

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **8<sup>TH</sup> JANUARY 2020**

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

**SUBJECT:** **APPLICATION FOR APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPROVAL (058990) AT PLOT A, RAF SEALAND SOUTH CAMP, WELSH ROAD, SEALAND.**

**APPLICATION NUMBER:** **060222**

**APPLICANT:** **GLEAVE PARTNERSHIP LTD.**

**SITE:** **RAF SEALAND SOUTH CAMP, WELSH ROAD, SEALAND.**

**APPLICATION VALID DATE:** **18<sup>TH</sup> SEPTEMBER 2019**

**LOCAL MEMBERS:** **COUNCILLOR MS. C M JONES**

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

**REASON FOR COMMITTEE:** **MEMBER REQUEST AND SCALE OF DEVELOPMENT.**

**SITE VISIT:** **YES**

**1.00 SUMMARY**

- 1.01 This is a reserved matters application pursuant to outline planning permission ref: 058990 which was 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 on land at RAF Sealand south camp, Welsh Road, Sealand.
- 1.02 The outline consent was granted planning permission in 2013 and in recent years has been subject to a variation; reserved matters permission for infrastructure and enabling works; 1<sup>st</sup> phase of residential development along with the associated discharge of

conditions attached to the outline consent. The Airfields and the Former Corus, Garden City site forms part of a long-standing aspiration of Flintshire County Council and Welsh Government to bring forward a comprehensive, mixed use redevelopment in this area (also referred to as 'the Northern Gateway'), taking advantage of the strategic location and the availability of previously developed land.

- 1.03 This reserved matters application relates to the development of Plot A.
- 1.04 This site forms part of the wider mixed use strategic allocation to, Policy HSG 2A and Policy EM1(12) in the Flintshire Unitary Development Plan, the principle of development is therefore considered acceptable in planning policy terms. Issues in respect of design, layout, access, landscaping, and flood risk have been negotiated and resolved.

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

- 2.01 That conditional planning permission be granted subject to the following:

Conditions:

1. Time Commencement
2. In accordance with approved plans
3. Samples of materials for external finishes
4. AOD levels including accesses shall be
  - 4.99m AOD – existing mean ground level for Plot A
  - 4.82m AOD – platform level for Plot A
  - 4.97m AOD – finished floor level for Plot A.
5. A detailed scheme for off-site highway improvements, as identified in the TIS, shall be submitted and approved, and implemented in full prior to first occupation
6. Travel Plan shall be implemented prior to the first occupation of the development
7. Scheme of Aerodrome Safeguarding Measures

**3.00 CONSULTATIONS**

- 3.01 Local Member  
Councillor Ms. C M Jones  
Requests the application be reported to the planning committee due to the proposed scale of development and the strategic importance of the development to the area.

- 3.02 Sealand Community Council  
The Community Council raises no objections to the proposed development.
- 3.03 Highways Development Control  
The development site is remote from the adopted highway but accessed from a road that is to be dedicated as public highway. The submission has identified a need for off-site highway improvements, some of which will affect County Roads and the Trunk Road network. The outline consent dictated that there would be a need for off-site highway works in order to accommodate the Northern Gateway development and thus to avoid saturating the existing highway network(s). The outline consent therefore imposed conditions which list the main off site works to be carried out once triggered, and for all phases of development to be supported by an updated Schedule of Highway Works/Transport Implementation Strategy (TIS) and Travel Plan. The proposed access arrangements and highway mitigation measures are considered to be acceptable. The Highways Authority therefore raises no objection subject to the imposition of conditions.
- 3.04 Community and Business Protection  
No adverse comments to make.
- 3.05 Business Development  
Business Development is supportive of this application which will give rise to development of the Commercial District of the Airfields Site within the Deeside Enterprise Zone, and subsequent creation of jobs and local supply chain opportunities.
- 3.06 Welsh Water/Dwr Cymru  
No objection to the proposal. There remains appropriate conditions relating to a scheme for foul, surface water and land drainage to include water supply in place which must be submitted and approved prior to the commencement of the development.
- 3.07 Natural Resources Wales  
No objection to the proposed development as submitted.  
Flood Risk: based on the proposed design to modify the non-return valves from the proposed outfall structures NRW are satisfied that the proposed compensatory flood storage scheme is sufficient to manage any flood risk which may arise.  
  
NRW are also satisfied that the additional flood risk mitigation measures set out in the Flood Consequences Assessment meet the requirements established as part of the site-wide flood risk strategy at the outline planning stages. We therefore offer no flood risk objections to the development proposals.  
Protected Species: NRW consider the additional information to be satisfactory in order to remove our previous requirements regarding water vole and Invasive Non-Native Species (INNS). The updated

approach is likely to have material benefits to the targeted and evidence-based delivery of water vole conservation in the long term in this locality.

Airbus

- 3.08 Airbus confirms that the proposed development has the potential to impact upon the Hawarden Aerodrome operations and safeguarding criteria, and therefore requests the imposition of a condition requiring the submission of a Construction Management Plan as a form of mitigation.

Clwyd-Powys Archaeological Trust (CPAT)

- 3.09 Confirms that there are no archaeological implications and therefore have no additional comments to make.

**4.00 PUBLICITY**

- 4.01 Press Notice, Site, Notice, Neighbour Notification

No representations received.

**5.00 SITE HISTORY**

- 5.01 **059938** Application for the approval of details reserved by condition nos. 7 (sustainable drainage scheme), 15 (landscaping) and 19 (construction environmental management plan) attached to planning permission ref. (058990) – Partially Discharges 13.08.19

**059903** Application for the approval of details reserved by condition nos. 5, 7, 8, 9, 11, 12, 15, 17, 18, 19, 20, 21, 22, 23, 25, 27, 28, 29, 31, 32, 33, 35, 36 & 41 attached to planning permission ref. 058990 – Approved 19.08.19

**059514** Application for approval of reserved matters following outline approval for the erection of 283 no. dwellings. – Approved 25.09.19

**058990** Application for removal or variation of a condition following grant of planning permission. (049320) – Approved 25.10.18

**058950** Application for approval of reserved matters phase 1 informal landscaping and POS following outline approval. (049320) – Approved 13.03.19

**058531** Application for the approval of details reserved by condition no. 27 (construction management plan) attached to planning permission ref. 049320 – Approved 02.08.18

**058514** Application for the approval of details reserved by condition nos. 5 (phasing scheme) 6 (development brief), 30 (highway works/transport implementation strategy), 34 (framework travel plan)

and 38 (scheme for the layout, design and timetable for implementation of works) attached to planning permission ref. 049320 – Approved 24.08.18

**058508** Application for the approval of details reserved by condition nos. 5 (construction environmental management plan) and 6 (ecological compliance audit report) attached to planning permission ref. 057404 – Approved 07.08.18

**058506** Non-material amendment following grant of planning permission 057404 – Approved 06.07.18

**058452** Non-material amendment following grant of planning permission 057404 Amendment to shape of area for proposed temporary stockpiles of imported fill materials – Approved 14.06.18

**058244** Application for approval of details reserved by condition No5 & No6 attached to planning permission ref 057404 – Partially Discharges 17.05.18

**057404** Application for approval of reserved matters following outline approval 049320 for phase one enabling works comprising an access road, surface water drainage, landscaping and engineering works to create developments platforms – Approved 09.03.18

**054488** Reserved matters application for phase 1 of the highway works and associated infrastructure works following outline approval 049320 for a mixed use development and associated infrastructure – Approved 01.03.16

**051764** Temporary contractors compound to facilitate flood defence strengthening works – Approved 15.04.14

**051139** Discharge of condition no.24 (Framework Ecological Mitigation and Enhancement Strategy) attached to planning permission ref: 049320 – Approved 25.09.13

**050730** Engineering works to provide flood defence strengthening along 1.5km of the River Dee embankment, to include sheet piling to a maximum depth below ground of 12m and a minimum height of 7.2m AOD and a proposed temporary access route and site compound – Approved 25.06.13

**049320** Outline application for the redevelopment of a strategic brownfield site for an employment led mixed use development with new accesses and associated infrastructure including flood defences and landscaping. – Approved 07.01.13

## **6.00 PLANNING POLICIES**

- 6.01 Flintshire Unitary Development Plan  
STR1 – New Development  
STR3 – Employment  
STR7 – Natural Environment  
GEN1 – General Requirements for Development  
D1 – Design Quality, Location & Layout  
D2 – Design  
D3 – Landscaping  
L1 – Landscape Character  
AC2 – Pedestrian Provision and Public Rights of Way  
AC3 – Cycling Provision  
AC4 – Travel Plans for Major Traffic Generating Development  
AC13 – Access & Traffic Impact  
AC18 – Parking Provision & New Development  
HSG2A – Strategic Mixed Use Development, Land NW of Garden City  
EM1 – General Employment Land Allocations (12)  
EWP12 – Pollution  
EWP13 – Nuisance  
EWP14 – Derelict and Contaminated Land  
EWP16 – Water Resources  
EWP17 – Flood Risk

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

National

Planning Policy Wales Edition 10, December 2018

TAN 11: Noise

TAN 12: Design

TAN 18: Transport

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

**7.00 PLANNING APPRAISAL**

7.01 Introduction

The application seeks approval of reserved matters (access, appearance, landscaping, layout and scale) for the erection of a warehouse (Use Class B8) with ancillary office accommodation (Use Class B1) associated car parking, van storage, cycle parking, pedestrian and vehicular access arrangements, landscaping and infrastructure works.

7.02 This proposal is pursuant to outline planning permission on land at The Airfields, RAF Sealand South Camp, Sealand.

7.03 Site Description

The Airfields site is located within the urban fringe about 1.5km north of Queensferry and adjacent to Garden City. Immediately to the north is the Bangor to Chester Sustrans cycleway and footpath and Deeside Industrial Park. To the west and south west is agricultural land and the River Dee. To the east lie existing residential development and Welsh Road, with the A494 trunk road and network beyond.

7.04 The site comprises brownfield land formerly occupied by RAF buildings and green fields. Access to the site can be achieved by the now constructed spine road ref. 054488 and the residential spine road currently under construction as part of the approved 1st phase enabling works ref.057404, both access points are off Welsh Road. The site borders the existing council owned industrial units to the north of, and accessed through, Garden City.

7.05 Proposed Development

The proposed development seeks permission to provide a warehouse of 9,200sqm split into a warehouse area of 8,190sqm and ancillary office area of 1,010sqm. The unit is proposed to be served by approximately 170 car parking spaces for staff and 470 delivery van spaces for parking, waiting and loading.

7.06 The proposed unit is 139m x 67m and is 13.35m to the ridge height. It is proposed that access would be achieved using the primary access point approved under reserved matters consent 054488 for the Spine Road. Two further accesses are proposed from the south to serve HGVs and delivery vehicles, and staff parking areas respectively. An HGV yard with a dedicated turning and manoeuvring area is proposed to the north of the warehouse.

7.07 Principle of Development

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

7.08 Both component sites have the benefit of outline planning permission which as part of the approved mixed use includes a large commitment to providing employment generating, commercial and industrial development opportunities within the Deeside Enterprise Zone. In addition to the site's mixed use allocation, the site also falls within employment allocation EM1 (12) which allows for B1, B2 and B8 employment uses.

- 7.09 The site's allocation for mixed use reflects both the strategy of the Flintshire Unitary Development Plan and the principles embodied in Planning Policy Wales. In this context, there is a clear policy framework supporting the principle of commercial development on this site. The location of these proposed B1 and B8 uses within Plot A of the Airfields site conforms with the approved Masterplan for the site.
- 7.10 Highways
- Vehicular access to the development will be provided from the spine road which provides access to Welsh Road. A transport implementation strategy (TIS) has been prepared by Vectors and submitted with the application which adopts the principles of the site wide TIS approved on 24 August 2019 under reference 058514.
- 7.11 The proposed vehicular access points to and from the site will form junctions with the main spine road. The location of the primary access point has already been approved through the reserved matters application for the highways works (054488). The other access points are required to ensure the efficient and safe operation of the proposed development to ensure that traffic and pedestrian/cycle flows around the site can be managed
- 7.12 The access will be built to adoptable standards and all have visibility splays in accordance with a 30-mph design speed. As required by condition 25 of the outline planning permission for the wider site the first 20m of each access that may be used by construction traffic will be surfaced to a wearing course before the commencement of the development.
- 7.13 The TIS submitted with the application demonstrates that the proposed access points are of a safe and suitable standard to accommodate traffic associated with the Proposed Development. Therefore the proposal accords with Policy AC13 and there is no objection from Highway Development Control Manager.
- 7.14 In respect of parking, the proposed development includes 170 car parking spaces for workers, including 7 disabled spaces and 3 electric vehicle charging points as well as overnight van parking for up to 473 delivery vans.
- 7.15 The prospective occupier of the site would propose to use the site as a 'last mile' distribution centre, where parcels are delivered via small vans to customers in the local area. The occupier is seeking to consolidate some of their operations onto the site and this has resulted in the current proposal for the onsite overnight van storage which would house the majority of van fleet overnight while the drivers are not out on deliveries as opposed to vans being stored in the local area on separate sites. The Council's parking standards

relate to employee or visitor standards and not operational standards. It is therefore considered that the proposed use is acceptable due to the scale of the distribution proposed.

7.16 The cumulative amount of employee or visitor parking proposed of 170 parking spaces is in excess of the maximum standards of 116 spaces for the proposed development. The developer has confirmed that the proposed development would generate approximately 200 to 220 permanent/temporary jobs for office/warehouse workers. It is anticipated as set out in the travel plan that 12 to 136 staff based on the site will drive to the site by car. Therefore to avoid any issues at shift change overs and to ensure there is sufficient parking for visitors and employees not permanently based at the site 170 spaces are proposed to ensure there is no on-street parking.

7.17 Flood Risk

In accordance with the NRW Development Advice Map, the site is situated in Flood Zone C1, an area considered to be at flood risk but served by significant infrastructure, including flood defences. It has therefore been accepted that The Airfields site is at risk of flooding, with the principle source being tidal, River Dee and fluvial as secondary via Garden City Drain.

7.18 As part of securing outline planning permission in 2013 a detailed Flood Consequence Assessment (FCA) which included extensive hydraulic modelling, and engagements with Natural Resources Wales (NRW), agreed the principles that flood risk could be appropriately mitigated, ensuring the site remained flood free during an event and that flood risk elsewhere was not increased as a result. The FAC demonstrated compliance with TAN15 and informed the design of the site wide flood mitigation scheme, to which any future reserved matters should relate.

7.19 As part of the mitigation for this site, an application ref 050730 to strengthen the north River Dee embankment flood defences was submitted and approved. The scheme involved increasing the height of the defences to 7.20m AOD and reinforced the protection against a tidal breach, not only to the 'Northern Gateway' site but to the Garden City and surrounding areas. The 1<sup>st</sup> phase reserved matters application ref 057404 for the development enabling works involved implementing the agreed mitigation scheme, which included reprofiling the site and raising site levels to create development platforms. The site works completed to date have raised the site levels from 4.73m AOD to a minimum post development level of 4.96 AOD.

7.20 Further to the site-wide mitigation plan having been agreed, the outline consent attaches a condition which requires the submission of a 'specific' FCA relating to that phase to be submitted and assessed

in accordance with TAN15. This was to facilitate necessary detailed consideration of the reserved matter proposals.

- 7.21 This reserved matters application is therefore supported by a detailed FCA prepared by Pinnacle Consulting Engineers. As flood risk is a dynamic constraint, the requirement to provide an updated assessment of the flood risk relating to the end use or phase of development acts as a safeguarding mechanism, allowing a reassessment of the risks and mitigation proposed, the degree of which is subsequently dictated by the end use in terms of whether it relates to 'less' or 'highly' vulnerable development in accordance with TAN15.
- 7.22 The proposal is classified as 'less vulnerable development' in accordance with Figure 2 of TAN15. TAN 15 recognises that there is some flexibility to enable the risks of flooding to be addressed whilst recognising the negative economic and social consequences if policy were to preclude investment in existing urban areas, and the benefits or re-using previously developed land.
- 7.23 With specific reference to paragraph 6.2 of TAN15, development such as this proposed 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 PPW and meet the definition of previously developed land and;
  - iv) The potential consequences of a flooding event for the particular type of development have been considered and are acceptable to the criteria set out in TAN15.
- 7.24 It is clear the proposal is part of significant strategic mixed use development which has been allocated in the current Unitary Development Plan and proposed to be allocated in the emerging Development Plan. The development of this strategic site is considered by the Council as the best and most sustainable way to bring forward economic development opportunities, locating housing close to employment, using previously developed land to build a cohesive community. Therefore the proposal meets the i) and ii) and iii) in terms of its regeneration of a disused derelict site, generating employment and meeting the aims of PPW re-using PDL.
- 7.25 With regards to point iv) the FCA submitted by Westwood's in May 2018 and refreshed in May 2019 identified minimum development levels as follows;

4.99m AOD – existing mean ground level for Plot A  
4.82m AOD – platform level for Plot A  
4.97m AOD – finished floor level for Plot A.

- 7.26 The Pinnacle Consulting Engineers FCA continues to support these proposed AOD and NRW have no objection to those.
- 7.27 The existing spine road serving the site has been constructed and provides an access junction into the site. This therefore ensures adequate access/egress from the site during any of the potential identified flood events. This is secured by a condition proposed above.
- 7.28 The FCA by Pinnacle Consulting Engineers has confirmed that the site can be developed in accordance with PPW 10 and TAN 15 and NRW supports its approach. Due to the sites location within the defended 1% Annual Exceedance Probability (AEP) fluvial/ 0.5 AEP tidal flood outline would conclude that flood risk if deemed to be low.
- 7.29 The associated Flood Mitigation Strategy and Plan, including the flood compensation required as agreed with NRW will ensure that the site shall remain dry during all modelled design events with safe/egress maintained and no flood risk increased elsewhere.
- 7.30 It is therefore considered that the proposal conforms to iv) in paragraph 6.2 of TAN15.

#### Other Matters

The proposed development conforms with the principles of design, including scale and layout as agreed in the Development Brief which was approved under wider planning approval 058514 in August 2018. Furthermore the proposals set out in the Landscape Proposals Plan, including replacement tree planting, meet the principles of a site wide Green Infrastructure Plan which was approved in August 2018.

## **8.00 CONCLUSION**

The site forms part of the strategic mixed use development allocation HSG2A and EM1 (12) land North West of Garden City within the Flintshire Unitary Development Plan.

It is located within the settlement boundary of Garden City in the Flintshire UDP, which is a category B settlement the proposal reflects the sites allocation for mixed use and generating economic and employment opportunities. In this context therefore there is a clear policy framework supporting the principle of B8 development. This

report details in full the areas that required scrutiny, this being the principle of the outline consent, highways and flood risk. It is considered these matters have been satisfied and it is recommended that planning permission is granted subject to conditions

#### 8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

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

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

#### **LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents  
National & Local Planning Policy  
Responses to Consultation  
Responses to Publicity

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