

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT PROCEDURE) ORDER 1995 - TO DATE
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING ADVERT REGULATIONS 1994
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS)
ACT 1990
APPLICATIONS FOR PERMISSION FOR DEVELOPMENT**

These are reports and recommendations by Officers for consideration and resolution by the County Planning Authority.

All the applications in respect of the proposals specified in this report will be available for inspection by the Members of the Committee prior to and during the meeting at which the said applications will be considered.

The Background Papers relating to each application, including forms, plans, relevant correspondence, Development Plan and guidance documents are available for public inspection during normal office hours

REPORT BY HEAD OF PLANNING SERVICES

**NEIGHBOURING AUTHORITY CONSULTATION BY FLINTSHIRE COUNTY
COUNCIL**

**EXTENSION OF EXISTING RETAIL PARK, AND ASSOCIATED INFRASTRUCTURE
WORKS, INCLUDING A55 JUNCTION IMPROVEMENTS
BROUGHTON RETAIL PARK, BROUGHTON, FLINTSHIRE
CODE NO 00/2002/934/NA**

1. PURPOSE OF THE REPORT

- 1.1 The report seeks the Council's response to a major outline planning application to extend Broughton Retail Park, submitted to Flintshire County Council in May 2002 on which Denbighshire have been consulted as the neighbouring County Council.

2. BACKGROUND

- 2.1 The application is a submission to Flintshire County Council by Development Securities plc and Pillar (Broughton) Ltd. The proposed development will comprise an extension to the existing retail park, a business park and associated infrastructure works, including junction improvements to the A55. The 'Overall Development Masterplan' is attached at the back of this report.
- 2.2 The Broughton Retail Park site is classified as an "out of town district centre" in the Alyn and Deeside Local Plan, which is the adopted Local Plan for this area. Flintshire County Council are currently preparing a UDP (the Deposit version is anticipated to be ready early in 2003) and it is unlikely that the Broughton Retail Park could be regarded as anything other than an out of town centre.
- 2.3 The current gross floorspace of Broughton Park is 27,591m² (300,864ft²) which is entirely retail use. The planning application proposes to increase the retail floorspace by 11,755m² (126,530ft²) taking the total gross retail floorspace on the site to 39,346m² (423,520ft²). This amounts to a 42.6% increase in retail floorspace. In addition to the retail element the planning application also includes 32,230m² (346,923ft²) of office space. The number of parking spaces will almost double - existing parking amounts to 2,005 spaces – with an additional 2,003 spaces proposed (1,309 for office use and 694 for the retail use).

3. RELEVANT PLANNING CONSIDERATIONS

- 3.1 This proposal will impact upon Denbighshire's existing retail sector. The documents used in considering the planning implications of this proposal were the:
- Planning Policy Wales, Welsh Assembly Government (March 2002);

- Technical Advice Note (TAN) 4: Retailing and Town Centres (Nov 1996);
- Adopted Denbighshire Unitary Development Plan (UDP);
- Denbighshire Retail & Leisure Study (October 2002) by Roger Tym & Partners (attached as a separate Item in this Committee Report, for information).

3.2 The Denbighshire UDP recognised that trends were shifting towards consumers travelling further afield in order to meet their retail needs, in centres such as Cheshire Oaks, Chester, Manchester and Broughton Park. The recently completed *Denbighshire Retail and Leisure Study* (Roger Tym & Partners, October 2002) provides evidence that this trend is continuing, particularly with regard to comparison shopping and is having a particularly adverse impact upon Denbighshire's existing retail centres.

3.3 The retention of comparison goods retail expenditure by stores and centres within Denbighshire's primary retail catchment area (PRCA) amounts to only 41% of overall expenditure, with leakage (i.e. expenditure generated in Denbighshire PRCA spent in areas outside Denbighshire's PRCA) amounting to 59%. This means that people are choosing to travel longer distances to centres such as Broughton Park, rather than using nearer centres in Denbighshire.

3.4 There is clearly a need for Denbighshire to increase its retention of retail expenditure, by reducing leakage to competitors outside its catchment. This is reflected in one of the recommendations of the Roger Tym & Partners Study which was as follows: "the proposed retail element of the extension to Broughton Park in Flintshire should be resisted firmly by Denbighshire County Council."

3.5 Retail Impact Assessment

3.6 Planning Policy Wales and Technical Advice Note (TAN) (Wales) 4: Retailing and Town Centres provides the Assembly Government's national guidance on retail development, within which it states that all retail developments over 2,500m² must be supported by a Retail Impact Assessments (RIA). No RIA has been submitted by the applicant or received by Denbighshire County Council as part of the consultation.

3.7 RIAs must adopt a broad approach and extend where appropriate beyond the boundaries of the local authority where a proposal is located. Following an assessment of the information set out in TAN 4, it is considered that the following points are grounds for concern and objection to the retail element of the Broughton Park proposal:

Sequential Test:

The sequential test requires the first preference for providing retail floorspace to be for town centre locations, followed by edge-of-centre sites, then by district and local centres and, only then, out-of centre sites. It is considered that there are more suitable sites for the proposal in town centre/edge of centre sites in Flintshire or adjacent authorities, including Denbighshire. Therefore, this proposal does not meet the requirements of the sequential test, as recognised in Planning Policy Wales (2002) and Technical Advice Note 4 (1996);

- **Sustainable Location:**

Broughton Park's location, off the A55, is not accessible to both pedestrians and cyclists. The majority of trips to the site are made by car and the nature of the location will mean that this is unlikely to change. This is contrary to national planning guidance that sites must be "accessible by a choice of means of transport including access for pedestrians". In addition to greater reliance on car journeys, it is considered that the expansion of the Broughton Retail Park will also lead to an increase in and longer car journeys as it draws people from a wider catchment area. This is also contrary to national planning guidance. Clearly Chester City Centre and other town centres are accessible by all modes of transport and will better meet national transportation objectives.

- **Retail Need**

Flintshire is already well served by both convenience and comparison retail sectors and there is no recognised need for further retail development on the scale proposed at Broughton Retail Park. On the other hand, the Roger Tym & Partners Denbighshire Retail Study (October 2002) recognised that within Denbighshire, there is a recognised retail need for both comparison and convenience goods. The Broughton Park proposal will lead to further leakage of expenditure from Denbighshire's retail catchment area and perhaps town centres and will lead to an adverse social impact upon existing retail centres in Denbighshire and is therefore not in accordance with the principles set out in TAN 4.

- **Overall Impact**

Whilst the applicant has not submitted a Retail Impact Assessment, following consideration of the evidence – including the Roger Tym & Partners 'Retail and Leisure Study' - the expansion and consolidation of the retail element of Broughton Park through granting this proposal will have negative economic, social and environmental impacts on existing centres. It will be contrary to national planning policy, as set out in Planning Policy Wales (March, 2002) and Technical Advice Note (TAN) 4 (November 1996).

4. Recommendation

4.1 It is recommended that Denbighshire County Council:

- (i) Strongly object to the major planning application to extend Broughton Retail Park for the reasons set out above.

A REPORT BY THE HEAD OF PLANNING SERVICES

DATE OF SITE VISITS

1. PURPOSE OF REPORT

- 1.1 To advise Members of the likely date of any Site Visits requested by the Planning Committee.

2. DATE OF THE SITE VISITS

- 2.1 In consultation with Legal and Administration, it has been decided that the **Monday 2nd December 2002** is most suitable. This date has been provisionally booked.
- 2.2 You are advised, therefore that any site visits arranged today will take place **On Monday 2nd December 2002.**

3. MEMBERSHIP OF THE SITE VISIT PANEL

- 3.1 This will depend on Political Balance and will include the Chair and Vice Chair of the Committee and the relevant Local Member(s)

4. RECOMMENDATION

- 4.1 **That Members agree to the Site Visits being held on 2nd December 2002.**

**Decisions Made by the Head of Planning Services under
Delegated Powers
10th October 2002 - 6th November 2002**

Item For Information

This is a list of applications where the decision has already been made under delegated powers. If you wish to discuss the application/decision please contact the Case Officer.

DECISION TYPES

GRANT	- grant planning permission
REFUSE	- refuse all types of application
APPROVE	- approve reserved matters or condition
CONSENT	- grant listed building, conservation area, or advert consent
DEEMED	- does not require advert consent
NO OBJ	- no objection to works to tree(s) in conservation area
NOT REQ	- proposal does not require permission/consent
DETERMIN	- determine that prior approval is not required or is granted on determination application (certain telecom or agricultural works)
P DEV	- proposal found to be permitted development after receipt
WDN	- application withdrawn by applicant
INVALID	- application found to be invalid
CERTIFY	- Certificate of lawful use issued
RCERTIFY	- refuse to issue certificate of lawful use

COPIES OF APPENDIX AVAILABLE FROM HEAD OF PLANNING SERVICES