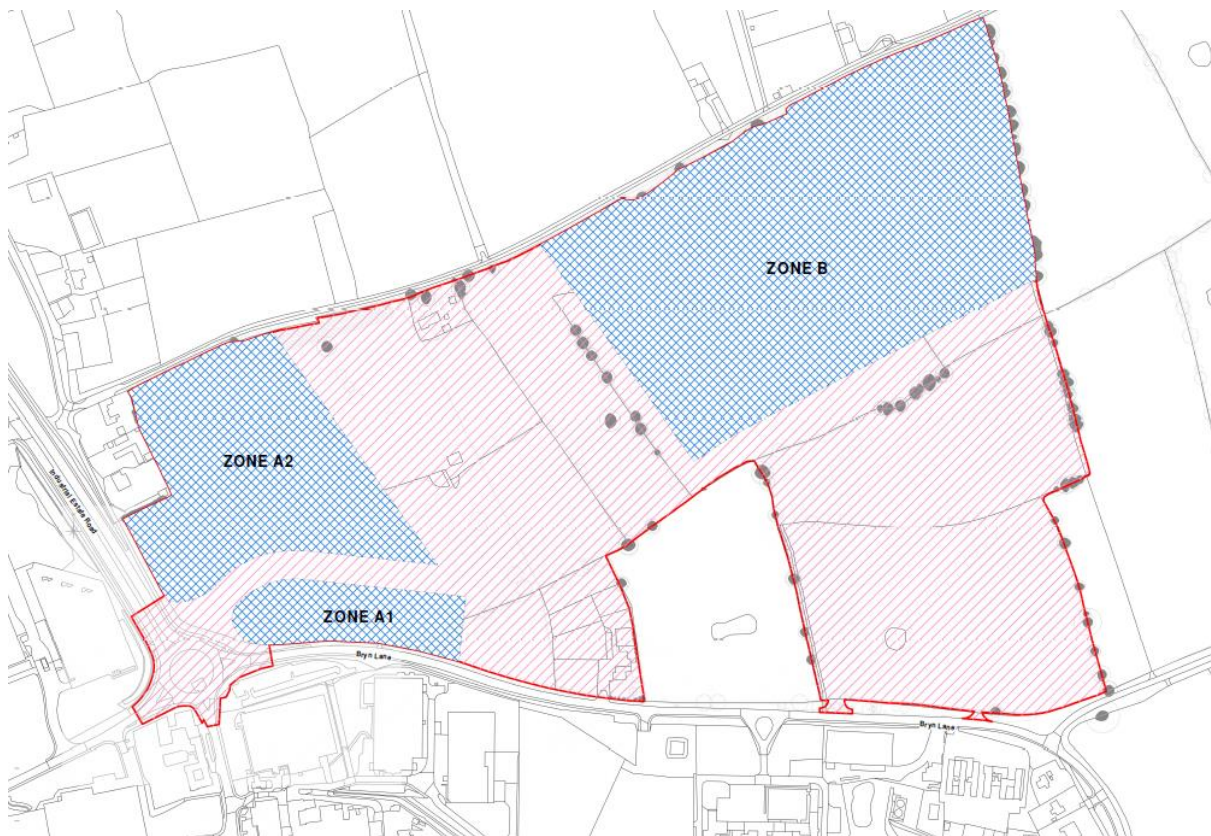


Appendix 2.4: Formal EIA Scoping Opinion and Consultee Comments

THE SITE



PROPOSAL

Scoping Opinion Request under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 – hereafter ‘the 2017 Regulations’.

The initial submission proposed the development of 36.2ha of predominately agricultural land. For the following:

- Up to 160,000 sq.m of Class B1, B2 and B8 development;
- A petrol filling station;
- Retail/drive thru facilities;
- Hotel;
- Car parking and HGV parking provision.
- Ecological Mitigation.

The proposals have subsequently been amended and now propose 37.18ha of land. The revised red edged area has been amended to incorporate the adjoining highway junction. Rather than an outline application as originally envisioned, the proposals are planned to be brought forward via a hybrid application:

Full application component:

- A 43,500 sq.m building for B1, B2 and B8 uses;
- 8 industrial units cumulatively providing 39,100 sq.m of floor space for B1, B2 and B8 uses

Outline application component:

- 67,400 sq.m of floor space for B1, B2 and B8 uses;
- A petrol filling station;
- Retail/drive thru facilities;
- Hotel;
- Car parking and HGV parking provision.
- Ecological Mitigation.

The amendments were put forward after the consultation had taken place. The changes to the site area and the specific details of the proposal are not considered to require additional consultation. The consultation responses have had regard to the overall quantum of development, the site area and key constraints. It is considered unlikely that the revisions give rise to any additional impacts that have not already been identified and considered.

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)
- 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.

MATTERS TO BE INCLUDED WITHIN THE ENVIRONMENTAL STATEMENT

Air Quality: The Public Protection Officer has confirmed that the methodology for the proposed Air Quality Assessment is acceptable.

NRW have advised that they consider the development is likely to have a significant effects. They have commented that the site is within:

- 2.6km of the River Dee Site of Special Scientific Interest (SSSI)
- 2.7km of the River Dee and Bala Lake Special Area of Conservation (SAC)
- 3.3km of Midlands Meres and Mosses Ramsar / Vicarage Moss SSSI
- 4.8km of Sontley Marsh SSSI
- 4.9km of Marford Quarry SSSI

NRW consider the proposed development to have the potential to affect air quality and have indirect effects on the projects sites during construction and when

operational. They have recommended that the ES should fully assess these impacts.

In light of NRW's recommendation, Air Quality **should** fall within the scope of the Environmental Statement.

Biodiversity: The development will increase foul water flows that enter the River Dee via the waste water treatment works (WWTW) at Five Fords. The Dee forms part of the River Dee and Baka Lake Special Area of Conservation (SAC) and in January 2021, Natural Resources Wales (NRW) introduced stringent standards on the discharge of phosphorus into the SAC. Increases in phosphorus discharges into the SAC have the potential to cause damaging effects on the SAC.

Whilst the WWTW has provision to remove a percentage of phosphorous from treated water, water entering the river from it will still contain phosphorous. The WWTW is operating within the limits of its existing consent but the consent itself is out of date and pre-dates the new more stringent targets. The development will therefore increase phosphorous entering the SAC and therefore adversely impact upon it.

By itself the development is considered unlikely to result in a significant increase in additional phosphorous entering the river and therefore any adverse impact will not be significant. Nevertheless the development could only proceed following the completion of a separate Habitat Regulations Assessment which concludes no adverse impact. This will only be possible where measures are in place to mitigate for the additional phosphorous. These will either be delivered by way of upgrades to existing foul water infrastructure or other mitigation measures that developers will need to contribute to financially or deliver directly themselves. Accordingly there is adequate regulation in place to ensure no adverse impact on the SAC. The impact on the SAC due to additional phosphorous therefore does not need to fall within the scope of the ES.

NRW have made a number of recommendations regarding the information that should be included within the ES to enable the impact of the proposed development on protected species to be assessed.

Having regard to NRW's recommendations, Biodiversity **should** be included within the scope of the ES

Groundwater and Land Contamination: NRW have advised that it would not be reasonable to scope out impacts the development may have on hydrology, particularly the underlying bedrock aquifer. NRW have therefore recommended that this matter be included within the ES.

Having regard to NRW's recommendations, Groundwater and Land Contamination **should be** included within the scope of the ES.

Climate Change and Human Health: In accordance with the 2017 Regulations these matters ought to be considered in the ES, however it is agreed that they do not need to be covered in distinct chapters.

MATTERS TO BE EXCLUDED FROM THE SCOPE OF THE ENVIRONMENTAL STATEMENT

Socio-Economic: The proposed development would be significant in terms of proposed floor space and also potential numbers of jobs created. However when the context of the site is considered, both in terms of its proximity to the Wrexham Industrial Estate as well as the wider County Borough, it is considered unlikely that the development would be in significant social or economic impacts.

The development would be unlikely to have any significant effect on the demography of the County Borough. The numbers of jobs created would undoubtedly be of benefit to the economy of the County Borough. However, the types of jobs likely to be created are unlikely to significantly alter the land uses proposed types of employment available in the County Borough or the overall structure of the economy.

In light of the above, social-economic impacts are considered unlikely to be significant in EIA terms and therefore **do not** need to fall within the scope of the Environmental Statement.

Notwithstanding the above, the economic benefits of the development would be an important planning material consideration. Supporting information setting out the anticipated economic benefits of the development therefore should be submitted with a formal application, although as a non-Environmental Statement document.

Transport: Welsh Government (Trunk Roads) have recommended that the scope of the Transport Assessment should be extended to include consideration of the impact of additional vehicular movements may have on Junction 6 of the A483. This is because the junction may be approaching capacity. The Council's Highways Officer has also made recommendations on the matters to be included within the scope of the Transport Assessment.

The WG or the Council's Highways Officer have provided a view as to whether the impact on the local highway network is considered significant in EIA terms.

The cumulative impact the development of the emerging LDP allocations Key Strategic Sites 2 and 3 (KSS2 and KSS3) was considered in 2019 in the Vectos Murcroosim Holt Road VISSIM Modelling. The proposed development site occupies the majority of the KSS3 allocation.

The modelling identified a number of interventions required to mitigate for traffic generated by the two sites, particularly during peak times. The modelling did not assess the impact on Junction 6 of the A483. In accordance with the recommendation from WG, this is something that will need to fall within the scope of the Transport Assessment.

The development, both by itself and in combination with developments anticipated to come forward during the Local Development Plan period up to 2028, KSS2 in particular, will increase traffic on local roads. This has the potential to increase congestion, particularly during peak times. Nevertheless, the impacts are likely to be

relatively localised. Provisions can also be put in place to mitigate those impacts can also be secured via conditions and/or obligations.

The impact on the highway network is not considered to be significant in EIA terms and therefore **does not** need to fall within the scope of the Environmental Statement.

Notwithstanding the above, a Transport Assessment should be prepared and submitted with a planning application, albeit as a non-ES document.

Noise and Vibration: The Public Protection Officer has confirmed that the methodology for the proposed Noise and Vibration assessments is acceptable.

The development has the potential to generate noise and vibration during construction. It can be reasonably concluded that best practice techniques would be employed to minimise construction impacts. In any case, impacts arising from construction would be relatively localised and would therefore not be significant in EIA terms.

When operational, the development has the potential generate noise and vibration, although the extent of this will, to a significant extent, be dependant upon the end users, particularly end users undertaking activities that fall within Class B2. These impacts are likely to be relatively localised, however. Controls on noise and vibration can be secured by condition. Controls also exist via other legislation.

The noise and vibration impacts of the development are considered unlikely to be significant in EIA terms and therefore **do not** need to fall within the scope of the Environmental Statement.

A Noise and Vibration Assessment should be prepared and submitted with a planning application but as a non-ES document.

Landscape and Visual Impact: The site is currently predominantly agricultural land. The built up area of the Wrexham Industrial Estate lies to the south. There are also industrial buildings to the west, situated on the north side of Abenbury Way. To the north and east the landscape is predominately agricultural, with small clusters of development as well as isolated buildings. Development in the surrounding landscape are predominately residential or agricultural.

The submitted details suggest the proposed buildings are likely to be up to 28.5 metres in height. Whilst higher than many buildings within the Wrexham Industrial Estate, this is not unprecedented. The Kelloggs site is located immediately to the south of the proposed development. Excluding cooling towers, there are buildings within the Kelloggs site of a comparable height. There are also buildings in the immediate vicinity of the site that range from 13 metres to just under 20 metres in height.

The development would undoubtedly be a significant intrusion of urban/industrial development into the rural landscape surrounding the Wrexham Industrial Estate. The character of the site will be significantly and irreversibly changed. Nevertheless,

from both nearby and longer distance viewpoints, the proposed development would be viewed in the context of the existing Industrial Estate.

The landscape impact of the development is not considered to be significant in EIA terms. A Landscaping and Visual Impact Assessment therefore **does not** need to fall within the scope of the ES.

Notwithstanding the above, a Landscaping and Visual Impact Assessment should be undertaken and submitted with a formal planning application, albeit as a non-ES document.

Historic Environment: Cadw recommended that before the historic environment is scoped out of the ES, the Clwyd-Powys Archaeological Trust be consulted. CPAT were also consulted and have confirmed that effects on below ground archaeology can be scoped out of the ES.

CPAT have advised that the hedges within the site would be classed as important under the Hedgerow Removal Regulations 1997 and therefore recommended this matter be scoped into the ES. Despite CPAT's advice, whilst it is acknowledged that hedgerows within the site are of historic importance, removal is unlikely to be significant in EIA terms. Accordingly, this matter **does not** need to fall within the scope of the ES. Nevertheless an assessment of the impact of the development on historic hedgerows should be included within the scope of Heritage Impact Assessment (HIA). The HIA should be submitted with a formal planning application, but as a non-ES document.

Flood Risk and Drainage: The site is identified as Zone A on NRW's Development Advice Map and is excluded from Zones 2 and 3 on Flood Maps for Planning. The proposed development would therefore not be at significant risk of flooding from rivers.

The development has the potential to increase surface water rates. Without appropriate drainage infrastructure, this would increase the risk of flooding from surface water both on site and in the locality. Such impacts would, however be localised and not significant in EIA terms. Furthermore, there will be a statutory requirement for the development to incorporate sustainable urban drainage systems. Flood risk and drainage are therefore **do not** need to fall within the scope of the ES.

Materials and Waste Management: Waste will be produced both during the construction and operational phases of the development. Nevertheless, the quantity and type of waste produced is unlikely to be significant in EIA terms. Materials and Waste Management therefore **do not** need to fall within the scope of the ES.

Daylight, Sunlight and Overshadowing: The impact of the development, particularly on dwellings close to the site, will need to be assessed. However these impacts will be localised to the immediate surroundings of the site and will not be significant in EIA terms. Daylight, Sunlight and Overshadowing **do not** need to fall within the scope of the ES.

Incidents/Pollution/Preventions/Water Quality: NRW have advised that the site lies within 160 metres of Redwither Brook. This discharges into the River Clywedog, a major tributary of the River Dee. Whilst this topic does not need to be a distinct chapter within the ES, the matter should nevertheless given consideration in the Groundwater and Land Contamination chapter of the ES.

CONCLUSIONS

The following matters should be included within the scope of the Environmental Statement:

- Air Quality
- Biodiversity
- Groundwater and Land Contamination

The following matters do not need to be included within the scope of the Environmental Statement:

- Socio-Economic
- Transport
- Noise and Vibration
- Landscape and Visual Impact
- Historic Environment
- Flood Risk and Drainage
- Materials and Waste Management
- Daylight, Sunlight and Overshadowing.

Whilst the matters identified as not needing to fall within the scope of the ES 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 considers each of those matters.

RECOMMENDATION

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

- Air Quality
- Biodiversity
- Groundwater and Land Contamination

Name and Job Title of Assessor	Matthew Phillips, Interim Head of Planning Policy
Date of Assessment	24/05/2023
Name and Job Title of Authorising Officer	David Fitzsimon, Chief Officer Economy and Planning
Signature of Authorising Officer	
Date	24.05.23

