

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **WEDNESDAY, 23 JULY 2014**

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

SUBJECT: **FULL APPLICATION - ERECTION OF 6 NO. INDUSTRIAL/BUSINESS BUILDINGS WITH A TOTAL FLOOR SPACE OF 5,460 M² AT THE MERCHANT HOUSE LTD, PRINCE WILLIAM AVENUE, SANDYCROFT**

APPLICATION NUMBER: **051328**

APPLICANT: **HOLLINGSWORTH BROTHERS UK LTD**

SITE: **PLOT ADJACENT TO THE MERCHANT HOUSE LTD., PRINCE WILLIAM AVENUE, SANDYCROFT.**

APPLICATION VALID DATE: **7TH OCTOBER 2013**

LOCAL MEMBERS: **COUNCILLOR D. WISINGER**

TOWN/COMMUNITY COUNCIL: **QUEENSFERRY COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **SIZE OF DEVELOPMENT OVER 5,000 SQ M OF NEW FLOOR SPACE**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is a full planning application for 6 no industrial/business units each with a floor space of 910m² and with a total floor space of 5,400m². It is proposed to construct six industrial units, with three located each side of a central service road, each with a floor area of 910m². The main issues is the development in an area of flood risk and whether the consequences of flooding can be acceptably managed

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION,

SUBJECT TO THE FOLLOWING:-

- 2.01
1. Time commencement
 2. Plans
 3. Scheme for entrance bellmouth, footways and street lighting alterations to be submitted and approved prior to commencement of any other site works
 4. Means of site access shall be kerbed and completed to carriageway base course layer
 5. Visibility splay of 2.4m x 43m in both directions free from obstruction
 6. Parking facilities provided and retained within the site for the loading, unloading, parking and turning of vehicles
 7. Detailed layout, design, signing, surface water drainage, street lighting and constriction of the estate roads to be submitted
 8. Provision of 1.8m wide footway along the site frontage
 9. Positive means to prevent the run-off of surface water onto the highway
 10. B1/B2/B8 use only – no trade counters
 11. Production of emergency flood response plan
 12. Finished floor levels
 13. Compensatory flood storage to be provided
 14. Drainage conditions as per Welsh Water

3.00 CONSULTATIONS

3.01 Local Member

Councillor D Wisinger

Agrees to the determination of the application under delegated powers.

Queensferry Community Council

No response received.

Head of Assets and Transportation

No objections subject to conditions covering;

- Scheme for entrance bellmouth, footways and street lighting alterations to be submitted and approved prior to commencement of any other site works
- Means of site access shall be kerbed and completed to carriageway base course layer
- Visibility splay of 2.4m x 43m in both directions free from obstruction
- Parking facilities provided and retained within the site for the loading, unloading, parking and turning of vehicles
- Detailed layout, design, signing, surface water drainage, street lighting and constriction of the estate roads to be submitted
- Provision of 1.8m wide footway along the site frontage
- Positive means to prevent the run-off of surface water onto the highway

Head of Public Protection

No response received at time of writing.

Welsh Water/Dwr Cymru

No objection subject to conditions relating to land drainage, surface and foul water drainages.

Natural Resources Wales

The application lies within Zone C1 as defined by TAN 15 Development and Flood Risk and shown on the Welsh Government's Advice Map. A Flood Consequences Assessment (FCA) accompanied the application.

Object to the scheme until a satisfactory scheme to provide compensatory flood storage is proposed.

The response is awaited on the compensatory flood storage scheme submitted as an amendment at the time of writing this report.

Airbus

No conflict with safeguarding criteria, however during construction any crane activity shall obtain permits from Airbus prior to lifting operations.

Emergency Planning

No objection, is satisfied with the submitted details in terms of the development providing a safe haven for those working in the industrial units in the event of a flood. The site is also in the flood warning area and would receive early alerts from NRW in the event of any potential flood threats. It is recommended that an emergency flood response plan is drawn up and is the subject of a condition.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification
None received.

5.00 SITE HISTORY

5.01 None.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
STR1 – New Development
STR3 – Employment
GEN1 – General Requirements for new Development

D1 – Design Quality, Location and Layout
D2 – Design
AC13 – Access and Traffic Impact
AC18 – Parking Provision and new development
EM3 – Development Zones and Principal Employment Areas
EWP2 – Energy Efficient in New Development
EWP3 – Renewable Energy in New Development
EWP17 – Flood Risk

The application site is within the settlement boundary of Sandycroft and within a Principal Employment Area (EM3) within the Adopted Unitary Development Plan. The application complies with the above policies but is in an area of flood risk therefore policy EWP17 needs to be considered and TAN15: Development and Flood Risk.

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full planning application for 6 no industrial/business units each with a floor space of 910m² and with a total floor space of 5,400m².

7.02 Site Description

The application site is 1.2 ha and is located to the south of Prince William Avenue between two existing industrial facilities on an existing industrial estate in Sandycroft. The site is currently vacant and all previous buildings have been demolished.

7.03 Proposed Development

It is proposed to construct six industrial units, with three located each side of a central service road. Each unit has a floor area of 910m² with the option to subdivide some units into units depending on demand. The proposed buildings would be clad in shades of grey with glazed entrance areas with powder coated aluminium frames similar to the applicant's previous development on St. Ives Way. Parking is provided at the front and side of the proposed units. The buildings would be constructed to BREEAM 'very good' as required by Planning Policy Wales.

7.04 The application was accompanied by a Flood Consequence Assessment and BREEAM Pre-Assessment.

7.05 Principle of development

The application site is within the settlement boundary of Sandycroft and within a Principal Employment Area (EM3) within the Adopted Unitary Development Plan. The proposed use is therefore acceptable in this location.

7.06 The site is an industrial area therefore the proposed industrial units are appropriate in terms of the design and layout in this location.

- 7.07 Flood Risk
The application lies within Zone C1 as defined by TAN 15 Development and Flood Risk and shown on the Welsh Government's Advice Map. A Flood Consequences Assessment (FCA) accompanied the application.
- 7.08 New development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Section 6.2 of TAN15 states that development will only be justified if it can be demonstrated that;
- i. its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or
 - ii. its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and,
 - iii. it concurs with the aims of Planning Policy Wales (PPW) and meets the definition of previously developed land (PPW fig 4.3);and
 - iv. the potential consequence of a flooding event for the particular type of development have been considered and in terms of the criteria contained in sections 5 (vulnerability of development) and 7 and Appendix 1 (Assessing the consequences of flooding) of the TAN are found to be acceptable.
- 7.09 In terms of justifying the development, the site is located within the settlement boundary of Sandycroft and is located within a Principal Employment Area in the Flintshire Unitary Development Plan. It is therefore considered this development would assist in sustaining the existing settlement in accordance with criteria (ii) above.
- 7.10 In terms of meeting with the aims of PPW, the site is a brownfield. It is considered that the site does fall within the definition of previously developed land, as it is as area of hardstanding, although the exact previous use of the site is unknown. This therefore meets with criteria (iii).
- 7.11 A Flood Consequences Assessment has been submitted with the application and has been the subject of detailed discussions with Natural Resources Wales. The area of contention between NRW and the applicant's consultants Weetwood has been the requirement for the provision on the site of compensatory flood storage. NRW argue that compensatory flood storage is required in line with the precautionary principles of TAN15 Development and Flood Risk Section A1.12 in the event of a breach of the River Dee defences.
- 7.12 NRW have argued that the level of compensatory storage should be

based on the worst case scenario in terms of providing mitigation for a breach location which shows the greatest degree of increased flood risk elsewhere. Weetwood have argued that as the location of a breach would not be known in advance the provision of compensatory storage would only be effective for a specific breach location and therefore this request is unreasonable.

7.13 However a revised scheme has been put forward providing 600m³ of compensatory flood storage at the southern end of the site with a drainage system designed to flow into this. NRW's comments on this revision are awaited at the time of writing.

7.14 The Council's Emergency Planner was satisfied with the submitted details in terms of the development providing a safe haven due to the finished floor levels for those working in the industrial units in the event of a flood. The site is also in the flood warning area and would receive early alerts from NRW in the event of any potential flood threats. It is recommended that an emergency flood response plan is drawn up and is the subject of a condition.

8.00 CONCLUSION

8.01 As the site is a Principal Employment Area defined in the UDP it is considered that subject to NRW's response permission should be granted as the consequences of flooding have been considered in detail and mitigation measures are in place in the form of finished floor levels and the compensatory storage.

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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