terms of housing provision, employment opportunities and community infrastructure to Sealand, Deeside, Flintshire and the region as a whole. It is expected that the scheme will deliver 2,800 temporary construction jobs and 2,169 permanent jobs. It will deliver a range of housing type to meet local needs and consequentially there will be additional demand for local services supporting local regeneration.

7.28 Traffic and Transport

A Transport Assessment is part of the ES which provides an assessment of the likely transport impacts of the application on the site and surrounding network. The TA has assessed the traffic impacts of the development for two scenarios, Phase 1 and the full development. Phase 1 of the scheme represents the total quantum of development which can be accommodated on the existing highway network without the need to link through to the adjoining PRAXIS site. The assessment concludes that both the proposed Phase 1 and the full build PRDL development would have no impact on the local highway network following the implementation of proposed infrastructure improvements at two off site junctions. Proposals for provisions of and enhancements to the sustainable transport infrastructure are included along with a Travel Plan to promote their usage.

7.29 Air quality

During construction there is the potential for emissions through the creation of dust, however appropriate mitigation measures are proposed including dust suppression techniques.

7.30 Noise

Some additional noise and vibration will be associated with the construction works, although these can be mitigated through site working practices. Any potential noise issues arising from the operational development can be mitigated by appropriate design.

7.31 Cultural Heritage

The site include a number of Listed Buildings and a Registered Park and Garden. An assessment has been undertaken on the impacts of the development on the cultural heritage assets on the site, and a Heritage Statement provides an assessment of the historic context of the Listed Buildings and the Registered Park and Garden and the potential impact of the development proposals on their significance and setting.

7.32 Sustainability

Northern Gateway will contribute towards sustainability in a number of ways;

- a mix and variety of housing types
- provision of job opportunities
- provision of a new local centre within walkable distance to both

the existing and proposed residents of Garden City and new employment development

- good accessibility via bus links and footpath/cycle network and connectivity and permeability to the surrounding area and rail network
- positive reuse of the Listed Buildings
- network of open spaces offering a mix of formal and informal recreation opportunities, along with a parkland area providing open space, ecological enhancement and compensatory flood storage alongside green infrastructure

7.33 An Energy Strategy has been produced by RPS to demonstrate the energy and water efficient principles of the development through reducing demand by optimising day light and natural ventilation along with the incorporation of low and zero carbon technology.

7.34 Masterplan Framework

This document sets the comprehensive vision in terms of land uses, linkages, connectivity, flood mitigation and drainage. The proposed scheme features dedicated zones within which the proposed uses and key parameters for development are defined as part of a comprehensive and cohesive masterplan. The design approach and subsequent proposed layout respond to the immediate site context as well as the existing features of the site including its flood mitigation requirements and the Listed Buildings which act as a focal point.

7.35 The first phase of development as set out and assessed in the initial Environmental Statement comprises;

- Internal estate road from Welsh Road to Hawarden Bridge Station
- Flood prevention/alleviation works to create flood storage and development platforms including the diversion of Shotwick Brook
- Completion of parkland areas including areas of land for nature conservation and public open space
- Residential development of up to 600 dwellings at approximately 50 dwellings per annum over 12 years
- Employment development of 25,000m² floor space comprising B1, B2, B8 Technology Park Uses

7.36 The Transport Assessment indicates that this first phase of development is the quantum of development that can be accommodated in highway capacity terms on the existing network from the existing Welsh Road access without the vehicular link within the site to the PRAXIS site and with a small amount of residential development (70 dwellings) accessed from Farm Road.

7.37 Phase 2 comprises;

- Local retail centre 2500m² of floor space
- Mixed use campus and technology uses including B1 office

(approx. 3,300m²) (John Summer Building); B1 light industrial uses – approx. 7,400m²; hotel (C1) (60-80 bed approx. 3,000m²); Training and learning centre (D2, C2) approx. 4,000m².

- Logistics Park including employment floor area of 95,000m², comprising approx. 95% B1/B2/B8.

7.38 The Transport Assessment concludes that the link road would be required to the Praxis site in order for Phase 2 to come forward. In light of the outstanding issues with the submitted Transport Assessment which are highlighted below, the initial Phase 1 of development utilising the Welsh Road access has been reduced to;

- Option 1 - 290 dwellings;
- Option 2 -230 dwellings and 12,500m² of B8 storage and distribution units;

with a small amount of residential development (70 dwellings) accessed from Farm Road.

7.39 Issues

Principle of development

The proposed mix of uses complies with the Council's allocation in the UDP and subsequent adopted Framework Masterplan. It also complements the mix of development proposed by PRAXIS.

7.40 Policy HSG2a advocates 98 hectares of employment land. This site proposes 43 hectares of employment land which along with the 51 hectares proposed by Praxis which equates to a total of 94 hectares. The PRDL proposal includes 21 hectares of parkland for flood and ecological mitigation which also will provide recreation opportunities as advocated by the UDP policy. This solution to issues on the site has a considerable land take which reduces the amount available for other uses.

7.41 Policy HSG2a requires that the site delivers at least 650 dwellings. The two elements of the allocation are showing the potential for in excess of this amount estimating 725 (Praxis) and 600 (PRDL) however due to the delays in starting on the site this will continue to come forward beyond the UDP plan period. It is therefore not considered that the amount of housing is unacceptable in principle. Each site is estimating approximately 50 completions per annum. This will provide a steady supply of residential land to assist in meeting the council's 5 year land supply over the next 12 years. The applicant's statement on affordable housing is welcomed and the Council would expect the site to deliver 30% affordable housing in line with the need and demand at the time of delivery. This would be conditioned by the requirement for a scheme to be submitted.

7.42 Policy HSG2a makes reference to convenience retail provision but with no definition of the scale and nature. It is anticipated that the scale of any retail offer would be to serve the local shopping needs of

the local community. While both parts of the development are indicating local centres with retail provision it is considered that there is the scope for retail within both elements of the allocation as they would serve a different function. A local centre in the northern part of the site (Praxis) would serve their residential development along with the employment development within the northern part of that site and the existing businesses on Deeside Industrial Park. A local centre on the southern part of the site would serve the existing Garden City community along with the new residential and employment development in this area. Any reserved matters applications for retail development would assess the scale and function of the proposed retail floor space in accordance with policies S4 and S6 and is appropriate to the size of the local centre.

7.43 The policy also required the provision of enhanced and/or new school facilities, health facilities, a community building, civic space and other related community requirements. These elements will be secured by appropriate conditions requiring schemes to be submitted at the relevant stages.

7.44 The masterplans are general indications of land uses therefore the mix of proposed land uses is acceptable at this outline stage as it is in broad accordance with the UDP policy.

7.45 Highways

A Transport Assessment (TA) was produced to accompany the application as part of the Environmental Statement (ES) by Curtins. This provides an assessment of the likely transport impacts of the application on the site and surrounding network. The TA has assessed the traffic impacts of the development for two scenarios; Phase 1; and the full development. Phase 1 of the scheme represents the total quantum of development which can be accommodated on the existing highway network without the need to link through to the adjoining PRAXIS site. This equates to;

- 600 residential units,
- 12,500m² of B2 (Industrial)
- 12,500m² of B8 (Warehousing)

7.46 The full build equates to ;

- 120,000m² B2/B8 Industrial/Warehousing
- 3,300m² B1 Office
- 7,400m² B1 Light Industrial
- 3,000m² C1 Hotel
- 2,500m² A1 Local Retail
- 4,000m² C2/D1 Training and Skills Centre
- 600 C3 residential units

7.47 The traffic distribution in the TA assumes that 80% of all traffic from

the new development will turn right out of the Welsh Road access. This distribution would be achieved by the introduction of a scheme of traffic calming on Welsh Road to reduce the desirability of this route. The TA concludes that both the proposed Phase 1 and the full build PRDL development would have no material traffic impact on the majority of the junctions within the study area. Of the junctions that have been identified as operating above capacity following the completion of the proposed scheme potential infrastructure improvements have been identified which will mitigate the impact of the scheme namely;

- Drome Corner Eastern/Western Dumb-bell (Double Roundabout)
- A550/A494 (Grade Separated Roundabout)
- Improved Chester Road /Station Road /ASDA signals

7.48 The TA considers that the link road to the adjacent land is required during Years 6 -8 of the development of the PRDL land.

7.49 Following an initial assessment of the submitted TA concerns were raised by the Council, CWAC, Welsh Government (WG) and Vectos on behalf of the adjoining landowners PRAXIS with respect to the methodology employed by Curtins with particular regard to the assumptions made, the validity of the base traffic flows and the modelling outputs. The anomalies identified in the TA therefore raised doubt on the TA's conclusions in respect of the implications of the development on both the County highway network and the strategic highway network along with cross border implications. The TA was reviewed for the Council by Mott McDonald which confirmed the Council's initial views.

7.50 The Council had ongoing discussions with the applicant's highway consultants. The Council had questioned the validity of the base traffic flows contained within the original TA. The applicants reviewed the assessments undertaken by Vectos in support of the PRAXIS application and it was apparent that there were significant areas of difference in terms of the base traffic flows when compared to the base traffic surveys undertaken by Curtins as part of the original TA. The Council were concerned that these differences would contribute to the varying results of the traffic impact assessments of the PRDL and the PRAXIS planning applications.

7.51 In order to deliver a consistent assessment, Curtins agreed to adopt the base traffic flows submitted as part of the Vectos TA and re-assess the development traffic impact across the local highway network. The addendum includes additional highways modelling and sensitivity testing in respect of revised traffic flows. This information takes the form of an ES Addendum and also seeks to address the review of Curtins TA undertaken by Vectos on behalf of PRAXIS.

7.52 This additional information includes the undertaking of additional

junction assessments on the existing highway network to assess the impacts of the PRDL and PRAXIS developments. This concluded the need for infrastructure improvements at;

- A548 Shotwick Road/Parkway (roundabout)
- DIP Interchange (grade separated roundabout)
- Drome corner eastern dumbbell (roundabout)
- Drome corner western dumbbell (roundabout)
- Chester Road/B5441 Welsh Road/ASDA Access (signals); and
- A550/A494 (grade separated roundabout) Station Road/Chester Road East.
- Traffic calming on Welsh Road between Drome corner and Corus access

7.53 A scheme of improvements have been developed for each of the identified junctions which they state will provide the additional capacity required to accommodate the future traffic demand and mitigate the impact of the development. This list of junction improvements are those directed to be undertaken in the response from Welsh Government. The timing and implementation of these improvements is to be agreed and would be dealt with by condition.

7.54 Following an assessment of this ES Addendum the Council still had reservations about the impacts of the proposed Phase 1 of the development and the quantum of development utilising the Welsh Road access on the county highway network. The Council does not have any concerns regarding the proposed 70 dwellings using Farm Road.

7.55 In order to move the application forward and in light of the Enterprise Zone timeframe, it was agreed by the Council with the applicant that an alternative approach to assessing the quantum of development achievable on the highway network through the Welsh Road access as part of Phase 1 would be employed. The Council and the applicants then sought to establish a 'Phase 1' development scenario which would result in 'nil detriment' to the surrounding highway network. The basis for this being that the proposed use of the existing site access off Welsh Road by the development would be equivalent to the use that was made of it by TATA steel as recorded during the AM and PM peak period counts undertaken for the applicant's TA in June 2011. The applicants have a legal agreement with TATA steel that any use of this access will be limited to emergency only traffic once the PRDL development has commenced. TATA have an alternative access off the A548/Deeside Industrial Park which is predominantly used for staff access at present.

7.56 PRDL suggested two Options for a potential Phase 1 Development.

- Option 1 - 290 dwellings
- Option 2 - 230 dwellings and 12,500m² of B8 storage and distribution units.

7.57 The Council employed Atkins to review these latest options for Phase

1 of the development. One issue that this proposition raises is that travel patterns to and from the current employment site are in the reverse direction to those which would be made at the proposed development which would be predominantly residential in this first phase. As a consequence of this the pattern of traffic demands at nearby junctions would change and could give rise to operational issues. Impacts of the estimated traffic flows from the two options of development have been assessed on the nearby junctions. The key junction of concern is the Station Road/Asda junction. The information provided has been modelled by Curtins and Atkins for the Council to assess how this junction would operate with the proposed traffic flows. This concludes that the proposed PRDL reduced Phase 1 options could be accommodated without significantly impacting upon the operation of the ASDA signal controlled junction subject to the signals being optimised to operate in the way the model indicates with traffic detection loops.

7.58 The Council is therefore satisfied that the proposed reduced quantum's of development in Option 1 and 2 of Phase 1; 290 dwellings or 230 dwellings and 12,500m² of B8 storage and distribution units can be accommodated on the county highway network, subject to the submission, approval and implementation of a scheme to optimise the signals at the ASDA junction. It is considered that this can be secured by an appropriately worded condition with any additional development requiring a full Transport Assessment. The Council does not have any concerns regarding the proposed 70 dwellings using Farm Road.

7.59 Sustainable transport

The accessibility of the proposed development has been considered in the context of accessibility on foot, cycle, by bus and rail within the Transport Assessment. The surrounding area is well connected by a network of good quality pedestrian infrastructure including public rights of way and pedestrian footways adjacent to highways. There is a dedicated cycleway along Welsh Road in both northerly and southerly directions from the Corus access junction into the site. There is also a 3m wide segregated off road cycle path 480m to the north of the Corus junction along the western side of Welsh Road which provides a dedicated cycle link into Deeside Industrial Park to the north and Queensferry/Shotton to the south. National Cycle Network Route 5 runs to the west and north of the site and provides a continuous route between Chester to Holyhead and provides direct connections to Hawarden Bridge Station and Shotton Railway Station. Regional cycle route 89 is also a purpose built off road cycle route running alongside the River Dee providing a link from Hawarden Bridge to Chester. This network therefore provides excellent opportunities to promote travel to the site by cycling and to link trips with the rail network. The accompanying masterplan shows this connectivity around and to and from the site with the existing community.

- 7.60 The site is also accessible to bus services, with a number of bus stops within 400 metres of the site on Welsh Road, which provide commercial services to Chester, Shotton, Connah's Quay, Mold, Queensferry and Ellesmere Port. In addition to this the Deeside Shuttle is a demand responsive bus service which provides a door to door connection between Deeside Industrial Park and the Flintshire area.
- 7.61 The nearest railway station to the site is at Hawarden Bridge to the west of the site on the Borderland line which runs between Wrexham and Bidston with connections to the Wirral and Liverpool. Services at Hawarden Bridge Station on this line are limited to peak times. Services from Shotton station 800 metres to the south of Hawarden Bridge Station has platforms which connect to the Borderland Service and also on the main line with services between Llandudno and Manchester.
- 7.62 At present the facilities at the railway stations are basic and Network Rail have indicated that any increased use of these stations would require investment in the infrastructure at the developer's expense. Infrastructure improvements can be secured by a condition for a scheme to be submitted.
- 7.63 The site has been designed as illustrated in the masterplan to encourage sustainable forms of transport and integration with the existing community such as the provision of pedestrian and cycle routes throughout the site and improvements to existing infrastructure to improve linkages to surrounding residential areas. A Travel Plan will be produced to disseminate travel opportunities, location advantages and sustainable initiatives amongst residents, staff and visitors of the various uses on the proposed development. This aims to influence travel choices away from single occupancy car journeys and the outcomes of this will be monitored and reported annually. The requirement for a Travel Plan will be conditioned.
- 7.64 Ecology
The majority of the site is species poor grassland with localised interest in the form of bee and marsh orchids within amenity grassland adjacent to the John Summers building. Other semi- natural habitats present are the ditches and hedges but the key interests on site relates to the associated species present.
- 7.65 The application site is located adjacent to the River Dee and Bala Lake Special Area of Conservation SAC, Afon Dyfrdwy (River Dee) SSSI And Dee Estuary SSSI, SPA and Ramsar. It is also located within 2km of Deeside and Buckley Newt Sites SAC, Connah's Quay Pond and Woodlands and Shotton Lagoons and Reedbeds.
- 7.66 Extensive ecological surveys and assessments of site been

undertaken by Middlemarch Environmental for the site as a whole and are included as part of the Environmental Statement. A Framework Ecological Mitigation Strategy has been produced which covers the key ecological issues and has satisfied NRW's initial concerns. Additional ecological information has been submitted as part of the ES addendum.

- 7.67 The European Protected Sites adjacent to the development namely the River Dee and Dee Estuary will not be directly affected by the proposed development, however care will need to be taken to minimise any indirect effects during construction and operation through surface water run off, pollution etc. Once development is established, disturbance arising from the development will be low-level with the majority of the impacts associated with increased use of the footpath/cycleway along the River Dee. However it is not considered this would lead to significant disturbance to bird species using the Dee Estuary. The development of the site will lead to the loss of arable land used by wintering lapwing. Compensation for the loss of this habitat has been proposed through a financial contribution to support lapwing conservation projects with a 10km radius of the application site.
- 7.68 The closest part of Deeside and Buckley Newt Sites SAC to the application site is Wepre Park (1.55km). However, given the provision of open space on site and the proximity to other walking and cycling links it is unlikely that this will lead to significant pressures on this site in particular.
- 7.69 The assessment of the potential effects of the development both during construction and operation on the statutory and non-statutory nature conservation sites has concluded that with the appropriate mitigation measures in place there will not be any significant adverse effects.
- 7.70 The diversion of Shotwick Brook will result in the loss of a main badger sett as well as foraging habitat (farmland). Research has shown that badgers will use artificial setts if they are within 100m of their existing sett. This proposal is over 600m away albeit within the same ditch corridor. There is a concern as to whether the proposed artificial sett will be successful or whether it should be closer to the existing and whether the design takes into account works that may be proposed for the ditch for flood defence purposes. Details of the mitigation will be conditioned to be submitted prior to development on site.
- 7.71 A small Pipistrelle bat roost is recorded in the John Summers building which is to be retained. Mitigation can be provided either within the building or through the provision of bat boxes. Roosting features should not be lit and lighting should be minimized over foraging areas (gardens) and linked to dark corridors e.g. Shotwick Brook.

- 7.72 From the surveys undertaken it appears that otters are using Shotwick Brook as a commuting route from the River Dee to the ponds at Deeside Industrial Park. The brook is culverted under the existing site with flood control at the outfall point, therefore for otters to access the brook they must cross the site using existing boundaries or through the disused buildings. The proposed mitigation confirms that to allow continued use of the brook the diversion will be created prior to the closure of the existing section. Any lighting on these corridors needs to be kept to a minimum.
- 7.73 An assessment of breeding birds on the site show that the John Summers buildings host a colony of house martins and that starlings, swallows and house sparrows use the Sealand Farm Bank buildings. Provision for replacement nest sites need to be considered in any scheme for conversion.
- 7.74 Adult and juvenile common lizard were recorded within the rough grassland along the south eastern boundary of the stretch of Shotwick Brook which will be affected by the diversion. Reasonable avoidance measures are proposed together with proposals for enhancements for reptiles to the new section of Shotwick Brook. This is acceptable provided that this not conflict the proposals for flood defence works and that the retained corridor is of sufficient width along with a programme of long term management.
- 7.75 Water voles have been recorded in Garden City West drain immediately north of the application area and similar suitable habitat occurs along Shotwick Brook. It is therefore assumed that they are present on the site. The mitigation strategy proposed includes the need for further surveys, with mitigation options set out to account for their presence or absence on the site. As habitat enhancement, the new Shotwick Brook and the re-profiled Garden City Drain will be designed to provide water vole habitat which includes shelves of emergent vegetation. The long term management of grassland habitats adjacent to the ditches will be key to the continued presence of this species.
- 7.76 Surveys were undertaken to assess the use of the site by wintering birds. Flocks of lapwing were recorded using the site. Lapwing favour pasture and ploughed fields therefore the development of the site will lead to the loss of this habitat. NRW have agreed long term off setting proposals for the loss of this overwintering habitat for this species in the form of an index linked commuted sum to support local lapwing projects. This would be dealt with by a condition to secure a scheme of mitigation.
- 7.77 The use of the site by the species set out above is connected to their use of the ditch network on the site or the adjacent habitats. The key to successful mitigation is the width of these retained areas and any

potential impacts from flood defence works. In the long term the success will depend on the proximity of the development and the associated noise and lighting disturbance. The mitigation strategy is to be secured by condition but with the details to be agreed prior to commencement of any infrastructure works.

7.78 The use of SUDS should be encouraged in conjunction with opportunities for green roofs to reduce water runoff and biodiversity enhancement. The mitigation strategy refers to the provision of a long term management plan which would be dealt with by condition. This should include compliance auditing and the long term management proposals, including the offsetting scheme and monitoring. Relevant protected species licences will also be required. A Construction Environment Management Plan will also be conditioned which will incorporate environmental management measures and procedures to minimise the risk of pollutants entering watercourses.

7.79 Flood risk

A Water and Drainage Technical Paper has been produced as part of the ES by Hyder. This includes a Flood Consequences Assessment (FCA) along with considering the impacts of the proposed development on surface water, drainage and water quality. Hyder have had ongoing discussion with NRW in relation to the flood risk implications of the development.

7.80 A number of surface water features are located within or border the site boundary and others are located within the wider study area. The River Dee is adjacent to the southern boundary of the site and its flow is tidally dominated. It is canalised between substantial earth embankments and discharges to the Dee Estuary which is protected for its ecology as an SSSI, Ramsar, SPA and Natura 2000 site. The site is crossed by the Shotwick Brook, Northern Drainage Ditch, Garden City Drain and Manor Drain which are an interconnecting network of drains and culverted watercourses. The FCA and ES assess their water quality, flooding and hydrological attributes.

7.81 The application site is entirely within zone C1 as defined by the NRW TAN15 Development Advice Maps. This zone refers to land which is defined as at risk of flooding during the 1 in 1000 year event but afforded protection by significant infrastructure including flood defences.

7.82 NRW flood mapping confirms the site to be within the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability tidal floodplain of the River Dee. The earth embankments along the southern boundary of the site provide the existing flood defences with an effective crest height of 7.0m AOD to 7.5m AOD. Flapped sluices at the outlets of the Shotwick Brook and Garden City Drain West prevent backflow through culverts in the flood defence embankment during high water conditions in the River Dee. At low tide both the Shotwick Brook and

Garden City Drain discharge freely into the Dee and the risk of fluvial flooding is low, however when these watercourses and the associated system of minor ditches are tide locked there is potential for fluvial flooding on the site and in surrounding areas. The FCA includes modelling on the likely overtopping of the River Dee defence in a 0.5% tide event and a breach scenario.

7.83 The development of the site leads to the loss of the fluvial floodplain for the drainage ditch network and the defended River Dee floodplain. To mitigate any potential flooding impacts on the proposed development and the surrounding area from the development of the site a flood mitigation strategy has been produced.

7.84 Flood risk mitigation measures include:

- Zoning land uses to locate lower vulnerability development in the areas at highest risk of flooding;
- Strengthening of flood defences along the River Dee and raising of the crest of the Dee defence;
- Optimising ground levels to maximise tidal and fluvial floodwater storage;
- Provision of compensatory floodwater storage parkland area and network of ditches/swales;
- Modifications to the watercourses, reducing the length of existing culverts and maximising open channels;
- Development free corridors (minimum 7m wide buffer zone) along the Shotwick Brook and Garden City drain.
- Surface water drainage strategy incorporating sustainable drainage methods.

7.85 NRW have assessed the submitted FCA and have no objection in principle to the proposed development in terms of flood risk subject to the imposition of conditions relating to the timeframe for the implementation of the improvements to the flood defences; submission of FCA's for each phase of the development; submission of surface water drainage system based on sustainable drainage principles (SuDS); scheme for foul drainage and land contamination site investigation.

7.86 Foul Sewage
DCWW have indicated that based on the estimated foul flows that would be generated from the development it is unlikely that sufficient capacity exists in the public sewerage system to accommodate the additional flows. The applicant has been in discussions with DCWW who have indicated that a hydraulic modelling exercise of the sewerage network is required. No allowance for this development has been made in DCWW's current 2010-2015 AMP network improvement programme. Discussions with DCWW are on-going with regards to their improvement cycle and the costs for undertaking the analysis of the foul drainage network. Details of foul drainage will therefore be secured by condition.

7.87 Impact on the historic environment

The complex of Grade II Listed buildings include the former John Summers Headquarters Building and north east of that building two linked buildings which are considered to be within the curtilage of the Listed Building. The buildings have been vacant for several years and have started to fall into disrepair. A formal garden and forecourt exist which were purposely designed to be used in conjunction with the office buildings as recreational space for the workers on the site. This is a designated Registered Park and Garden, however is overgrown and devoid of planting.

7.88 The principal building in the group is the former John Summers Headquarters overlooking the River Dee, erected in 1907 and designed by James France. It is three storeys in height with an imposing castellated clock tower built of red Ruabon brick and orange terracotta. Northeast of this building is a pair of linked office and support buildings erected in 1950 of two storeys built with brown brick with shallow pitched roofs and bands of glazing in a modernist style. To the east is a further building of a dark brick with a slate roof dating from the 1940's and a warehouse dating from the 1960's. The latter buildings are considered to be curtilage buildings.

7.89 The Shotton Steelworks John Summers Garden is a recent grade II entry in the Cadw/ICOMOS Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. This garden is an important survival by the landscape architect Brenda Colvin through Dame Sylvia Crowe with whom she shared an office designed to complement the head office and laboratory buildings of the Shotton Steel works. A purpose built garden on an industrial site is rare in Wales.

7.90 The ES includes a technical paper by AP Heritage Ltd which assesses the impacts of the development on the cultural heritage assets on the site, and a Heritage Statement by Peter de Figueiredo which provides an assessment of the historic context of the Listed Buildings and the Registered Park and Garden and the potential impact of the development proposals on their significance and setting.

7.91 All the Listed Buildings are now proposed to be retained as part of the mixed use campus and there is a commitment to restore the garden. It is proposed that the Listed buildings will be converted to B1 office uses with the garden restored as part of that use, complemented by new build light industrial uses and a hotel. Details of any schemes would be subject to the appropriate consents at the time of any reserved matters applications.

7.92 Ground conditions and Mineral Safeguarding

The site is within the Minerals Safeguarding area as defined by policy

MIN8 of the Adopted Flintshire Unitary Plan. The area is underlain by alluvial and fluvio-estuarine sand, mud and silts. There is no comprehensive information on the quality or extent of the sand resource available to the Mineral Planning Authority. Indications are that the quality is variable and unlikely to be a particularly high quality deposit. Similar sandy deposits have been worked in the 1980s at Shotwick Lakes by pumping sands from Shotwick to raise the level of land on what is now the Deeside Industrial Park to raise land for flood control purposes and to bury contaminated land. There is no history of commercial sand exploitation in the locality which is indicative of a lack of high quality sand resources.

- 7.93 The purpose of policy MIN8 is to ensure that mineral resources are not unnecessarily sterilised by other development and to only allow other development where it is considered to have benefits that demonstrably outweigh the value of the resource. The proposal is part of a major strategic development on the overall Northern Gateway Project which is a significant mixed use with substantial economic and social benefits to the industrialised and residential area around Shotton and Queensferry and the Deeside Industrial Complexes, as well as to Flintshire, North Wales and the immediate Wirral, Chester and Cheshire West areas. Given the likely overall low quality of the sand, compared with the scale and benefits of the proposal, the proposed development outweighs the need to protect mineral resources at this location.
- 7.94 In addition, the wholesale pre-extraction of the mineral in the area is not practical, because markets are insufficient to utilise the sand in a reasonable time frame. Also because it will cause a general lowering of the land, which would exacerbate flood risks, and paradoxically place pressure to infill the land with other mineral and suitable rock/demolition waste from elsewhere, causing unnecessary consumption of mineral from permitted mineral sites elsewhere in Flintshire and nearby counties.
- 7.95 The ground at RAF Sealand and Garden City represents the dried out bed of the River Dee Estuary from when the River Dee was Canalised, so the materials will only be loosely consolidated. Applied Geology have produced a technical paper as part of the Environmental Statement which draws on previous site investigations undertaken on the site and further reports undertaken to inform this planning application and the Flood Consequences Assessment. Current ground levels vary across the site ranging from 7.0m AOD along the embankment to 3.9m AOD in the southeast of the site. The minimum finished floor level for the respective land uses are proposed to be 5.51m AOD to 5.5m AOD for the residential parcels, 5.0m AOD for the employment area, 5.30m AOD for the local centre and 5.10m AOD or the access roads. Although exact levels would be agreed with NRW at reserved matters stage through detailed FCA's. Earthwork modelling indicates that a cut of 40,000m³ will be required

to create the parkland and compensatory flood storage area and a fill volume of 440,00m³ is required to create the development platform. Material will be reused on site where possible to reduce the need for the importation of material.

7.96 More detailed ground investigations will be required to support the reserved matters applications. An appropriate condition is therefore proposed.

7.97 Concerns raised by local residents and the Community Council
Some local residents are concerned about the loss of privacy especially if land levels are raised and houses built opposite them. This is a matter which will be addressed when reserved matters applications are submitted when the design and layout of the proposed residential areas are known. The development will be required to comply with the council's standards for space around dwellings and private garden space and ensuring protection of privacy to neighbouring dwellings.

7.98 Whilst it is acknowledged there will be an increase in traffic as a result of the development, the nearby highway, cycle and footway networks are to be upgraded to accommodate this increase.

7.99 The details of the flood mitigation have been provided in principle in the submitted FCA. The detail of this for each phase will be submitted as part of subsequent detailed applications.

7.100 Infrastructure requirements and community benefits
At present the schools which would serve the potential residential development both have surplus places. Sealand CP has 56 surplus places which equates to 25% and John Summers has 184 surplus places, which equates to 33% however this surplus will be filled by the cumulative impact of the Northern Gateway allocation as a whole and other potential residential developments in the area. It is anticipated that if the proposed number of units come forward on both sites this will lead to the need for a significant extension to Sealand County Primary School which will have spatial implications in terms of the need to extend the school along with the external area for play space etc. It is estimated that this would lead to an additional land requirement of 3,400m² of land to allow for an extension of the external area to compensate for land taken up by any extension of the school building.

7.101 While the first phases of the residential development may not require any education contribution, this will be required in subsequent phases. This part of the site is the one which can deliver the extra land required to facilitate the physical expansion of the school and its grounds. The applicants agree to this proposal in principle along with the need for a contribution. This can be dealt with by a suitably

worded condition.

- 7.102 The need for a community centre or community meeting room to meet the lack of such facilities in the area at present and to serve the new community has been raised locally. Also the need for GP/health centre facilities has been raised. These depend on other external agencies being in agreement such as the health board. It is therefore considered that a condition with reference to the need for community infrastructure were appropriate to be appended.

8.00 CONCLUSION

- 8.01 It is considered that the proposed mix of development is acceptable and that the impacts of the proposed reduced quantum of development on the highway network in Phase 1, Options 1 or 2, are acceptable in principle subject to conditions. It also considered that the impacts of the overall development can be mitigated and secured by conditions and the submission of further details at reserved matters stage.
- 8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

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