

Report of the Chief Officer Planning and Regulatory
4 July 2022

APPLICATION NO:
P/2022 /0336

LOCATION:
KRONOSPAN LTD HOLYHEAD
ROAD CHIRK WREXHAM
LL14 5NT

DATE RECEIVED:
28/03/2022

COMMUNITY:
Chirk

DESCRIPTION:
DYMCHWEL ADEILAD AR GYFER
DERBYNFA A CHODI IARD LWYTHO
DAN DO, A FFENS GYSYLLTIEDIG A
GWAITH ATEGOL / DEMOLITION OF
RECEPTION BUILDING AND
ERECTION OF COVERED LOADING
YARD, AND ASSOCIATED FENCING
AND ANCILLARY WORKS

CASE OFFICER:
SJG

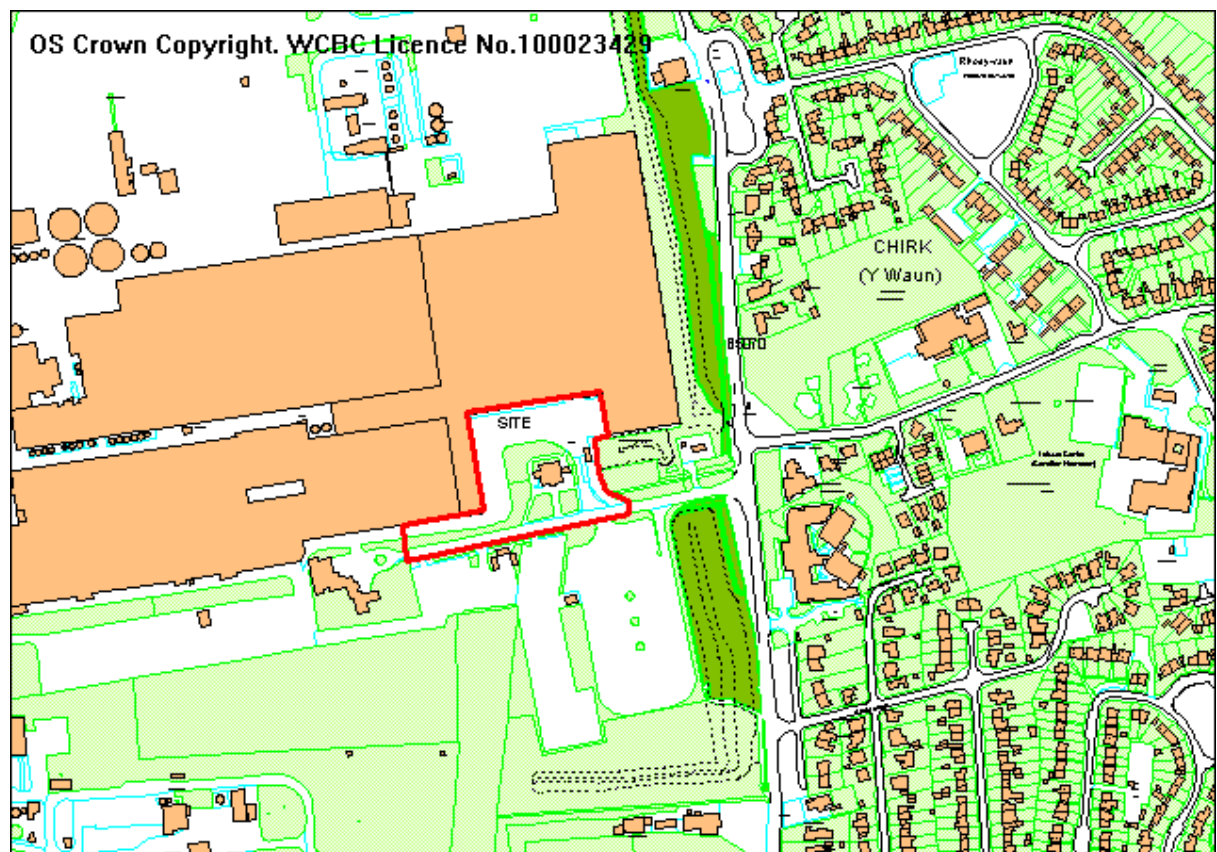
WARD:
Chirk South

AGENT NAME:
MR CHRISTOPHER
HEATHER

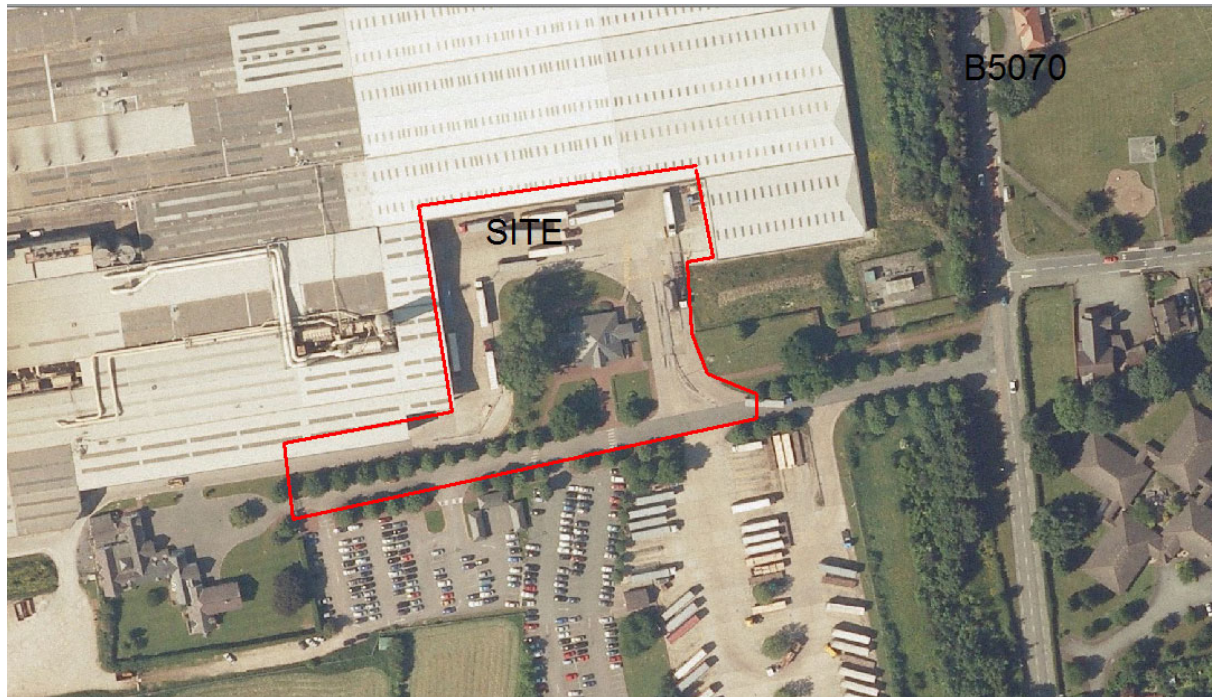
APPLICANT(S) NAME:
MR KEITH BAKER

THE SITE

The site is at the main entrance to the factory on the west side of the B5070



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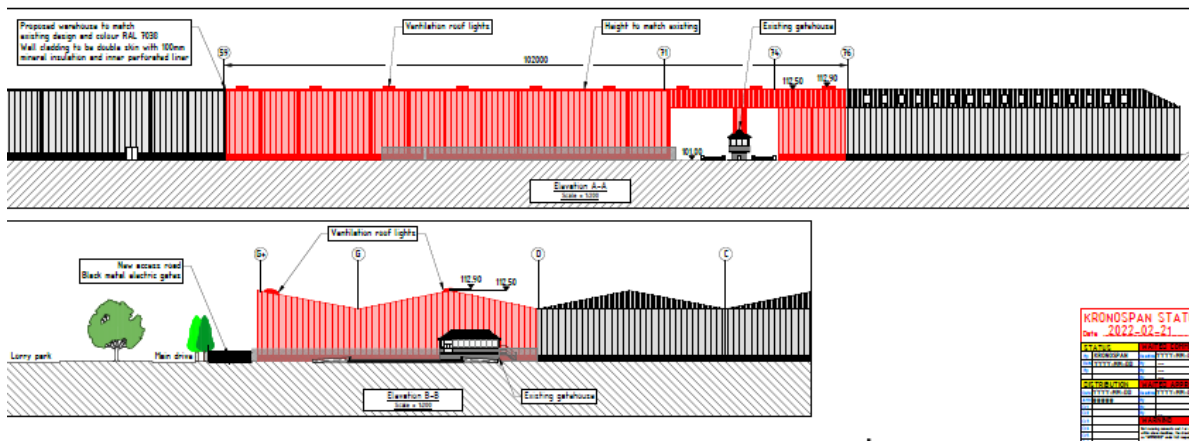
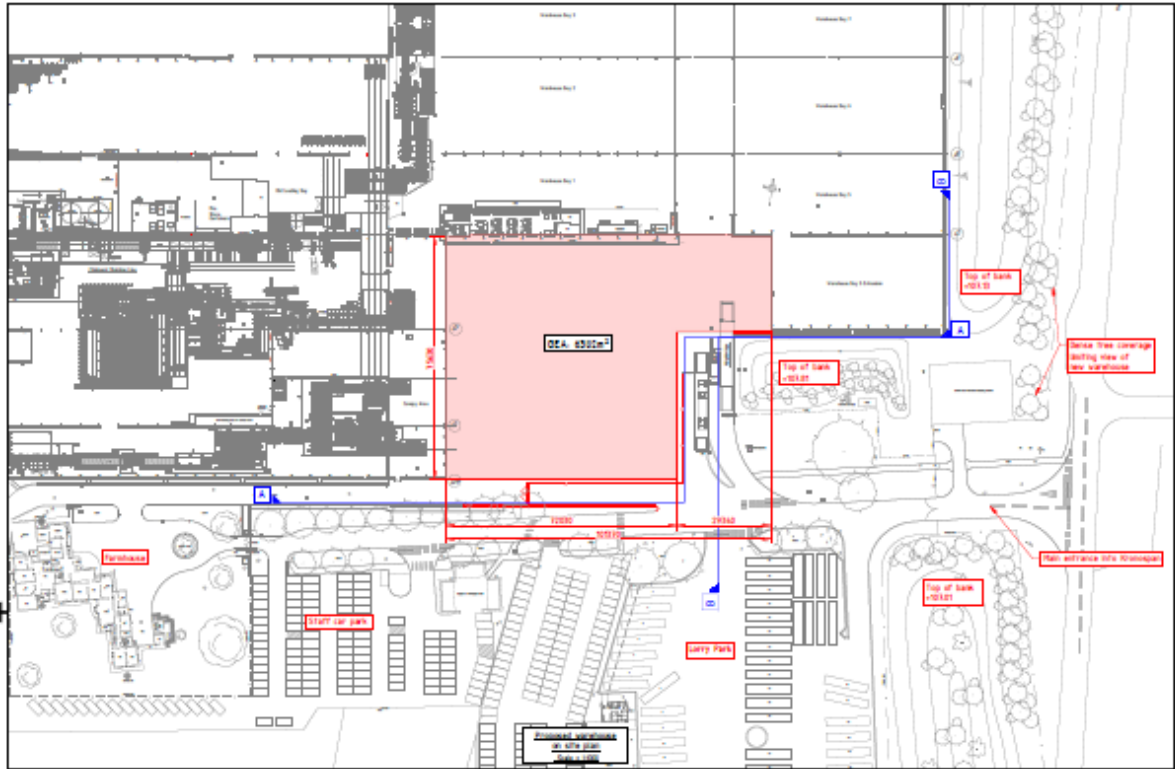
PROPOSAL

As above

The building would have a floorspace of 6382m² and are the same height as the existing buildings (12m). The application has been amended to delete the proposed reception/gatehouse building.

	Application Boundary		RCF Grading & Storage Facility (P/2016/0219) - Constructed		Raw Board Storage (APP/H8955/A/18/3183142) - awaiting construction
	Kronospan Site Boundary		Woodchip Preparation and WESP Dryer (P/2017/0416) - under construction		Oriented Strand Board Facility (APP/H8955/A/19/3227571) - awaiting construction
	Melanine Facing Press Hall (APP/H8955/A/18/315368) - Constructed		Log Delivery System and Chipping & Flaking System (P/2017/0699) - Part Constructed		North East Warehouse (P/2021/0725) - awaiting construction

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SUBMITTED DOCUMENTS

Planning statement
Landscape and visual assessment
Tree report
Pre-application Consultation report
Noise report
Design and access Statement
Ecological report
Archaeological report

Supporting statement

This current proposal would see the covering of the front loading yard which would improve the quality of the service and reduce potential for damage to products. It would also provide improved conditions for employees. There would be a benefit to the Chirk by reducing noise from the site. This would be achieved by enclosing the existing activities within the proposed building. Overall, the development is being carried out to ensure the long-term economic viability of the manufacturing facility.

The Proposed Development follows on from a substantial development programme to ensure the long term economic viability of the manufacturing facility and deliver environmental improvements. The proposed covered loading yard would deliver efficiencies in how the Kronospan Facility operates through the internalising the product loading area, which ultimately reduces risk of damage to Kronospan products, thus reducing the need to dispose of damaged goods, which results in a more streamlined operation on site. The Proposed Development would help sustain the existing business which provides employment to circa 600 staff and in turn the circa 6,000 plus people in the UK indirectly supported by its operations. The Proposed Development would enable the existing jobs to be sustained. The existing reception and office building on site would need to be demolished along with the removal of the existing landscaping. However, off-site mitigation through habitat creation and tree planting would be agreed with the local planning authority through this application and result in a greater quantity and quality of habitat which would be managed going forward.

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The Proposal would result in a reduction in noise to the east of the Site, particularly the residential properties on Maes Y Waun and Maes Y Ysgol. This is because the current activities would be internalised within a building which would feature 100mm insulation to both the roof and walls. This internalisation also has the potential to reduce fugitive dust arisings from the Site.

HISTORY

P/2021/0725 Warehouse and ancillary works. Granted 13/4/2022

The site has an extensive history extending back to the early 1970's. The decisions made in respect of applications for planning permission for the wider Kronospan site over the past 10 years are set out below:

P/2012/0165 DEVELOPMENT OF A BIOMASS PLANT, RECYCLED WOOD FIBRE (RCF) OFFLOADING AND SCREENING FACILITY AND ASSOCIATED INFRASTRUCTURE TO SUPPORT EXISTING PRODUCTION OPERATIONS. Granted 14.9.2012

P/2013/0824 DEVELOPMENT OF BIOMASS PLANT COMPRISING BIOMASS BOILER & FURNACE ASH, HANDLING FACILITY & FLUE, GAS TREATMENT FACILITY INCLUDING STACK & AIR POLLUTION CONTROL, REAGENT STORAGE SILOS, RECYCLED WOOD FIBRE OFFLOADING & SCREENING FACILITY, BIOMASS STORAGE AREA & ASSOCIATED INFRASTRUCTURE (SUBSTITUTION OF PLANNING PERMISSION CODE P/2012/0165). Granted 7.5.2014

P/2014/0215 2.35 METRE DIAMETER BY 7 METRE HIGH EXTENSION TO EXISTING 15 METRE HIGH ABATEMENT STACK. Granted 2.6.2014

P/2015/0728 ERECTION OF BUILDING TO CONTAIN THREE GAS ENGINES AND THREE STEAM BOILERS, ERECTION OF ELECTRICAL SUBSTATION BUILDING, OIL TANK COMPOUND A DUCT FROM THE PRESS ABATEMENT SYSTEM TO CARRY PROCESS EMISSIONS TO THE SEKA (WESP) STACK AND ASSOCIATED INFRASTRUCTURE TO SUPPORT EXISTING PRODUCTION OPERATIONS. Granted 4.1.2016

P/2016/0219 CONSTRUCTION AND OPERATION OF A RECYCLED FIBRE (RCF) RECEPTION FACILITY, GRADING PLANT, STORAGE SILOS AND OTHER ASSOCIATED INFRASTRUCTURE. Granted 3.5.2016

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P/2016/0336	EXTENSION TO HOUSE A NEW MELAMINE FACING (MF) PRESS, FOLLOWING THE DEMOLITION / RELOCATION OF THE EXISTING MF DEPARTMENT'S VENTILATION SYSTEM, HYDRAULIC OIL AND DIESEL STORAGE TANKS, A VEHICLE FILLING STATION, GARAGE SERVICE BUILDING AND OTHER ASSOCIATED INFRASTRUCTURE. Refused 5.9.2016. Allowed on appeal 4.5.2017
P/2016/0442	MDF WASH WATER PRE-HEATER. Granted 23.1.2017
P/2016/0534	PROPOSED BUILDING EXTENSION TO STORE MEDIUM DENSITY FIBREBOARD (MDF) AND CHIPBOARD. Refused 5.9.2016
P/2017/0416	REPLACEMENT OF EXISTING WOOD CHIP PREPARATION FACILITY TO INCLUDE A BUILDING TO HOUSE NEW WOOD CHIP PREPARATION EQUIPMENT, DEVELOPMENT OF A NEW WOOD CHIP DRYER AND ASSOCIATED SIFTING, GRADING AND TRANSFER SYSTEM AND DEMOLITION OF EXISTING STRUCTURES TO FACILITATE THE DEVELOPMENT. Granted 31.7.2017
P/2017/0699	DEVELOPMENT OF A LOG DELIVERY AND TRANSFER SYSTEM AND BUILDING TO HOUSE A REPLACEMENT WOOD CHIPPING AND FLAKING SYSTEM AND DEMOLITION OF EXISTING DEBARKING AND CHIPPING FACILITIES. Granted 1.5.2018
P/2017/0700	DEVELOPMENT OF A RAW BOARD STORE. Refused 6.11.2017. Allowed on appeal 22.5.2018
P/2018/0551	PLANNING APPLICATION FOR THE DEVELOPMENT OF AN ORIENTATED STRAND BOARD PRODUCTION FACILITY. Not determined. Allowed on appeal 9.10.2019
P2019/0505	DEVELOPMENT OF A BUILDING CONTAINING 2 NO. GAS ENGINES EACH WITH A MAXIMUM ELECTRICITY GENERATING CAPACITY OF 9.73 MW, 2 NO. STEAM BOILERS, ROOF MOUNTED COOLERS, WALKWAY BETWEEN AN ADJACENT BUILDING AND THE PROPOSED BUILDING, EXHAUST GAS OFFTAKE PIPES AND STEAM PIPES FROM THE GAS ENGINE BUILDING AND CARBON CATALYST ABATEMENT SYSTEM. Granted 27.11.2020

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P/2000/1096

WAREHOUSE EXTENSION OPPOSITE FERRO
BUILDING. Refused 12.3.2001. Appeal dismissed
24.1.2002

DEVELOPMENT PLAN

The site is within settlement limits, and the buffer Zone for the World heritage site. Policies GDP1 PS2 PS1 E4 EC4 EC6 EC11 EC12 and T8 are relevant, together with LPGN 16 parking 17 trees 26 landscape and employment 29 ecology and employment 32 biodiversity and 33 World Heritage Site

CONSULTATIONS

Chirk Town Council:	The Council has no grounds on which to object the application however, they ask that the planning department stipulate a caveat in the planning terms to ensure that there is reduction in noise in order to help and protect the residents of Chirk.
Local member:	Consulted 8/4/2022
Highways:	No objection subject to a condition
Natural Resources Wales:	No objections
Public protection:	No objections subject to comments and conditions
Welsh water:	No objection subject to comments and conditions
Flood risk:	Consulted 8/4/2022
Contaminated land:	No comments
Cadw:	No objections
Fire officer:	Consulted 9/4/2022
Network Rail:	No objection subject to comments
Canal & Rivers Trust:	No comments
CPAT:	No comments
HSE:	Do not advise against granting permission
Conservation Officer;	No objections
Ecology Officer:	No objections
Tree officer:	No objections subject to comments and a condition
Press Notice Expired:	4/5/2022
Site Notices expired:	4/5/2022
Neighbours:	Notified: 9/4/2022

SPECIAL CONSIDERATIONS

Policy: The proposal is an employment development within the existing industrial complex and settlement limits. The development complies with policies PS1 and E4 subject to consideration of detailed planning issues set out below.

Design, heritage and Visual impact: It is considered that the proposal will not have a detrimental visual impact on the street scene or the area in general.

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The application site sits within a very sensitive location, adjacent to the Pontcysyllte Aqueduct and Canal World Heritage Site (WHS) and Chirk Conservation Area and within site of the Grade I registered park and garden (Chirk Castle) and listed structures within the garden. Any application for development at this site must take these sensitivities into account.

These proposals are set in the centre of the already developed and operating industrial site, using matching materials and building design. The covered yard will not exceed the existing building in height and the planning statement states that there will be no increase in vehicular access to the site as a result of the proposed works. With this in mind I do not consider that the proposals will have any additional negative effect on the Conservation Area, WHS or setting of Chirk Castle park and garden. I have no objections to the proposals.

Residential amenity: A condition is recommended to restrict noise levels in accordance with the submitted report, which is acceptable.

Ecology and biodiversity:

Protected Sites

Natural Resources Wales advise that the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). On the 21st January 2021, NRW published an evidence package outlining phosphorus levels for all river SACs across Wales. As part of this package, NRW issued a Planning Position Statement, in which we advised that any proposed development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC.

However, the application as submitted is unlikely to increase the amount of phosphorus entering the catchment. Therefore, NRW are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

Protected Species

NRW advise that the bat report submitted in support of the above application (Ward, K - Avian Ecology, Feb 2022. Ecological Assessment Report. AxisL-043-1588) has identified that bats were not using the application site. NRW therefore have no comments to make on the application as submitted.

Drainage: Welsh Water advise that capacity exists within the public sewerage network to receive the flows from the site. Approval under the SAB regime for sustainable drainage will be required.

Highways: The proposal is not expected to generate any additional traffic to or from the site. It is possible that by removing the need for products to be taken off-site for storage and returned, there may be a reduction in the number of HGV trips necessary.

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There is to be no change to the highway, site access or parking provision.

It is recommended that a Construction Traffic Management Plan be produced to ensure that the impact of the demolition and construction phase on the highway network is minimised.

In conclusion, there is no highways reason why planning permission should not be granted. Use of a Construction Traffic Management Plan is advised to minimise the impact of the demolition and construction phase.

Trees: The trees within the site form part of a significant avenue planting scheme and should be retained and afforded due protection from development. The scheme has now been amended to avoid loss of these trees.

The relocation of the reception cabin is acceptable now allowing for the retention of the previously identified category 'B' trees and having no significant impact on other trees within influencing distance of its proposed siting.

The original tree report provided by Tree 21 will require amending in-line with the revision and the method statement will require updating to ensure adequate precautionary measures are in place to reduce the risk of any unnecessary damage or disturbances occurring to adjacent trees with specific protective measures provided regarding the installation of any utilities which may serve the reception cabin and which may be located within close proximity to adjacent, identified root protection areas.

A condition is recommended to address these issues.

CONCLUSION

The scheme represents an appropriate development within the existing site. There would be no adverse impacts on the surrounding designated areas and any adverse local impacts can be mitigated by conditions.

The proposal complies with adopted policies and guidance.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:
3046-01-01 location Plan
7000/665 C 1 Covered loading yard- elevations and plan view

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7000/665 B 2 Covered loading yard- as existing

7000/699 B Covered loading bay- steelwork proposed

21110-P-1 Topographic survey

Figure 1 Location Plan

Figure 2 annotated aerial photograph

Planning statement March 2022

Appendix A – Landscape and Visual Impact Assessment

Appendix B – Arboricultural Impact Assessment

Appendix C – Ecological Impact Assessment

Appendix D – Noise Impact Assessment

Appendix E – Heritage Desk Based Assessment

and as contained within the application documentation.

3. The rating level of any noise generated by reason of this development shall not exceed the pre-existing background level at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method for rating and assessing industrial and commercial sound.

4. The development shall be carried out in accordance with the recommendations of the approved Report 'Noise Impact Assessment: Covered Loading Yard, At Kronospan Manufacturing Facility, Off Holyhead Road, Chirk, Wrexham' By NVC, Ref:R22.0103/DRK Dated: 23rd February 2022

5. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

6. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.

7. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.

8. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:

a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;

b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;

c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;

d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;

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- e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
- f) Method for protecting retained trees during demolition works;
- g) Details of all proposed tree works, including felling and pruning.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
7. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

Your attention is drawn to Highway Supplementary Notes - Refer to Statement of Applicant's Rights and General Information on our planning web site at:-

[http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.h
tm](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage:

https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk

Detailed advice has been issued by Natural Resources Wales (NRW) and Welsh Water which is available on the Council's planning applications website.

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You are advised to contact Network Rail, Bristol and Exeter House, Lower Approach Road, Temple Meads, Bristol, BS1 6QF regarding their requirements as adjoining landowner.

You are advised that the planning permission hereby granted does not authorise any building over, diversion, connection or other interference with any sewer, public or private, which crosses the site. You are advised to contact Welsh Water, PO Box 10, Treharris, CF46 6XZ (Tel: 01443 331155) in this regard, prior to undertaking any groundwork in connection with the development. Should you be required to depart from the details hereby approved, you should contact the Council's planning department to seek further advice with regard to the submission of amended plans and / or a new planning application.

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If however there are urgent or unavoidable circumstances requiring works outside of the specified times, permission to proceed may be sought by contacting Environmental Health and Housing Standards at: healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Planning & Regulatory Department on 01978 292040 for further advice and information.

Burning of waste generated from construction activities is not considered to be

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an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Planning & Regulatory Department on 01978 292040 for further advice and information.
