

045912

axis

Our Ref: NR/395-01

19 January 2009

FAO Mr Declan Beggan
Flintshire County Council
Environment and Regeneration
County Hall
Mold
Flintshire
CH7 6NF

Dear Mr Beggan

UPGRADING THE EXISTING INTERCHANGE ON THE A55 AT BROUGHTON TO A FULL GRADE SEPERATED JUNCTION / APPLICATION REF: 045216 – PLANNING APPLICATION, MADE UNDER S.73 OF THE T&CP ACT 1990 (AS AMENDED) TO VARY CONDITION NO. 3, 4 & 5 OF THE PERMISSION

Further to recent discussions, I formally apply, on behalf of British Land plc, by virtue of this letter, to vary condition no's 3, 4 and 5 of the planning permission for the upgrading of the A55 Broughton Interchange, reference: 045216, dated 4 August 2008.

The application comprises:

- this letter;
- the requisite planning application fee of £159.00 (attached).

The purpose of the application is very straight forward and relates solely to the interaction between this consent and that for the extension to Broughton Shopping Park (045215 dated 4 August 2008). In short, both permissions cross-refer to each other. As you are aware we have submitted, under separate cover, a planning application to vary conditions 3, 4, 12, 33 & 34 of permission 045215. Should this be approved, the result of this variation is that the cross-referenced planning permission numbers in the two consents will no longer match. The only way this can be rectified is by simultaneous variation of both consents. To this end, we have today, made both this application, and the aforementioned separate application to vary 045215.

In light of the above, this application simply seeks to vary the wording of the current conditions, which read as follows:

3. *The two slip roads, providing, respectively, access to and egress from, the A55 Trunk road in and from a westerly direction, approved as part of this planning permission, shall not be open to vehicular traffic until the separate outline planning permission for the Broughton Retail Park expansion (Planning Application Reference 045215) has been implemented to the stage whereby a minimum gross retail floorspace of 2,000sq.m. (21,529 sq. ft.) gross internal floor space of the new/extended retail development is either open for trading or available for that purpose.*
4. *Prior to the commencement of the development hereby approved a phasing scheme setting out the timing and timescales for the works in relation to the stages of development pursuant to planning permission reference 045215 (Extension to Existing Shopping Park at Broughton Retail Park) shall be submitted to and shall be approved in writing by the Local Planning Authority. The phasing details shall conform with the requirements of Condition No. 3 and the development shall be undertaken in accordance with the approved phasing scheme unless the prior written approval of the Local Planning Authority is obtained in respect of any variation therefrom.*
5. *The highway works shall not be implemented until commencement of the building development Application 045215 Broughton retail park expansion.*

To the following, noting that the #### symbol will need to be replaced with the new Shopping Park Extension consent reference number, if and when approved:

3. *The two slip roads, providing, respectively, access to and egress from, the A55 Trunk road in and from a westerly direction, approved as part of this planning permission, shall not be open to vehicular traffic until the separate outline planning permission for the Broughton Retail Park expansion (Planning Application Reference ####) has been implemented to the stage whereby a minimum gross retail floorspace of 2,000sq.m. (21,529 sq. ft.) gross internal floor space of the new/extended retail development is either open for trading or available for that purpose.*
4. *Prior to the commencement of the development hereby approved a phasing scheme setting out the timing and timescales for the works in relation to the stages of development pursuant to planning permission reference #### (Extension to Existing Shopping Park at Broughton Retail Park) shall be submitted to and shall be approved in writing by the Local Planning Authority. The phasing details shall conform with the requirements of Condition No. 3 and the development shall be undertaken in accordance with the approved phasing scheme unless the prior written approval of the Local Planning Authority is obtained in respect of any variation therefrom.*
5. *The highway works shall not be implemented until commencement of the building development Application #### Broughton retail park expansion.*

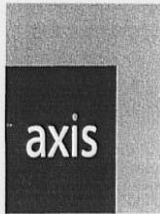
I trust that the application is self-explanatory. However, please do not hesitate to contact me should you have any queries.

Yours faithfully,



Nick Roberts
Director

Encl. cheque
cc:
Paul Case – British Land plc
Jeremy Aitchison – Parlison Properties



planning
 transportation
 planning
 environment
 design

Our Ref: 141-01/NR

13 February 2009

Flintshire County Council
 County Hall
 Mold
 CH7 7RT

Dear Sir / Madam

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Notice under Article 6 of application for planning permission

Proposal: Planning Application, made under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary conditions 3, 4, 9, 12, 33 & 34 of Planning Permission Ref: 045215 (Proposed Extension to Broughton Shopping Park)


Location: Broughton Shopping Park, Chester Road, Broughton

I write on behalf of British Land plc, who is applying to vary some of the conditions on the planning permission granted in favour of the extension to Broughton Shopping Park.

The original planning application affected land which is in your control and, as such, I am required to serve notice upon you. The attached notice briefly describes the proposed application and provides contact details should you wish to make any representations.

Should you have any queries then please do not hesitate to contact me at the above address.

Yours faithfully

P.P. 

Nick Roberts
 Director

FLINTSHIRE COUNTY COUNCIL
 DIRECTORATE OF PLANNING AND CONSERVATION
 16 FEB 2009
 MAIL SERIAL NO. 1
 RECEIVED

070216

DIR	
CESO	
CPSO	<i>GRS</i>
CERO	
CHTO	
CRO	
ACK	
DELT WITH	FILE

Chester Office:
 Well House Barns
 Bretton
 Chester
 CH4 0DH

South Manchester Office:
 Camellia House
 76 Water Lane
 Wilmslow
 SK9 5BB

NOTICE TO BE SERVED ON OTHER OWNERS

(If applicable)

TOWN AND COUNTRY PLANNING (General Development Procedure) ORDER 1995

NOTICE UNDER ARTICLE 6 OF APPLICATION FOR PLANNING PERMISSION

PROPOSED DEVELOPMENT (Location) ... Broughton Shopping Park, Chester Road, Broughton

I give notice that (Name of Applicant) British Land plc

is applying to the **FLINTSHIRE COUNTY COUNCIL** PROPOSED EXTENSION TO BROUGHTON SHOPPING
PARK PERMISSION / APPLICATION REF: 045215 -
PLANNING APPLICATION, MADE UNDER SECTION
S.73 OF THE T&CP ACT 1990 (AS AMENDED) TO
for planning permission to (Describe Development) VARY CONDITIONS 3, 4, 9, 12, 33 & 34 OF THE
PERMISSION

Any owner*/agricultural tenant** of the land who wishes to make representations about this application should write within 21 days of the service of the notice to the :-

**Director of Planning & Development,
Flintshire County Council,
County Offices,
St David Park,
Ewloe,
Deeside,
Flintshire, CH5 3PW**

*owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in a land (other than oil, gas, coal, gold or silver).

**tenant" means a tenant of an agricultural holding any part of which is comprised in the land.

Signed

On behalf of British Land plc

Date 13/02/2009

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

16 FEB 2009

RECEIVED