

**FLINTSHIRE COUNTY COUNCIL**

Planning, Environment & Economy  
County Hall, Mold  
Flintshire. CH7 6NF

**CYNGOR SIR Y FFLINT**

Cynllunio, Amgylchedd ac Economi  
Neuadd y Sir, Yr Wyddgrug  
Sir y Fflint. CH7 6NF

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**CERTIFICATE OF DECISION****Application Ref: FUL/000011/22**

TOWN AND COUNTRY PLANNING ACT, 1990 (as amended)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER, 2012

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**AGENT**

Deborah Day,  
SLR Consulting Ltd

**APPLICANT**

Mr Ahmet Eren,  
Shotton Mill Ltd

In pursuance of their powers under the above Acts and Order the County Council as Local Planning Authority **PERMITS**:

**PROPOSAL:**            **Redevelopment and expansion of former UPM Shotton Paper Mill site comprising 82 hectares of new paper factory buildings and processing plant and associated landscaping, offices, access and parking.**

**LOCATION:**           **Shotton Paper Mill, Weighbridge Road, Deeside, Flintshire CH5 2UL**

In accordance with the particulars and plans comprising your application received complete on 12-May-2022 subject to the attached conditions.

1.     The development hereby approved shall be commenced before the expiration of five years from the date of this permission.

**REASON:** To comply with the requirements of Sections 91 to 93 of the Town and Country Planning Act, 1990.

2.     Development at the Site shall take place in accordance with the plans and documents application received on the 6<sup>th</sup> May 2022 and additional information submitted by the Applicant after 6th May 2022, except where they are modified by the conditions on this decision notice.

The plans and documents comprising the Application are:

- Planning Application Forms and Certificates
- Planning Statement
- Design and Access Statement
- PAC Report
- Environmental Statement
- ES Appendix 4.1 Three Stage Site Selection

- ES Appendix 5.1 Scoping Report
- ES Appendix 5.2 Scoping Opinion and Direction
- ES Appendix 5.3 Draft Construction Environment Management Plan
- ES Appendix 7.1 Criteria and Definitions Used in Assessing Landscape and Visual Effects
- ES Appendix 7.2 Assessment of Potential Landscape Effects
- ES Appendix 7.3 Assessment of Potential Visual Effects
- ES Appendix 7.4 Arboricultural Report
- ES Appendix 8.1 Phase 1 Preliminary Land Quality Risk Assessment
- ES Appendix 9.1 Flood Consequences Assessment
- ES Appendix 10.1 Baseline Report
- ES Appendix 10.2 Shotton Mill Aquatic Ecology Report
- ES Appendix 10.3 Ornithology Report
- ES Appendix 11.1 Noise Survey Equipment
- ES Appendix 11.2 Noise Survey Results
- ES Appendix 11.3 Noise Survey Histograms
- ES Appendix 12.1 Detailed Assessment
- ES Appendix 12.2 Baseline Air Quality Monitoring
- ES Appendix 12.3 Construction Dust Assessment
- ES Appendix 13.1 Transport Assessment
- ES Appendix 13.2 Travel Plan
- Red Line Boundary Ref: LPMS-001
- Existing Site Layout (Demolition) Ref: ELPMS-001
- Proposed Site Layout Ref: PPMS-001
- Main Site Existing Layout Ref: EXMS-001
- Site Context Plan Ref: SCP-001
- Phasing Plan Ref: PHMS-001
- General Site Layout Ref: ST-01
- Exhausts & Vents Layout Ref: ST-02
- Key Utilities Infrastructure Layout Ref: ST-03
- Underground Layout Ref: ST-04
- East Longitudinal Section, South Longitudinal Section, North Longitudinal Section, South Longitudinal Section Ref: ST-05
- Paper Machine Building / Ground Floor Plan (Part1/2) & +4.25 Level Partial Floor Plan (Part 1/2) Ref: PM-001
- Paper Machine Building / Ground Floor Plan (Part2/2) & +4.25 Level Partial Floor Plan (Part 2/2) Ref: PM-002
- Paper Machine Building / Pm Floor Plan (Part1/2) & +12.75 Level Partial Floor Plan (Part 1/2) Ref:PM-003
- Paper Machine Building / +11.00 Level Partial Floor Plan, Pm Floor Plan (Part2/2) & +12.75 Level Partial Floor Plan (Part 2/2) Ref:PM-004
- Paper Machine Building / +16.50 Level Partial Floor Plan (Part 1/2) Ref:PM-005
- Paper Machine Building / +16.50 Level Partial Floor Plan (Part 2/2) & +23.00 Level Partial Floor Plan Ref:PM-006
- Paper Machine Building / Roof Plan (Part 1/2) Ref:PM-007
- Paper Machine Building / Roof Plan (Part 2/2) Ref:PM-008

- Paper Machine Building / Section 1-1 Ref:PM-009
- Paper Machine Building / Sections 2-2 Ref:PM-010
- Paper Machine Building / East Elevation Ref:PM-11
- Paper Machine Building / North Elevation Ref:PM-012
- Paper Machine Building / South Elevation Ref:PM-013
- New Warehouse-Dispatch Area / Ground Floor Plan Ref:NWD-001
- New Warehouse-Dispatch Area / Roof Plan Ref:NWD-002
- New Warehouse-Dispatch Area / Sections Ref:NWD-003
- New Warehouse-Dispatch Area / West & East Elevations Ref:NWD-004
- New Warehouse-Dispatch Area / North & South Elevations Ref:NWD-005
- Corrugating Machine Building / Plan (Part 1/3) Ref: COR-001
- Corrugating Machine Building / Plan (Part 2/3) Ref: COR-002
- Corrugating Machine Building / Plan (Part 3/3) Ref: COR-003
- Corrugating Machine Building / Roof Plan (Part 1/3) Ref: COR-004
- Corrugating Machine Building / Roof Plan (Part 2/3) Ref: COR-005
- Corrugating Machine Building / Roof Plan (Part 3/3) Ref: COR-006
- Corrugating Machine Building / Section 1-1 Ref: COR-007
- Corrugating Machine Building / Sections 2-2 & 3-3 Ref: COR-008
- Corrugating Machine Building / North Elevation Ref: COR-009
- Corrugating Machine Building / South Elevation Ref: COR-0010
- Corrugating Machine Building / East & West Elevations Ref: COR-011
- Starch Process and Storage Building / Plans Ref: SPS-001
- Starch Process and Storage Building / Sections Ref: SPS-002
- Starch Process and Storage Building / Elevation Ref: SPS-003
- Effluent Treatment Plant / Overall Layout Ref: - ETP-001
- Effluent Treatment Plant / Motor Control Centre 1 & 2 / Plans & Roof Plans Ref: ETP-002
- Effluent Treatment Plant / Motor Control Centre 1 & 2 / Sections Ref: ETP-003
- Effluent Treatment Plant / North & South Elevations Ref: ETP-004
- Effluent Treatment Plant / West & East Elevations Ref: ETP-005
- Pulp Storage Area Building / Ground Floor Plan Ref: PU-001
- Pulp Storage Area Building / Roof Plan Ref: PU-002
- Pulp Storage Area Building / Sections Ref: PU-003
- Pulp Storage Area Building / Elevations Ref: PU-004
- Tissue Machine Building / Ground Floor Plan (Part 1/2) Ref: TMB-001
- Tissue Machine Building / Ground Floor Plan (Part 2/2) Ref: TMB-002
- Tissue Machine Buildings / +12.00 Level Partial Floor Plan & First Floor Plan (Part 1/2) Ref: TMB-003
- Tissue Machine Building / First Floor Plan (Part 2/2) Ref: TMB-004
- Tissue Machine Building / Second Floor Plan (Part 1/2) Ref: TMB-005
- Tissue Machine Building / Second Floor Plan (Part 2/2) Ref: TMB-006
- Tissue Machine Building / Roof Plan (Part 1/2) Ref: TMB-007
- Tissue Machine Building / Roof Plan (Part 2/2) Ref: TMB-008
- Tissue Machine Building / Section 1-1 Ref: TMB-009
- Tissue Machine Building / Section 2-2 & 3-3 Ref: TMB-010
- Tissue Machine Building / North Elevation Ref: TMB-011

- Tissue Machine Building / North Elevation Ref: TMB-011
- Tissue Machine Building / South Elevation Ref: TMB-012
- Tissue Machine Building / West & East Elevations Ref: TMB-013
- Reel Storage Building / Ground Floor Plan Ref: RE-001
- Reel Storage Building / Roof Plan Ref: RE-002
- Reel Storage Building / Elevations Ref: RE-003
- Reel Storage Building / Sections Ref: RE-004
- Reel Storage Building / Elevations Ref: RE-005
- Converting Building / Ground Floor Plan Ref: CB-001
- Converting Building / First Floor Plan Ref: CB-002
- Converting Building / Roof Plan Ref: CB-003
- Converting Building / Sections Ref: CB-004
- Converting Building / Ground Floor Plan Ref: CB-001
- Converting Building / First Floor Plan Ref: CB-002
- Converting Building / Roof Plan Ref: CB-003
- Converting Building / Sections Ref: CB-004
- Converting Building / Elevations Ref: CB-005
- Finished Goods Building / Ground Floor Plan Ref: FIN-001
- Finished Goods Building / Roof Plan Ref: FIN-002
- Finished Goods Building / Sections Ref: FIN-003
- Finished Goods Building / Elevations Ref: FIN-004
- Service Buildings / Plans Ref: SER-001
- Service Buildings / Sections Ref: SER-002
- Service Buildings / Motor Control Centre & Low Pressure Combined
- Turbine Buildings Elevations Ref: SER-003
- Service Buildings / Cooling Tower & Boiler 6 Buildings Elevations Ref: SER-004
- Raw Material Area / Ground Floor Plan Ref: RAW-001
- Raw Material Area / Sections Ref: RAW-002
- Raw Material Area / South & North Elevations Ref: RAW-003
- Raw Material Area / West Elevation Ref: RAW-004
- Raw Material Area / East Elevation Ref: RAW-005
- Old Corrugated Cardboard Building / Plans Ref: OCC-001
- Old Corrugated Cardboard Building / Sections Ref: OCC-002
- Old Corrugated Cardboard Building / Elevations Ref: OCC-003

Documents received by the Local Planning Authority on 22<sup>nd</sup> July 2022

- Habitat Regulations Assessment Stage 2

Documents received by the Local Planning Authority on 5<sup>th</sup> September 2022:

- Additional Highways Statement Ref: 216107/N03 V2

Documents received by the Local Planning Authority on 14<sup>th</sup> September 2022:

- Amended Reptile Mitigation Strategy

Plans received by the Local Planning Authority on 14<sup>th</sup> November 2022:

- Phasing Plan Ref: SM-SR-1.

**REASON:** To ensure that the development is carried out in accordance with the approved details.

3. No development or phase of development shall commence until a site-wide or phase Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed.
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Biodiversity Management: invasive species management; species and habitats protection, avoidance, and mitigation measures (including the mitigation measures for bird features of Protected Sites outlined in section 7.3 of the Habitat Regulations Assessment: Stage 2 Statement to Inform Appropriate Assessment).
- Soil Management: details of topsoil strip, storage, and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration, and frequency of works; details of measures to minimise noise and vibration from construction activities, for example acoustic barriers; details of dust control measures; measures to control light spill.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater, and energy use.
- Traffic Management: details of site deliveries, plant on site, wheel wash facilities.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan. All oils, chemicals and fuels to be securely stored and banded and kept at least 10 metres away from any watercourse (including the mitigation measures for material storage and visual screening outlined in section 7.3 of the Habitat Regulations Assessment: Stage 2 Statement to Inform Appropriate Assessment).
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
- Ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.



**REASON:** A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development or phase of development and implemented for the protection of the environment during construction, and in compliance with Flintshire Unitary Development Plan Policy EWP12 Pollution.

4. No development or phase of development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

- i. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways, and receptors
  - potentially unacceptable risks arising from contamination at the site
- ii. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii. The results of the site investigation and the detailed risk assessment referred to in (ii.) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii.) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

**REASON:** To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination, and in compliance with Flintshire Unitary Development Plan Policy EWP12 Pollution.

5. Prior to the occupation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

**REASON:** To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site

has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In compliance with Flintshire Unitary Development Plan Policy EWP12 Pollution.

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

**REASON:** To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. A site investigation may not uncover all instances of contamination and this condition ensures that contamination encountered during the development phase is dealt with appropriately. In compliance with Flintshire Unitary Development Plan Policy EWP12 Pollution.

7. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**REASON:** To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution. In compliance with Flintshire Unitary Development Plan Policy EWP12 Pollution.

8. No development, including site clearance, shall commence until a Biosecurity Risk Assessment, and Method Statement that considers invasive non-native species and specific diseases (e.g., Chytrid) has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to prevent the introduction of and where present control, removal or for the long-term management of invasive species both during construction and operation. The risk assessment shall consider landscaping and other related plans. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

**REASON:** To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to prevent or control the spread and effective management of any invasive non-native species and listed diseases at the site. In compliance with Flintshire Unitary Development Plan Policy WB5.

9. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

**REASON:** To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and in compliance with Flintshire Unitary Development Plan Policy EWP12 Pollution.

10. If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted.

**REASON:** To protect the integrity of the public (sewer/sewers) and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and in compliance with Flintshire Unitary Development Plan Policy EWP12 Pollution.

11. Prior to the commencement of development on land labelled Extension Land and hatched green on the Site Boundary Plan (Ref:SM/SR/1.1), a Biodiversity Enhancement and Management Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include the provision of compensatory habitats which shall be at least equivalent to that which would be lost as a result of the development and species-specific mitigation strategies. The Scheme shall include details of habitat creation, management and the provision for long term maintenance agreed in writing by the Local Planning Authority.

**REASON:** To secure the implemented of biodiversity enhancements, in accordance with Flintshire Unitary Development Plan Policy WB6 Enhancement of Nature Conservation Interests.

12. Prior to the commencement of development in the northern section expansion land as shown on Reptile Mitigation Strategy (dated 27/9/2022), a reptile mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be informed by surveys and shall include provision for translocation of species to a suitable receptor site. The scheme shall include a timetable for implementation. The scheme shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** To secure the implemented of reptile mitigation, in accordance with Flintshire Unitary Development Plan Policy in accordance with Flintshire Unitary Development Plan Policy WB6 Enhancement of Nature Conservation Interests.



13. Prior to the commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include:

- Tree Protection Plans showing the trees to be removed as part of development and those to be retained, and how they will be protected.
- Comprehensive landscaping details including how existing tree cover is to be augmented and managed to maximize its functioning and achieve the greatest level of mitigation, whilst also recognizing ecological considerations.
- A list of tree and shrubs species, including evergreens that are resilient to climate change, mainly but not exclusively native species and compatible with the surrounding landscape.
- That the Masterplan includes more extensive tree, shrub and hedge planting on the Main Site as per statement in paragraph 1.20 on page 7.2-6 of the Environment Statement.
- Details of how the boundary fence will be erected along the northern site boundary whilst maximizing screening inside and outside the site.
- Details of the additional planting within the Highway verge. Associated agreements with the Highways Authority should be entered into prior to occupation

**REASON:** In order to ensure that the site is adequately landscaped in the interest of residential amenity and comply with Policy GEN1 and D3 in the Adopted Flintshire Unitary Development Plan.

14. Prior to occupation a long-term Landscape and Ecological Management Plan including provision for monitoring, review, and reporting of the LEMP to ensure its stated aims are achieved.

**REASON:** In order to ensure that the site is adequately landscaped in the interest of residential amenity and comply with Policy GEN1 and D3 in the Adopted Flintshire Unitary Development Plan.

15. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of each phase of development and any trees or plants which, within a period of five years of the time of planting, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

**REASON:** In order to ensure that the site is adequately landscaped in the interest of residential amenity and comply with Policy GEN1 and D3 in the Adopted Flintshire Unitary Development Plan.

16. Within one year, a detailed scheme for the installation of a 3 m wide combined footway/cycleway along the site's southerly frontage to Weighbridge Road together with bus stop infrastructure and alterations to the street lighting system to be submitted

to the County Council. Prior to occupation, the detailed plans shall be approved by the County Council and shall become the subject of a Section 278 Agreement under the 1980 Highways Act prior to their implementation. The scheme shall then be implemented in full for the lifetime of the development.

**REASON:** To ensure the formation of a safe and satisfactory means of access to the site in the interests of maintaining highway safety and the free and safe movement of traffic on the adjoining highway. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

17. No works associated with the combined footway/cycleway shall commence unless and until all the works specified in the aforementioned Agreement have been completed to the satisfaction of the County Council.

**REASON:** To ensure the formation of a safe and satisfactory means of access to the site in the interests of maintaining highway safety. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

18. Prior to commencement of the works on the pipe bridge over Weighbridge Road full details of the proposed structure shall be submitted to and approved by the County Council. Such works shall become the subject of the relevant license/agreement prior to its installation.

**REASON:** To ensure the safety and integrity of the highway network is protected. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

19. The siting, layout and design of the means of site access to the Extension Land shall be in accordance with details to be submitted to and approved by the County Council prior to the commencement of development on land labelled Extension Land and hatched green on the Site Boundary Plan (Ref:SM/SR/1.1).

**REASON:** To ensure the formation of a safe and satisfactory means of access to the site in the interests of maintaining highway safety and the free and safe movement of traffic on the adjoining highway. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

20. The forming and construction of the means of site access shall not commence unless and until the detailed design thereof has been submitted to and approved by the County Council.

**REASON:** To ensure the formation of a safe and satisfactory means of access to the site in the interests of maintaining highway safety and in compliance with Section 184 of the 1980 Highways Act. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

21. The works associated with forming the means of any site access shall be kerbed and completed to carriageway base course layer up to the internal tangent point of the entrance radii prior to use by construction traffic.

**REASON:** To ensure the formation of a safe and satisfactory means of access to the site in the interests of maintaining highway safety and the free and safe movement of traffic on the adjoining highway. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

22. There shall be no means of pedestrian or vehicular access from the site to the adjoining A548 being a classified highway.

**REASON:** In the interests of highway safety and maintaining the free and safe movement of traffic on the classified highway. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

23. The proposed access shall have a visibility splay of 2.4 m x 70 m in both directions measured along the nearside edge of the adjoining carriageway over land within the control of the Applicant and/or Highway Authority and within which there shall be no significant obstruction to visibility above the nearside channel level of the adjoining highway.

**REASON:** To ensure that adequate visibility is provided in perpetuity at the proposed point of access onto the highway in the interests of maintaining highway safety. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

24. The stated visibility splays at the proposed point of access shall be made available and kept free from all obstructions for the duration of site construction works.

**REASON:** To ensure that adequate visibility is provided and maintained during the site construction phase. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

25. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with a scheme to be submitted to and approved by the County Council prior to the proposed development being brought into use. Such facilities being completed prior to the proposed development being brought into use.

**REASON:** To ensure that adequate parking and manoeuvring space is made for servicing the site and to avoid the necessity for reversing movements into or from the highway in the interests of highway safety and maintaining the free flow of traffic on the adjoining highway. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

26. Facilities shall be provided and retained within the site for the parking / storage of bicycles in accordance with a scheme to be submitted to and approved by the County Council prior to the proposed development being brought into use. Such facilities being completed prior to the proposed development being brought into use.

**REASON:** To ensure that adequate bicycle parking is provided to serve the proposed development in the interests of achieving sustainable transport targets and to ensure the delivery of a sustainable, coordinated and high-quality form of development. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

27. Positive means to prevent the run-off of surface water from any part of the site onto the highway shall be provided in accordance with details to be submitted to and approved by the County Council prior to the commencement of any site works.

**REASON:** To prevent the accumulation of surface water on the highway in the interests of maintaining highway safety and to prevent damage to the highway surface or structure. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

28. No development shall take place, including site clearance works, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority (see attached note)

**REASON:** To ensure the formation of a safe and satisfactory means of access to the site in the interests of maintaining highway safety and the free and safe movement of pedestrians and traffic on the adjoining highway. In accordance with Policy AC13 in the Adopted Flintshire Unitary Development Plan.

## Notes to Applicants

1. You are reminded that this permission must be carried out strictly in accordance with the above specified plans and the conditions referred to upon this certificate of decision. If any amendments are proposed, you should NOT proceed without first obtaining the written approval of the Local Planning Authority.
1. Any development carried out without compliance with the plans and particulars approved and the conditions of this permission, may be liable to enforcement action. You are also advised that separate approval under the Building Regulations and/or a licence under the Environmental Health Regulations may be required. Further advice on this may be obtained from the relevant department of the County Council.
2. The approved Construction Management Plan shall provide details of:
  - i. Contact names and numbers of personnel responsible for adherence and monitoring the plan
  - ii. Contact name(s)/number(s) for any site related enquiries, including out of hours times
  - iii. Anticipated duration of the works
  - iv. Typical working days and hours of the week
  - v. Proposed signage types and locations

- vi. Position of any temporary gates – preferably set-back 12m to allow a delivery vehicle to park/wait
- vii. The access and egress route with appropriate traffic monitoring in order to control traffic movements
- viii. Measures to avoid depositing mud, dust or other debris onto the highway by traffic movements
- ix. The timing of deliveries and main construction traffic arrivals and departures to avoid periods such as school arrival/leaving times
- x. Site notices informing construction workers and other site operatives of agreed working hours
- xi. The parking of vehicles of site operatives and visitors
- xii. Loading and unloading of plant and materials
- xiii. Storage of plant and materials used in constructing the development
- xiv. Measures to control the emissions of dust and dirt during construction
- xv. A scheme for re-cycling/disposing of waste resulting from construction works.

In addition please ensure that the attached Supplementary Notes are issued to the Applicant as part of any planning consent which may be granted with particular reference to Clauses 1,2,3,4 & 7.

3. Your attention is drawn to the following consultation responses:

- Wales and West Utilities dated 13/6/2022
- SP Energy dated 13/06/2022
- Network Rail dated 16 June 2022
- Welsh Water/Dwr Cymru dated 1/07/2022

Dated: 30<sup>th</sup> November 2022



Signed: .....

**Chief Officer (Planning, Environment & Economy)**



## STATUTORY PROVISIONS & NOTES APPEALS TO THE WELSH GOVERNMENT

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission of approval for the proposed development, or to grant permission or approval subject to conditions, he may by notice served within six months of the date of this notice (12 weeks for householder applications), appeal to the Welsh Government in accordance with Section 78 of the Town and Country Planning Act, 1990. The Welsh Government has power to allow a longer period for the giving of notice of appeal, but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Welsh Government is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been granted otherwise than subject to conditions imposed by them having regard to the statutory requirements of Section 79(6) of the Town and Country Planning Act, 1990, namely Sections 70(1), (2) and (3), and 72(1) of the Act, and to the provisions of the development order, and to any directions given under the order.
2. Notice of Appeal should be given on the prescribed form, obtainable from the Welsh Government, Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff. CF10 3NQ (Tel: 0303 444 5940).
3. Should the appellant wish the Welsh Government to appoint a Welsh speaking Inspector to hear any appeal against the Local Planning Authority's decision, such a request should be made to the Welsh Government when Notice of Appeal is forwarded to that office at the address given above.
4. **Purchase Notices**  
If permission to develop land is refused or granted subject to conditions whether by the Local Planning Authority or by the Welsh Government, and the new owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act, 1990.
5. **Compensation**  
In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Welsh Government on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 115 of the Town and Country Planning Act, 1990.
6. **General**  
The enclosed decision relates to planning control only and does not cover any other statutory provisions for which consent may be required from the appropriate authority.

**Andy Farrow**  
Chief Officer (Planning & Environment)  
County Hall, Mold, CH7 6NF

Ref.....

Your

**Development Control (Highways) 01352 704617 / 704624**

Last Revised Dec 2019

Ref.....

Our

**HIGHWAYS SUPPLEMENTARY NOTES**  
**TO BE ISSUED TO APPLICANTS AS PART OF PLANNING CONSENT**

**Notwithstanding any planning consent which may have been granted, no work shall be executed within the highway without the prior approval in writing from the Head of Highways and Transportation and any of the following clauses, as deemed appropriate, or as specified on the planning consent notice shall be strictly adhered to:-**

(1) The Applicant must obtain approval from the Transportation Directorate to the design of the means of access to the site and internal estate roads prior to the commencement of any site works to ensure compliance with adoption standards. Such approval, given in writing by the Transportation Directorate will constitute authorisation to the Applicant to execute works within the highway associated with the forming of a new access in compliance with Section 184, Sub-Section 11, of the 1980 Highways Act.

(2) Following the issuing of the notice of approval the Applicant / Developer is advised of the necessity to notify various Utility companies, in compliance with Section 184, Sub-Section 9, of the 1980 Highways Act, of his intention to carry out the works. Such notification shall be given at the earliest opportunity following approval and prior to the commencement of any works, to enable the Utility companies to advise of and programme any necessary alterations to their apparatus, the cost of which shall be borne by the Applicant.

(3) Any required relocation of signage, street lighting or utilities equipment resulting from the installation of new or alteration to existing highway / footway works shall be undertaken with the prior written consent of the relevant Authority and at the expense of the Applicant

(4) **a.** Under the provisions of the New Roads & Street Works Act 1991, Section 50, the Applicant may require a licence to excavate in the highway in order to place any associated apparatus in the highway.

**b.** Any works carried out in or adjacent to the highway may require traffic management to be placed on the highway.

**NOTE:** In relation to both 4a and 4b, contact should be made with the Street Works Section of the Environment Directorate (01352 704806) as soon as possible as both items may require extensive planning and will have lead-in times that may affect the programming of the proposed development.

(5) The preferred procedure for the adoption of new estate roads by the County Council as Highway Authority shall be undertaken in accordance with section 38 of the 1980 Highways Act. The Developer shall provide all necessary information and plans to facilitate the processing of a roadmaking Agreement at the earliest opportunity following the granting of planning consent and the issuing of authorisation to construct the means of access.

(6) As the development includes grassed service margins in lieu of footways adjacent to the carriageway the Developer must inform the plot purchasers that such margins are provided primarily to accommodate Utilities apparatus and will form part of the adopted highway area. The margins shall be design as an integral part of the garden areas and should be maintained as such by the property owners and shall contain no other forms of planting other than grass and no other obstructions such as walls, fences, rockeries etc. will be permitted. The

developer must ensure that the margins are excluded from individual conveyances of affected properties and that a clause be inserted prohibiting any addition planting or construction works within the areas in perpetuity.

**NOTE:** The County Council will require removal of anything other than grass within the margins prior to the adoption of the estate roads.

**(7)** No water of any kind generated by the proposed development is to be allowed to flow from any part of the site, such as driveways and other hard paved areas, onto the highway or into the highway drainage system or be allowed to accumulate in such a way as to affect the highway surface or structure. The development must not interfere with any existing highways surface water drainage facilities whether within the existing highway boundaries or not.

**(8)** A public right of way, described below, crosses / abuts the application site and should be safeguarded before development commences : -

**NOTE:** In accordance with current policy any planning consent requiring diversion / extinguishment of a public right of way to enable development to be carried out will not be processed by the County Council. The Developer / Landowner shall make application for such an Order to the Secretary State for Wales under Section 247 of the Town and Country