

**Written Statement to the
Examination of the Flintshire
Local Development (LDP) –
Matter 11**

Prepared for

Uniper UK

**Connah's Quay Power
Station**

Consultee 1230530

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1 Introduction

1.1 On behalf of Uniper UK Ltd, Cushman & Wakefield (C&W) submitted representations to the Flintshire Local Development Plan (FLDP) in relation to the Connah’s Quay Power Station site and draft policy PE1. The objectives of the representations were two-fold:

- to ensure a positive and supportive policy context against which future development proposals required for the continued operation and diversification of the station can be considered; and
- to ensure the continuation of an employment land allocation on the former ‘A’ Station site in order to assist with the disposal of the site to enable the land to be re-developed for the benefit of the local economy.

1.2 This statement relates to Matter 11 (Employment Land and Sites) and sets out why Uniper considers draft policy PE1 to fail the test of soundness (tests 2 and 3) and the changes required to make the plan sound.

Summary Description of Connah’s Quay Power Station

1.3 **Connah’s Quay Power Station (CCPS)** is owned and operated by Uniper. The site has a Combined Cycle Gas Turbine (CCGT) power station, which has been operational since 1996. To the south of the Power Station is a sub-station site occupied and managed by **National Grid**. This land is bisected by the Flintshire Bridge, which crosses it at high level.

1.4 The wider CCPS site contains two future development land parcels – the southern and northern sites. A plan of the wider CCPS site is shown below in figure 1.

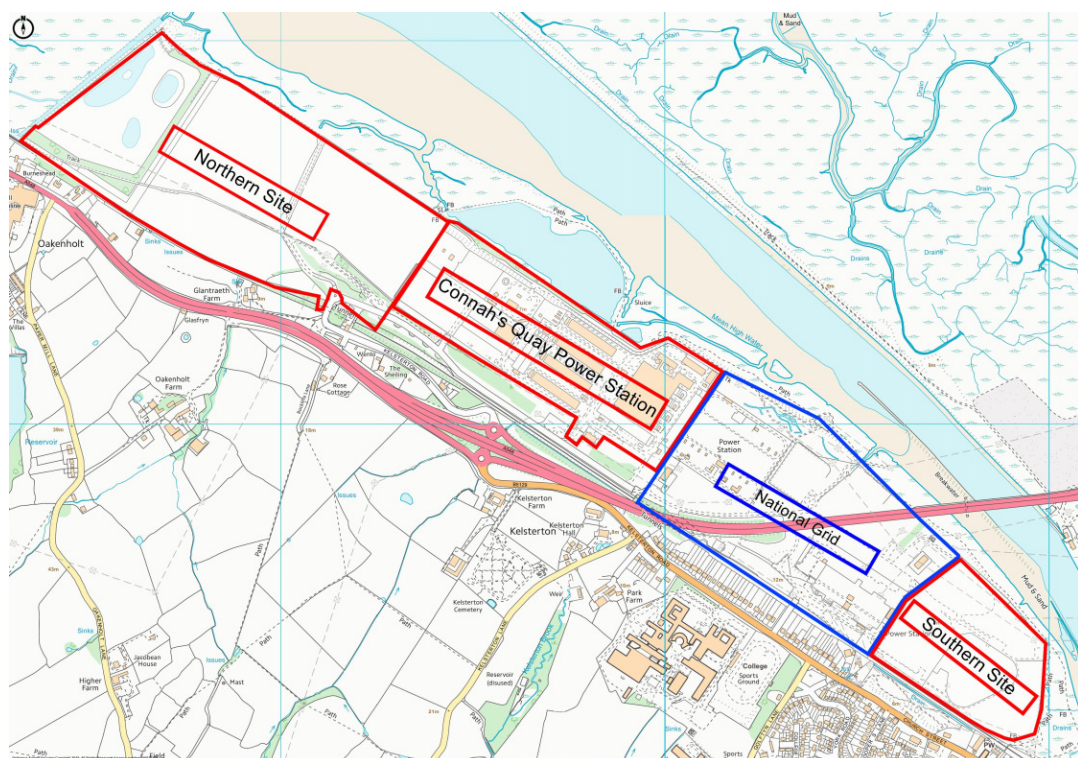


Figure 1 – Connah’s Quay Power Station Site

The Southern Site

- 1.5 The Southern Site comprises the former “A” Station at CCPS. This land has been vacant for several years and extends to approximately 12.7 ha (31 acres). A plan of the site is shown in figure 2 below.
- 1.6 The A548 provides the primary access to the site. The site predominantly comprises concrete hard standing. Two sets of above ground transmission cables enter the site at the north-east corner and run parallel to the northern boundary into the existing Power Station. An underground electricity powerline runs alongside the route of existing overhead power lines.

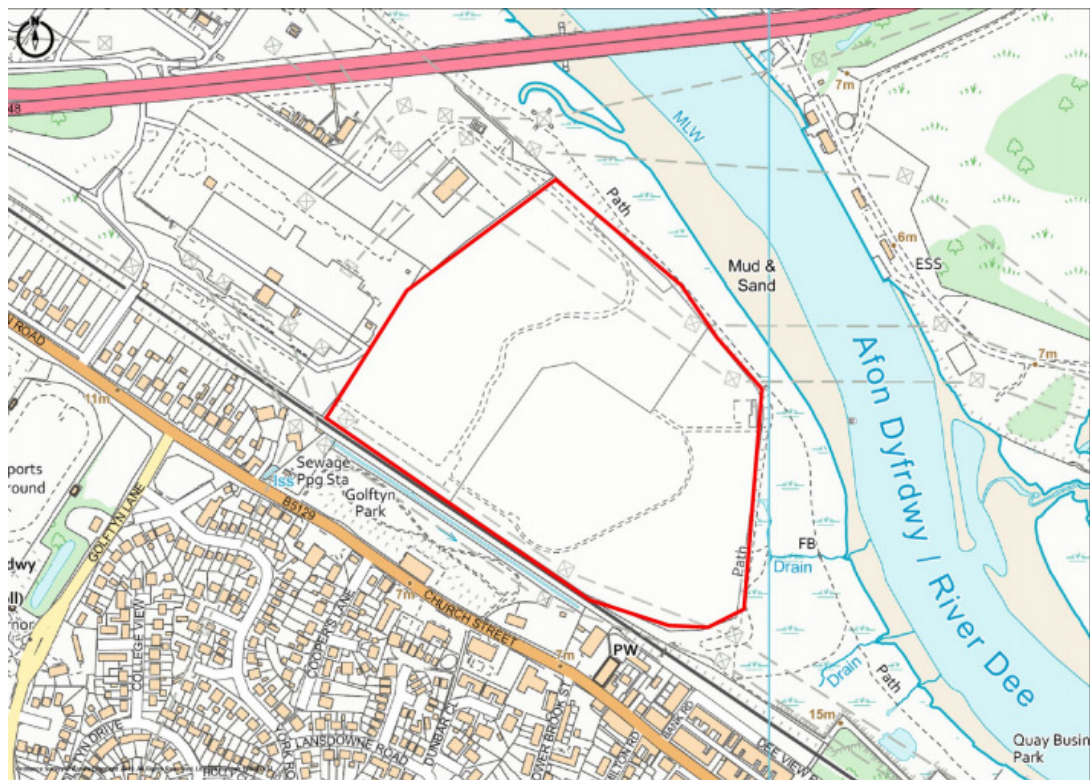


Figure 2 – Connah's Quay Southern Site

- 1.7 The Southern Site is allocated for employment development (Use Classes B1, B2 and B8) under Policy EM1(7) within the adopted Flintshire Unitary Development Plan (FUDP). An extract of the plan is shown in figure 3 below.
- 1.8 Initially, the emerging Flintshire Local Development Plan (FLDP) supported the retention of the site allocation. The Preferred Strategy Consultation Document (November 2017) was informed by a series of background documents including the 'Consideration of Candidate Sites against the Preferred Strategy / Invitation for Alternative Sites', which assessed whether each candidate site broadly complies with the Preferred Strategy for Flintshire and its approach to future growth.
- 1.9 The background paper considered the southern site (Land at the former 'A' Power Station, candidate site reference CON090) and an initial assessment concluded that *“this site complies with the Council's Preferred Strategy and may have the potential to contribute to meeting future growth within the County subject to a satisfactory technical assessment.”*

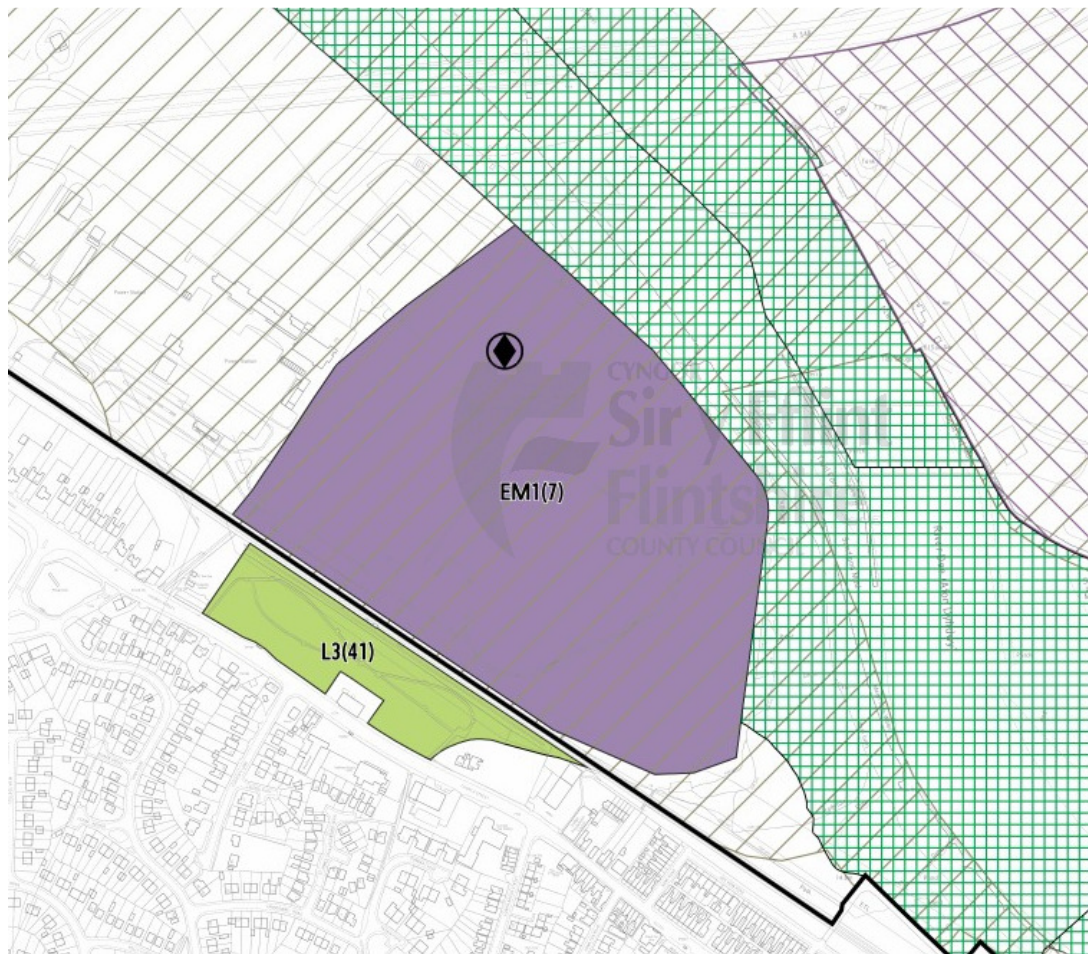


Figure 3: FUDP Extract. Source: Flintshire Council.

1.10 Uniper supported the adopted land use allocation and has been working with Flintshire Council and its partners to facilitate the redevelopment of the site. In summary Uniper has undertaken the following in relation to the southern site:

- Supported a proposal by National Grid to develop a Converter Station on the site. A planning application (049981-A) was refused against officer recommendation at Development Control Committee on 10th October 2012. A copy of the planning committee report is attached at **appendix 1**.
- Between 2012 and 2015 several interested parties were in discussion with Uniper to acquire the site for development. However, these projects did not come to fruition and so Uniper formerly placed the site on the market.
- Actively marketed the site for sale since June 2016 with Legat Owens. A copy of the marketing brochure is attached at **appendix 2**.
- Actively promoted the retention of the employment land allocation through submission of duly made representations to the Flintshire LDP.
- Prepared a draft Development Brief to identify the development constraints and potential of the site to assist the marketing of the site. The draft brief was produced

by Lathams Architects in consultation with the Welsh Government and Flintshire Council and shared with the Local Planning Authority in September 2018. A copy of the draft development brief is attached at **appendix 3**.

As required by the LPA, a pre-application process began in 2019 in order to obtain written feedback on the Development Brief. A copy of the advice is attached at **appendix 4**.

- Produced a Flood Consequences Assessment (FCA) of the site in response to advice received from the LPA. A copy of the FCA is attached at **appendix 5**.

1.11 In summary, Uniper has been actively working to bring forward the southern site for over 10 years and is committed to doing so during the plan period.

The Northern Site

1.12 The northern site extends to 39 ha and is predominantly comprised of former ash lagoon land, created during the operation of the former Coal Fired Power Station. The A548 provides the primary highway access to the northern site.

1.13 Currently the site is low quality agricultural grazing land. The site is located south of the River Dee, 1.5km south east of Flint and 1.6km north west of Connah's Quay. To the south east of the site is the existing and operational Connah's Quay Power Station and associated infrastructure. A plan of the site is shown in figure 4 below.

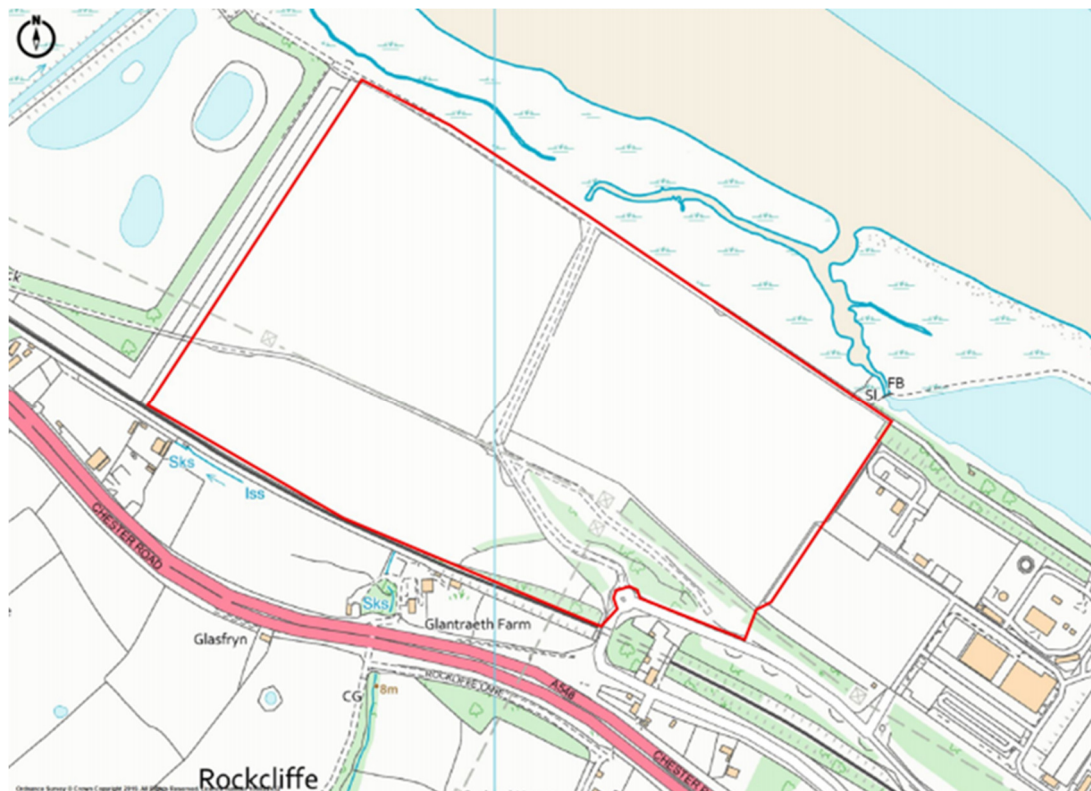


Figure 4 Northern Site

1.14 The northern site does not have a specific land use allocation within the adopted FUDP.

- 1.15 Uniper has actively promoted the site to be identified as an opportunity site to accommodate energy related development projects associated with the existing Connah's Quay Power Station. The site benefits from connections to existing utility infrastructure and provides an important opportunity site for new energy projects.
- 1.16 The promotion of the site has the support of the Welsh Government who assisted Uniper in beginning a dialogue with Flintshire Council.

2 Discussions between Uniper and Flintshire Council – Why the LDP fails the soundness tests.

The Southern Site

- 2.1 Written ‘pre-application’ advice regarding the redevelopment of the site for employment uses was received on 30th July 2020, which concluded that:

“Given the sites UDP allocation and classification as PDL or Brownfield Land there is no objection to the principle of development in accord with the established planning policy framework subject to compliance with relevant development management considerations.”

- 2.2 During discussions between Uniper and the LPA it became apparent that the Southern site had been assumed to not be ‘available’ land by the council’s consultants who prepared the Employment Land Review. Whilst this was incorrect, as a consequence of this error the allocated site was recommended for deletion in the emerging plan. It was recognised by the LPA that this was the only reason for deleting the site allocation and discussions focussed on how to rectify this matter. LPA policy officers were keen to avoid dealing with the amendment as a ‘focussed change’ to the FLDP instead preferred the matter dealt with through the examination of the Plan.

- 2.3 In August 2020 the C&W requested the pre-application advice be expanded to cover two matters. Firstly, the need for the emerging plan to support employment use on the southern site (in order to be consistent with the pre-application advice, the brief for the site and to provide confidence to the market). Secondly, the principle of development on land northwest of the existing station for the purposes of energy generation.

- 2.4 The LPA responded on the 11th August 2020 stating:

“Officers were under the impression that in respect of matter 1 this was going to be pursued separately through the LDP process, the understanding being that additional comments were going to be made in objection to LDP. In relation to matter 2 this element would be considered having regard to the existing policy framework or submission of a further pre-app when more specific details of the form / nature of the project progressed given its current confidentiality.”

- 2.5 In the report to Cabinet¹ the LPA stated that it did not accept Uniper’s representation (ID 117). The table below summarises the LPA’s comments and Uniper’s response.

LPA Comment	Uniper Response
Sufficient land has been allocated for employment within the County to identify the Growth needs over the plan period.	Retaining an employment use allocation presents the best opportunity to sustainably re-use previously developed land. The site will deliver a qualitative improvement to Flintshire’s employment land provision with

¹ Flintshire Deposit LDP Appendix 1 – Summary of Representations and Responses

	unique connections to an existing Power Station site.
The 2015 Employment Land Review concluded that the site should be excluded from the realistic employment land supply because it was a site held for the expansion of an individual firm i.e. E.ON UK ² .	This is agreed by both parties to be an error. The site has been marketed for an extended period and is not held as expansion land.
The site cannot be developed separately from the power station and is assumed will be retained for associated uses. The site has no obvious vehicular access and appeared to be dependent on the adjacent site / energy development for access	This is agreed by both parties to be incorrect. Pre-application advice raises no concerns regarding highway access (see appendix 4).
It contains buildings and structures associated with the former power station and will need reclamation and de-contamination measures	The redevelopment of the site may require some reclamation and de-contamination measures, as would be expected with a previously developed site and would not inhibit development proposals from coming forward.
The land is situated within Zone C1 flood risk and is in close proximity to the Dee Estuary SAC, SPA and SSSI and it is considered that these represent constraints which the objector has not addressed	An FCA has been undertaken and is attached at appendix 5.
The objection was lacking in detail in terms of provision of a vehicular access, suggested layout, and timescales.	The draft Development Brief sets out an access strategy for the site, which was supported by the highway authority (see appendix 4). The site is being marketed for sale now. The draft brief is intended to provide more clarity to the market. The proposed removal of the employment land allocation has had a negative impact on site marketing.
If the objector can provide the necessary technical evidence, then this could be reviewed at examination.	Uniper has prepared a draft Development Brief which it has been seeking to agree with Flintshire since 2019. The key technical evidence (see para 2.6 below) is attached at appendix 5.

² The site was formerly owned by E.ON UK Plc

2.6 The LPA policy team provided a further response on 16th October 2020 stating:

“In terms of the LDP, we recently received Council approval to submit the Deposit LDP to Welsh Government / PINS for examination early next year. No focused changes have been made to the Plan. You have submitted duly made representations seeking the re-allocation of the Southern Site (the former coal fired power station) and these will be considered by the Inspector. Ultimately it will be the Inspector’s decision as to whether the site is allocated in the Plan.

The key piece of evidence in respect of the LDP is a Flood Consequences Assessment.”

2.7 The FCA at appendix 6 concludes that *“there are no significant flood-related development constraints and the site could therefore be developed in accordance with both local and national planning policy objectives.”*

2.8 In summary, Uniper considers the southern site should remain an employment allocation. None of the reasons given by the LPA justify the removal of the land use allocation, which has impacted on the marketing of the site and puts at risk the sustainable redevelopment of previously developed land complying with the Plan Strategy and national policy.

The Northern Site

2.9 The LPA response to representations in relation to the northern site stated that *“it is not considered that the site and the existing adjacent power station could reasonably be included within a new Principal Employment Area boundary as part of policy PE2.”*

2.10 Uniper considers the absence of a policy explicitly supporting energy related employment development at Connah’s Quay is a failing of the FLDP to support major employers in the area.

2.11 Uniper acknowledge the FUDP Policy EMP5 (Expansion of existing concerns) provides support for the expansion of energy generation development at CQPS subject to criteria and this is continued in a similar Policy PE5 within the FLDP. However, given the scale and importance of the Connah’s Quay site, Uniper consider it is necessary for bespoke recognition of this opportunity site in order to provide clarity for what will be substantial financial investments.

2.12 Uniper has, as part of its strategy, set ambitious targets towards decarbonisation of its European generating assets and investment in new, low carbon technologies.

2.13 As part of this strategic direction, it has been assessing its locations in the UK for potential development of low carbon energy opportunities or hubs. The Connah’s Quay site has been identified as being both locationally and technically well positioned for deployment of such a hub having both existing and potential future connection into critical infrastructure, which could catalyse a low carbon future for Flintshire and the wider North Wales.

- 2.14 Projects are being investigated and developed with local partners around the potential to produce both low carbon electricity and low carbon hydrogen, supporting the aims and ambitions of both Flintshire CC and the Welsh Government³.
- 2.15 Specifically, across the Northern site, Uniper is investigating both green and blue hydrogen production for local and wider use in transport, industry, power and heat. Uniper is also working to understand how the deployment of such a low carbon hub can support the local development of skills required in the delivery of a Net Zero future.
- 2.16 Further to the work being undertaken to support decarbonisation at the site at Connah's Quay, Uniper is also actively supporting other initiatives and groups to help drive a decarbonised future for the wider Wales and North West region. Uniper is supporting and contributing to the Wales Hydrogen Reference group and was noted as a site with great potential for development of a low carbon energy hub.
- 2.17 Uniper is also a consortium partner of the UKRI funded Net Zero North West cluster plan consortium, a project to develop potential future decarbonised pathways for the North West and North East Wales.
- 2.18 Appendix 6 contains a list of stakeholders with whom Uniper at Connah's Quay have been liaising to understand and develop decarbonisation opportunities and strategies and where Connah's Quay Power Station could play a significant role.

³ Hydrogen in Wales – A pathway and next steps for developing the hydrogen energy sector in Wales, Welsh Government, January 2021 – pages 46/47.

3 Proposed amendments to make the LDP sound

The Northern Site

- 3.1 Policy PE1 and the Proposals Map should be amended in order that the southern site retains an employment land use allocation. The allocation would make best use of previously developed land consistent with LDP objectives and national policy. It would not undermine the delivery of other employment sites and, given its relationship with the existing power station site, the site provides a qualitative improvement to the supply of sites with capability for energy related employment uses.
- 3.2 The assessment of the site's constraints and pre-application discussions with the LPA demonstrates that the site is capable of development. The site is deliverable, as it is within the ownership of Uniper and is being marketed for disposal. The redevelopment of the site
- 3.3 The absence of an employment use allocation puts at risk the re-use of the site and is likely to result in a sustainably located previously developed site remaining unused during the plan period. There is not a sound rationale for the de-allocation of the site.

The Southern Site

- 3.4 The Plan does not acknowledge national and regional strategies for the developer of energy projects and the key role Connah's Quay will play within the delivery of these strategies. Accordingly, it does not 'fit' with these strategies and is not consistent with them.
- 3.5 Uniper consider it is of key importance for the LDP to positively respond to this strategic opportunity site and reflect the aspirations of Uniper and other Key Stakeholders including the Welsh Government and the North Wales Economic Ambition Board.
- 3.6 Uniper acknowledge the LPA's objection to identifying the Connah's Quay Power Station as a Principal Employment Area (PEA). In order to ensure recognition of the Power Station site without creating a new PEA, Uniper propose an alternative amendment, which should provide more comfort to the LPA when considering planning applications for development on the site.
- 3.7 As the final detail of the energy projects are not know at this stage, Uniper respectfully requests positively worded policy and supporting text is introduced within the employment chapter of the LDP for the Connah's Quay site identifying the northern site and the existing power station site stating:

"The Connah's Quay Power Station and land adjacent as identified in the proposals map⁴ is identified as a strategic opportunity site for new low carbon energy generation projects that will enable North Wales to move towards a decarbonised future.

Proposals for low carbon energy development and expansion of existing facilities at Connah's Quay power station will be supported in principle subject Flintshire Council will engage and encourage the principle of energy development on the site subject to compliance with relevant development management considerations.

⁴ See Figure 1.

