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Lawrence Isted

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AXIS
WELL HOUSE BARNS
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CH4 0DH

Your Ref/Eich Cyf
Our Ref/Ein Cyf
Date/Dyddiad
Ask for/Gofynner am
Direct Dial/Rhif Union
E-mail/E-bost

SC/2011/02
ENQ/2011 /0157
01/07/2011
Kevin Hughes
01978 292477
kevin.hughes@wrexham.gov.uk

FAO Andrew Russell

Dear Sir/Madam

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

Request for an Environmental Impact Scoping Opinion

Biomass plant on industrial land that forms part of Maesgwyn Farm, Chirk

I refer to the above and your submission of the Environmental Scoping Report.

I have received responses to my recent consultation exercise. Following careful consideration and in accord with regulation 10(4) of the above Regulations the Authority has formally adopted a Scoping Opinion in relation to the above proposal.

For your information I attach the formal Scoping Opinion which consists of the following:-

- Scoping Opinion (SC/2011/02)
- Letter from Axis (11 March 2011)
- Kronospan-Biomass Plant – Consultation Responses on Scoping Request

The issuing of this scoping opinion does not prevent the Local Planning Authority from requesting further information at a later stage under Regulation 19 of the 1999 Regs.

Should you require any further explanation or information, please do not hesitate to contact Kevin Hughes, Planning Officer, on telephone number (01978) 292477.

Yours faithfully

Head of Community Wellbeing and Development

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended).

Request for an Environmental Impact Scoping Opinion.

SCOPING OPINION.

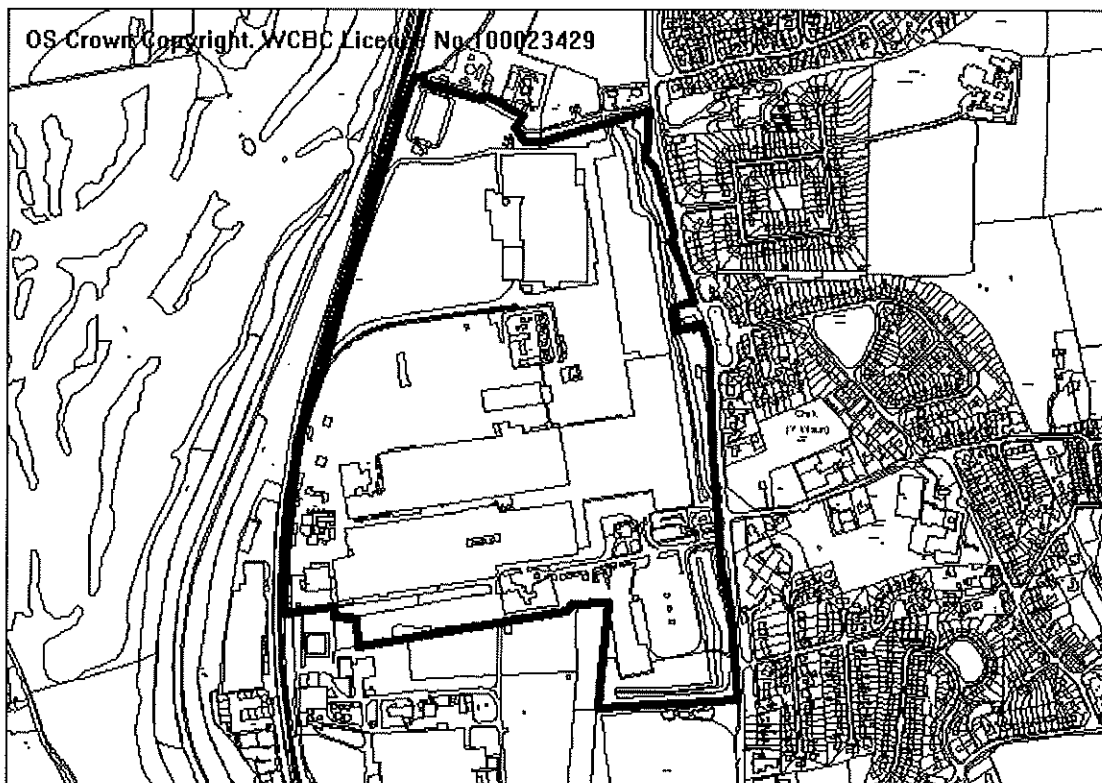
The Proposal.

Kronospan- Biomass Plant.

Development of a Biomass Plant. Recycled Fibre Offloading and Screening Facility and Associated Infrastructure to support existing production operations on the industrial site that forms part of Maesgwyn Farm, Chirk, Wrexham.

(see details in Environmental Scoping Report from Axis –March 2011)

The Site.



Scoping Consideration.

In support of the Scoping Opinion request, Axis have submitted an Environmental Scoping Report. This provides details of the proposed development and its location, likely extent of consultation and the key issues they recommend should be addressed ("Scoped-in") in the ES. In accord with Regulation 10(4) the relevant consultation bodies were consulted seeking comment particularly in relation to the main issues to be included within any ES. The result of the above consultation exercise is detailed in the attached document- '**Biomass Plant-Kronospan, Chirk-Consultation responses on Scoping response**'.

Scoping Decision.

The local planning authority has had regard to the suggested scope of work for the Environmental Statement in relation to the matters set out in the Kronospan Biomass Plant- Environmental Scoping Report, dated March 2011, the matters raised in the Regulations 10(4) consultation responses (see above mentioned document), informal discussions with relevant officers in the Wrexham Councils Highway Department, Public Protection Department, Plannings Conservation and Ecology sections, matters raised at the meeting dated 19 April 2011 and the requirements of paragraph 6 of Regulation 10 of the 1999 Regs.

Any ES must comply with the requirements of Part 1& Part 2 of Schedule 4 to the 1999 Regs as they may be relevant.

The issuing of this scoping opinion does not prevent the local planning authority from requesting further information at a later stage under Regulation 19 of the 1999 Regs.

Accordingly, it is hereby certified that based upon the information provided within the Kronospan Biomass Plant-Environmental Scoping Report dated March 2011 and the comments made above the local planning authority adopts this scoping opinion.

Signed:.....

Lawrence Isted

Head of Community Wellbeing and Development.

Date: 1/7/11.....

Kronospan- Biomass Plant Consultation Responses on Scoping Request.

Consultation e-mails sent 23 March 2011 to:

WCBC

Highways
Public Protection
Conservation
Ecology
Landscape

External

CCW
National Trust
Environment Agency
CPAT

Consultation e-mails sent 25 March 2011 to:

CADW –built development and historic parks and gardens
British waterways

Wrexham Councils Landscape Officer

E-Mail response (5.4.2011)

Richard Sumner.

Kronospan Biomass Plant

Request for an Environmental Impact Scoping Opinion

Comments on scoping for the landscape and visually component of the EIA

Richard Sumner

Landscape Officer

5th April 2011

Landscape and visual impact methodology

The Guidelines for Landscape and Visual Impact Assessment present some variation in approaches to defining Significance of Effects Criteria. Please submit the intended method for categorising sensitivity of receptors, magnitude of change and significance of impact for both views and landscape; in advance of undertaking the assessment.

Landscape and visual context

A designation order for the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty was approved by CCW Council on 28th March 2011. Land within the AONB would include Chirk Castle and land extending northwards into the Dee Valley (contact Paul Nelson – WCBC Graphics manager on 01987 292518 for Mapinfo table). The final decision to make a designation lies with WAG and this is unlikely to happen until after June, but

for the purpose of this biomass proposal please assess its potential impacts upon a statutory designated landscape.

Visual receptors to be considered by the report

I agree with the chosen viewpoints (Figure 5), with the following clarifications:

View 9 will need to be presented in regard to impacts upon two different resources -an AONB and a Listed Parkland and have regard to the propose of their designation. This will in effect require the consideration of two views – a worst case scenario from the AONB and a sensitive view from within the parkland shown as a 'significant view' on CADW register.

A local view from the WHS needs to be assessed – the worst case view from the Llangollen Canal towpath, from near the Marina looking south towards Kronospan.

The WHS Landscape and visual assessment December 2007 (a key supporting document with management plan for the WHS) identifies Kronospan and train movement along the railway corridor as a visual detractor to the experience of the Llangollen canal. Offsite landscape enhancement within the canal corridor would support the WHS and be welcomed, subject to agreement with British Waterways.

Outline proposals would allow early discussions to take place in parallel with any planning application.

A photomontage image of before and after development would be required from the AONB and WHS, given the sensitivity of these receptors.

Views from Chirk Golf Course need to be assessed. The golf course provides rural recreation and has existing views of Kronospan. Through previous planning applications I am aware that they would like to improve the visual amenity of the site and reduce the prominence of Kronospan where at all possible. This points to the potential for off site mitigation which the biomass proposal could deliver with beneficial local impacts. Outline proposals would allow early discussions to take place in parallel with any planning application.

Views from the recently approved 'Raising the Dragon' tourist and cultural landmark need to be assessed. The site lies to the north east of view point 3 immediately south of McDonalds. The development will include a viewing tower at 41.5m high, which may allow views towards Kronospan.

Details of the proposal

It would be helpful to have western and northern elevation drawings showing the existing built form and the proposed and existing structures combined, to allow an understanding of likely visual change.

Existing screen mounds and planting are described within the report. Please include cross sections and plans showing these features, the existing site structures and proposed development to allow an understanding of the effectiveness of this screen and any proposed mitigation measures. Ensure

the sections extend to show adjacent features such as the Llangollen canal and Chirk Castle parkland.

Please discuss the potential use of colour finishes within options for mitigating visual impacts.

Environment Agency Wales

E-mail response (1. 4.2011)

Debbie Hemsworth.

Thank you for your consultation on the above Scoping Report, which was received on 23rd March 2011.

The Environment Agency Wales has had discussions with representatives from Kronospan regarding this proposal. The proposal will be regulated under Environmental Permitting (England & Wales) Regulations 2010. It will also be subject to the Waste Incineration Directive 2000 and may be subject to the Large Combustion Plant Directive 2011. Should you wish to discuss any issues relating to these regulations/directives, please contact Julia Frost on 01244 894558.

Our Groundwater and Contaminated Land team has also reviewed the report and makes the following comments:

We note that the Scoping Report proposes to rule out geology and hydrogeology from the EIA on the grounds that previous investigation has not identified any significant contamination at the site.

We disagree and would advise that, given the historical potentially contaminative uses at the site, soils, hydrogeology and contamination issues are included and addressed in the EIA.

If the applicant feels there is no risk to receptors from contamination at the site, then this should be demonstrated within the EIA.

It is recommended that the requirements of the Environment Agency guidance Guiding Principles for Land Contamination/ Planning Policy Wales should be followed.

Yours sincerely

Second email from Debbie Hemsworth
Date 06/05/11

On receiving a copy of our letter to you, dated 1st April, regarding the above, the applicant forwarded the "First Phase Reporting of the Site Protection and

Monitoring Programme, May 2006, Report No 10811-R01(00) to us for our consideration.

The report shows that the ground across the site contains elevated concentrations of a number of contaminants. We do not necessarily agree with the conclusion that the contamination is not significant. In our view it may be necessary to carry out further risk assessment to demonstrate the robustness of this conclusion. There are a number of points that we feel would need to be further expanded or clarified. Nevertheless, we are not intending to assess this report at this stage as it was prepared for other reasons under different legislation.

There is clear evidence that contamination exists across the site. Therefore, we maintain our view that land contamination issues and hydrogeology should be included in the EIA. This would provide the opportunity to produce a site conceptual model, specific to the application site (and not the wider currently permitted site), and a preliminary risk assessment (PRA) that may possibly illustrate the risks are not significant.

Please be aware that at planning application stage should the application be submitted without at least a PRA, we would object to the proposal. If the PRA is submitted and we still feel that further work is required, it would be reasonable for us to advise that any grant of planning permission should be subject to our standard land contamination planning condition. The wording of this is as follows:

Condition: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

It is also recommended that the requirements of the Environment Agency guidance Guiding Principles for Land Contamination, which can be found on our website, and Planning Policy Wales are followed.

National Trust

E-mail response (6.4.2011)
Chris Lambert

Scoping opinion for proposed biomass plant, Kronospan, Chirk

Thank you for consulting the National Trust on this scoping request.

5.4 Landscape and visual impact and figure 5

We welcome the production of the ZTV for the proposed works and baseline. As paragraph 5.4.11 of the scoping report points out, ZTV takes no account of tree cover or buildings. A consequence of that is that the ZTV assessment may not be reliable as an indicator of locations where there is little or no visibility currently but from which the taller structure would be clearly seen.

We would also query the baseline figure of 64m for the tallest existing structure on site, which is identified as the SEKA filter in paragraph 2.1.2. Our records suggest that the SEKA filter approved in 2003 was 55m high (P/2002/1109) and we would ask for the height of the filter to be confirmed.

We agree with the general approach of using representative viewpoints. We ask to be involved in the selection of precise locations relating to National Trust property at Chirk Castle. We are happy to facilitate access for taking the baseline photos from within the park and garden – it may be easier to do this on a day when the garden and state rooms are not open to the public (a Monday or Tuesday before 1st July 2011).

Because of the presence of intervening woodland within the park, we do not envisage there being an impact on views from the castle itself. Nevertheless we are willing to provide access to the building for assessing this, if it is seen as desirable. Impact on the setting of the castle as seen from Offa's Dyke should be covered in viewpoint 11.

We suggest that viewpoint 9 should be from the terrace at the east end of the garden (grade I registered) rather than from the castle.

Viewpoint 13 would be more informative if it showed the view of Kronospan through/around the Davies Gates (grade I listed) from the drive within the park rather than being taken from in front of the gates.

The visual impact of the existing structures at Kronospan is magnified by steam plumes. If there would be a visible smoke plume from the proposed stack then we ask for that to be factored into the visual assessment.

5.5 Nature conservation

The range of species present within Chirk Castle Park is illustrated in appendix 1 of the scoping report. There are also numerous veteran trees within the park. The park is in the process of being designated as an SSSI.

We suggest that the indirect effects of air quality on the nature conservation and ecology of the Park should be included in the EIA.

In respect of both this assessment and the assessment of the impacts on air quality and human health, we would ask for complete clarity over the proposed fuel for the biomass plant. Paragraph 3.1.6 refers to "other wood based wastes" without specifying what they are or what they contain other than wood.

5.9 Air quality and human health

The National Trust welcomes 120,000 visitors to Chirk Castle each year. In addition the property is a workplace and includes 13 residential flats and houses. We suggest that it should be included within the list of sensitive receptors in table 4 particularly on the grounds of its role as a place where people live and work.

5.10 Archaeology and cultural heritage

We disagree with the proposition set out in 5.10.1 that additional visual impacts on above ground cultural heritage features would not be material. This statement shows a sad lack of awareness of Chapter 6 of Planning Policy Wales and the legislative requirements in relation to the setting of listed buildings.

Although 5.10.3 correctly records Chirk Castle as being grade I listed, it does not mention the Davies Gates (Chirk Castle Gates, Screens and Piers, Cadw listing record number 1315) which are also grade I listed. Similarly there is no mention that the historic park and garden at Chirk Castle is registered at grade I, the highest category of registration.

Given this poor start we are alarmed at the proposition that the cultural heritage assessment will not be undertaken by a heritage professional. If it is to have any validity, this assessment needs to be done by someone who is suitably qualified and experienced to understand the significance and sensitivity of the historic environment affected.

Although it is not our role to do the cultural heritage assessment for them, we would be happy to help provide information and access to our property to inform process. As a starting point, a historic landscape survey was produced for the Trust in 1996 by Chris Gallagher and can be made available

British Waterways

E-mail response 12.4.2011

Christine Hemmings

Thank you for your consultation dated 23 March 2011 in respect of the above.

British Waterways (BW) is a public body set up to maintain and develop the network of canals and other inland waterways in a sustainable manner so that they fulfil their full economic, social and environmental potential. In addition to statutory navigation and safety functions, British Waterways has to:

- Conserve our waterway heritage and environment
- Promote and enable rural and urban regeneration
- Maintain and enhance leisure, recreation, tourism and education opportunities for the general public and
- Facilitate waterway transport

After due consideration of the application details, British Waterways **comments that the EIA should include:**

Ecological assessments

There should be a stage 1 and if necessary a Stage 2 impact assessment which covers the impact of the discharges from the processing including heating and cooling, the height and position of the chimney in relation to bird flights and the impact of lighting of the chimney and additional lighting on the site.

Environmental impact

There should be sampling undertaken of the canal water and an assessment of the impact at particular points of the discharges on the water ecology from effluent and air-borne pollution. There should also be impacts carried out covering the impact of construction activity and increased vehicle movements in the area of the World Heritage site.

Visual Assessments on the World Heritage Site

The World Heritage site should be assessed for impact from the chimney including an impact on the character of the area. Should an assessment

should include photomontages from the canal bridges, the scheduled ancient monuments and at key view points within the WHS buffer zone.

Economic Impact

The increase in industrial activity should be assessed in relation to the impact on the village of Chirk and the other activities programmed for the immediate area as a cumulative effect over 5 and 10 years including development of the tourism in the local area, traffic flows, car parking and ambience.

BW considers that the development at the site should assess the need for planning contributions to the area as mitigation for the effect of the development and as a contribution to any adverse environmental effects.

Should you have any queries please contact me at this office.

Yours sincerely,

Christine Hemming BSc (Hons) MRTPI MInstLM

CADW

E-Mail response 19.4.2011

Suzanne Whiting

Thank you for your email of 28 March 2011 inviting Cadw's comments on the proposed development as described above.

The advice set out below relates only to those aspects of the proposal, which fall within Cadw's remit as a consultee on planning applications – the impact of developments on scheduled monuments or Registered Historic Landscapes, Parks and Gardens. Our comments do not address any potential impact on the setting of any listed building, which is properly a matter for your authority. These views are provided without prejudice to the Welsh Assembly Government's consideration of the matter, should it come before it formally for determination.

The proposed development will have a direct effect upon the scheduled ancient monument known as Pontcysyllte Aqueduct and Canal (DE175) and is adjacent to the Pontcysyllte Aqueduct and Canal World Heritage Site. The proposal is also in the vicinity of the following scheduled ancient monuments and parks and gardens included in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales.

Scheduled Ancient Monuments

DE117	Castell y Waun Castle Mound
DE133	Offa's Dyke: Caeau-Gwynion Section

DE135	Offa's Dyke: Chirk Castle Section extending NE from
Castle Mill	
DE135	Offa's Dyke: Chirk Park Section extending NE from the
lake	
DE138	Offa's Dyke: Section N&S of Plas-Offa
DE198	Offa's Dyke: Chirk Park Section extending 340m NE of
Home Farm	
DE288	The Holyhead Road: the Chirk Embankment and earlier
trackways	

Registered Parks and Gardens

Chirk Castle
Whitehurst
Brynkinalt

The areas concerned are shown on the attached plan.

Cadw note that the proposed development lies within the footprint of the existing Kronospan plant on a position currently used for storage.

The proposed new build comprises furnace, turbine and ancillary buildings and infrastructure, a stack and storage building with overhead conveyer. The existing site and proposed development lies immediately adjacent to the Pontcysyllte Aqueduct and Canal World Heritage Site and scheduled ancient monument, as well as scheduled stretches of Offa's Dyke and several registered parks and gardens. There is, therefore, a significant potential for adverse impact on setting of the historic assets.

The assessment process outlined in the scoping document follows the appropriate methodology and Cadw agrees that the primary likely impact will be the visual impacts upon cultural heritage assets. The scoping document recognises the importance of assessing the visual impact upon cultural heritage receptors and the methodology proposed seems acceptable. Cadw note that the ZTV shows that the new stack should not be visible from Pontcysyllte Aqueduct, but that it will be visible from Chirk Aqueduct, Chirk Castle, Offa's Dyke and New Hall moated site, all of which have been selected as Landscape Viewpoint locations. However it is important that the key views listed in the World Heritage Site Management Plan are included among the sensitive sites and are given Viewpoint status within the Environmental Statement. Cadw suggest also that further Viewpoint Locations are added along the World Heritage Site canal towpath immediately adjacent.

Yours sincerely

Suzanne Whiting

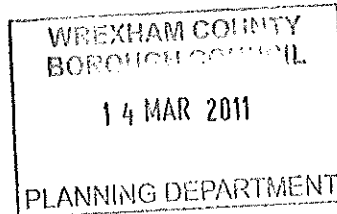
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Our Ref: AR/ar/1121-01

11th March 2011

Kevin Hughes
Planning and Building Control
Wrexham County Borough Council
Lambpit Street
Wrexham
LL11 1AR



planning
transportation
planning
environment
design

Dear Mr Hughes

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 – Regulation 10 Request for a Scoping Opinion for a Planning Application for Kronospan Biomass Plant, Chirk, Wrexham

Kronospan Limited is intending to submit a planning application to Wrexham County Borough Council for a Biomass Plant and Recycled Fibre Offloading and Screening Facility at the existing Kronospan site, Chirk, Wrexham. The planning application will be accompanied by an Environmental Impact Assessment.

Axis PED is acting as the planning consultant on behalf of Kronospan Limited and as such we are writing to request a formal scoping opinion under Regulation 10(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (EIA Regulations).

Three copies of an Environmental Scoping Report are enclosed, the report describes the nature of the proposed development and defines the topics to be addressed in the Environmental Impact Assessment.

Further to our meeting on the 22nd December 2010 please find enclosed a cheque for £950.00 for the purposes of pre-application advice and consultation.

If there is any further information required by Wrexham County Borough Council or if you have any queries relating to the enclosed report then please do not hesitate to contact the undersigned.

Yours sincerely

A handwritten signature in black ink, appearing to read "Andrew Russell".

Andrew Russell
Associate

Enc. EIA Scoping Report (3 Paper Copies)
Cc: John Thompson (Kronospan Limited)

Chester Office:
Well House Barns
Bretton
Chester
CH4 0DH

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

