Environmental Statement

Appendix 2.1: EIA Scoping Opinion

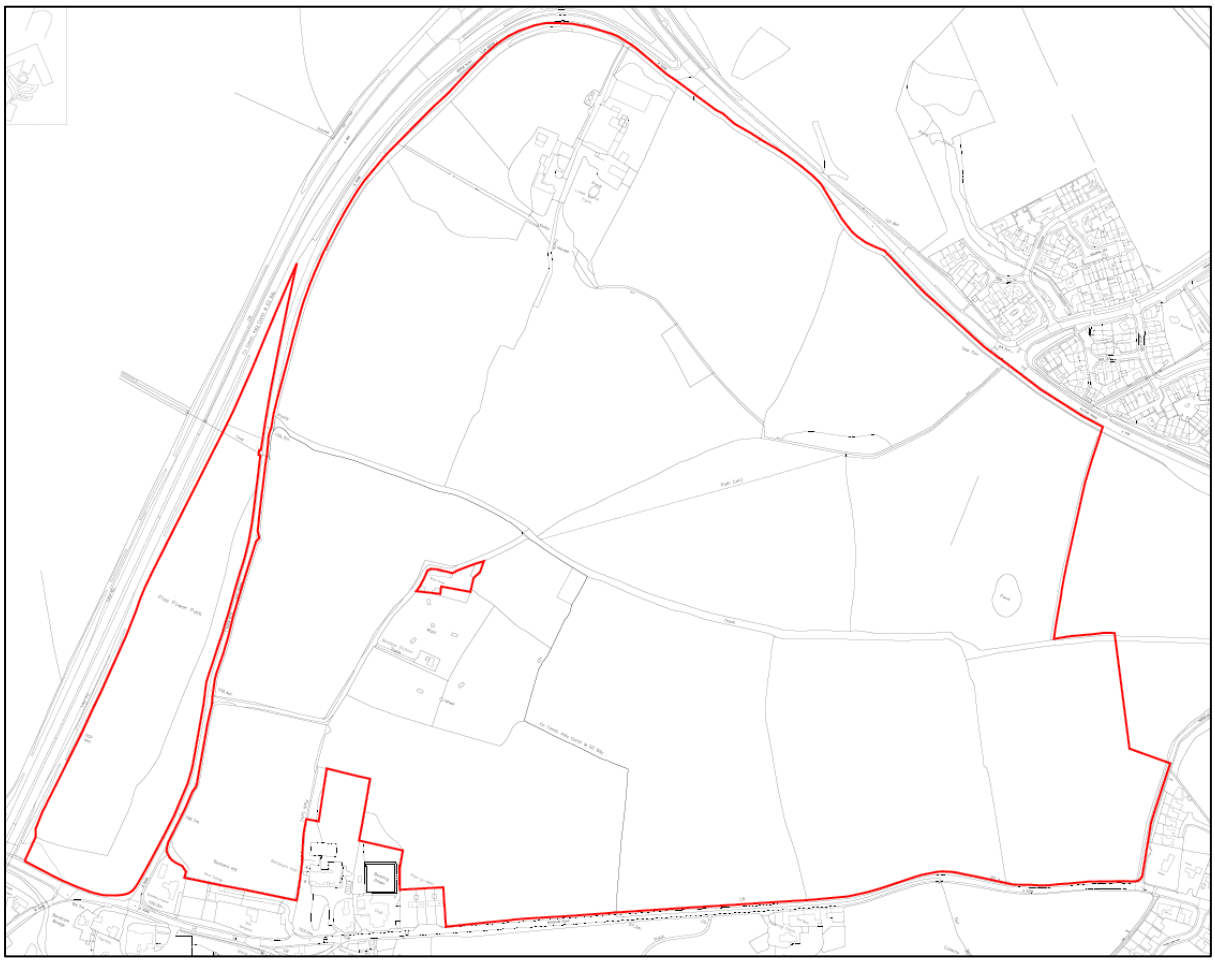
Land at Lower Berse Farm, Wrexham

On behalf of Redrow Homes Ltd

July 2024



THE SITE



PROPOSAL

Scoping Opinion Request under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017

Residential development – 75.26 hectares of land is subject to the Scoping request. This is going to be subject to a future hybrid application seeking outline planning application for up to 1500 dwellings and a primary school and community facilities, along with full permission for a first phase of 200 dwellings.

SPECIAL CONSIDERATIONS

Consultations: In accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 consultations have been undertaken with the following:

- WCBC Highways
- WCBC Public Protection
- Welsh Water
- NRW

- Welsh Government (Trunk Roads)
- Welsh Government
- Cadw
- CPAT

The consideration below are informed by the responses received. The discussion of the matters to be scoped in or out of the Environment Statement are set out in the same order as the Scoping Opinion request.

Agricultural land quality: The Welsh Government predictive agricultural land classification maps identifies the site majority of the site as being Grade 2, with areas of Grade 1, Grade 3a as well as comparatively small areas of Grade 4 and ungraded land. The development of the site would therefore result in a significant loss of BMV land.

In accordance with Planning Policy Wales 11 paragraph 3.58, Grades 1, 2 and 3a are a finite resource. Given the magnitude of the loss of BMV land, this is a matter that should fall within the scope of the Environmental Statement.

Contamination: This is a Greenfield site. Whilst on-site contamination cannot be ruled out, it is considered unlikely that the site is heavily contaminated to the extent that development would give rise to significant environmental impacts. It is however possible that material has been imported to the site in conjunction with agricultural land improvements, thus there is a potential contaminated material has been imported to the site. This is a matter that could be addressed by a site assessment either prior to the submission of a formal planning application, or by way of planning conditions to secure site investigations and, if necessary, remediation. It is therefore not considered that this matter does not need to be included within the scope of the Environmental Statement.

Minerals: The site is identified as falling with an area safeguarded for sand and gravel within the UDP. Similar policy provision will exist in the LDP, notwithstanding the intention to allocate the site for housing.

Given the potential for the site to contain sand and gravel, which is a finite resource at national level, the fact that the development would sterilise this resource is therefore a matter of national importance. It is therefore considered to constitute a significant environmental impact. As such it should fall within the scope of the Environmental Statement.

Biodiversity: NRW have advised comments that no underpinning evidence has been submitted to justify ecology being not included within the scope of the Environmental Statement.

Whilst it is accepted that in the absence of any detailed ecology reports it is not possible to reach a definitive consultation as to the likely presence of statutory protected species within the site or the extent of any impacts. Given the existing features within the site there is the potential for GCN, bats, badger and otter to be present and therefore for the development to impact upon one or more of those species.

Notwithstanding the above, the site does not lie within or close to a statutory protected site. Furthermore the site is primarily agricultural land and does not contain extensive areas that are likely to be of biodiversity value, with the exception of trees and hedges. It is also relatively self-contained being separated from the wider countryside surrounding Wrexham by roads and existing development.

The impact of the development upon statutorily protected species will be an important material consideration in the determination of a formal planning application. Any adverse impacts will need to be mitigated through site layout and through the provision of habitat mitigation. However, having considered the location of the site, its distance from protected sites and the site context it is considered the impact of the development is unlikely to be significant EIA terms. As such, it is agreed that biodiversity does not need to be included within the scope of the Environmental Statement.

Arboriculture: There are trees and hedges within the site. These are important landscape features and, as noted in the scoping request, do potentially have some significance from a biodiversity perspective. None of the trees or hedgerows are protected by Tree Preservation Orders (TPOs) and there are no trees close to the boundary protected by TPOs either.

The impact of the development upon existing trees and hedgerows will need to be assessed by way of an Arboricultural Impact Assessment and the final masterplan and subsequent detailed layout plans should seek to retain the highest quality trees. The ecological value of any trees and hedgerows will need to be assessed as well – this matter having already been discussed above. Detailed landscaping schemes can also ensure the long term protection and management of trees and hedgerows that are retained as well new planting provided within areas within the site provided for open space.

The impact upon trees and hedgerows is site specific and not significant in EIA terms. As such it is not a consideration that needs to be included within the scope of the Environmental Statement.

Flooding: NRW have confirmed they agree the scoping proposal that flood risk, drainage and SuDS can be dealt with by detail assessment.

A relatively small part of the site is located within Zone C2 therefore this will need to be given further consideration when preparing submissions to accompany a formal application. NRW have provided specific comments on this matter that the applicants may wish to take into account.

Given the limited extent of the site situated within the C2 zone it is reasonable to conclude that there is more than sufficient scope to ensure that residential development is located outside of that area. Indeed, dwellings would need to be situated outside of the C2 zone to comply with Technical Advice Note 15.

Taking the above into account, it is considered unlikely that the proposals will give rise to significant environmental impacts associated with flood risk and as such this matter should not fall within the scope of the Environmental Statement

Drainage: NRW have given advice regarding the need to consider the impact upon the River Dee and Llyn Tegid Special Area of Conservation (SAC) in respect of phosphorous. NRW have issued Planning Advice (May 2021) on this matter. This states that developments connecting to an existing public wastewater treatment works that has the capacity and associated phosphorus stripping facility to accommodate additional wastewater is unlikely to increase phosphorus inputs to a SAC beyond what has already been assessed and permitted by NRW.

Whilst the scoping request does not include any details of how foul water drainage, the site adjoins Wrexham and areas served by public sewers. Indeed Welsh Water have provided plans which confirm this. As such it is reasonable to conclude that the site will connect of the existing sewer network.

Wrexham is served by the Five Fords Waste Water Treatment Works (WwTW). Whilst the WwTW has the capacity and associated phosphorus stripping facility to accommodate additional wastewater within the existing discharge consent, this is for development likely to come forward over the LDP period – i.e. up to 2028.

Welsh Water have advised that it is unlikely that sufficient capacity exists to accommodate development without causing detriment to the existing services they provide, or in regard to the protection of the environment. Whilst it is noted that the site subject to this scoping request is a proposed LDP allocation, only part of the site is expected to be delivered over the plan period. This scoping request and the consultation responses received have considered the potential impacts of the full development – i.e. 1500 dwellings. In light of Welsh Water's comments, at the time of writing, it is not possible to conclude that the development is unlikely to increase phosphorous levels in the River Dee. The development therefore has the potential to a significant impact upon the SAC.

Surface water drainage considerations are not considered to be significant in EIA terms, with potential impacts being wither at site level or the immediate locality. The development will have to meet statutory requirements in respect of the implementation of sustainable urban drainage systems (SuDS) which will be subject to approval from the Council as SuDS Approving Body (SAB). The implementation of a SuDS scheme means the risk of surface water flooding on site and in the immediate vicinity as a result of the development is low.

The capacity of the foul sewer network to accommodate foul water flows is a matter which could be dealt with by way of a hydraulic modelling assessment to determine whether additional infrastructure is required to accommodate foul water follows from the development. However in light of the matters discussed above, the potential impacts upon the SAC constitute significant environmental impacts and therefore should be included within the scope of the Environmental Statement.

Heritage: The site surrounds Lower Berse Farm which is a Grade II* listed building. The buildings within the curtilage of the farmhouse will considered as curtilage listed.

Grade II* buildings make up about 7% of all listed buildings in Wales and considered to be particularly important buildings of more than special interest. Given the rarity of Grade II* listed buildings, the impact of the development on Lower Berse Farm and its curtilage alone are considered to be significant in EIA terms.

As identified in the scoping request, to the south of the site lies the Bersham Conservation Area. The Conservation Area includes 19 listed buildings, of which 3 are Grade II* with the remainder all Grade II. It also contains Bersham Ironworks which is a Scheduled Ancient Monument and is of particular importance both at a County Borough level but also nationally in terms of being an example of an early centre for iron production. Accordingly, the impact of the development upon the Conservation Area is considered to be of significance in EIA terms.

Cadw have provided a schedule of historic assets that lie within 3km of that the EIA should also take into account. Cadw's response will be forwarded with the Scoping Opinion.

In light of the matters discussed above, the impact of the development upon historic sites should be included within the scope of the Environmental Statement.

Archaeology: CPAT have confirmed their agreement to inclusion of archaeology within the scope of the Environmental Statement.

The primary archaeological impacts are likely to be in the context of the setting of the Grade II* listed Lower Berse Farm and its outbuildings, although the site as a whole also needs to be assessed.

Transport: The site is situated close to Junction 4 of the A483. This junction suffers from significant congestion at peak times and as such a scheme for the improvement of the junction is being prepared. The development would inevitably contribution towards increased congestion at the junction if the improvement works are not undertaken, although the currently projected timescales for the works are likely to coincide with the development of this site. In addition to junction 4, the development will inevitably add traffic to both the trunk road and the wider local road network.

Whilst the development will generated significant vehicle movements, the impacts are likely to be relatively localised. The planning application will need to be accompanied by a Traffic Impact Assessment. Measures to promote non-car modes of transport will also need to be delivered as part of the development, including measures to promote public transport (including new/improved public transport routes) and measures to promote walking and cycling. It is expected that these could be secured both through layout of the site as well as planning conditions and a planning obligation.

In light of the above, traffic impacts associated with the development are unlikely to be significant in EIA terms and therefore do not need to be included within the scope of the Environmental Statement.

Air Quality/Noise/Vibration: The position set out in the scoping request in respect of these matters is accepted. Ensuring future occupiers of the development and occupiers of existing nearby development are protected from poor air quality and from unacceptable levels of noise and vibration from traffic are important considerations. In the context of the proposed development, these impacts are relatively localised, being limited to the sire itself and its immediate surroundings.

Important considerations as they are, the development is unlikely to give rise to or be subjected to air quality impacts, noise or vibration issues that could be considered significant environmental impacts. As such these matters do not need to be included within the scope of the environmental statement.

Landscape and Visual Impact: Notwithstanding the existing UDP designations of the site as Green Barrier and Special Landscape Area, in landscape terms the site is relatively self contained, being bounded by existing development and roads. The development will inevitably have a significant impact upon the landscape at site level. However taking into account the context of the site, the development will not have a significant impact upon the wider landscape surrounding Wrexham.

Whilst a formal application will need to be accompanied by a landscaping and visual impact assessment, this does not need to be included within the scope of the Environmental Statement.

CONCLUSIONS

The Scoping Opinion request proposed the following matters should be included within the scope of the Environmental Statement:

- Agricultural Land Quality (i.e. loss of BMV land);
- Minerals;
- Heritage
- Archaeology

The Scoping Opinion request suggested that drainage is a matter that did not need to be included within the scope of the Environmental Statement. Given the potential impact of the development upon the River Dee and Llyn Tegid Special Area of Conservation (SAC) in respect of phosphorous, this is not accepted. The impact upon the SAC arising from foul drainage is considered to be a matter that should also be included within the scope of the ES in addition to the 4 matters discussed above.

It is agreed that the following matters do not need to be included within the scope of the Environmental Statement:

- Ground Conditions;
- Biodiversity;
- Arboriculture
- Flood Risk
- Transportation
- Air Quality, Noise and Vibration
- Landscape and Visual Impact

Whilst the above impacts are material considerations relevant to the proposed development, they are not considered to be significant in EIA terms. Nevertheless, a formal planning application will need to be accompanied by technical assessments outside of the scope of the EIA that consider each of the above matters.

RECOMMENDATION

That a Scoping Opinion is adopted requiring the following matters to be included within the scope of the Environmental Statement:

- Agricultural Land Quality (i.e. loss of BMV land);
- Minerals;
- Heritage
- Archaeology
- Drainage (foul water).