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JGK/P/2008/0992 & SO/2009/25
16 December 2009
Gerry Kellett
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Visit our website at:
www.wrexham.gov.uk

Dear Sirs

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

**Proposed redevelopment of site for renewable energy generation facility
Request for screening opinion.**

Land at Bryn Lane, Wrexham Industrial Estate, Wrexham

I refer to your letter dated 1 December and your request for a screening opinion in relation to the above.

I can confirm that the proposed development is **not** categorised as any of the activities under Schedule 1 of the Regulations, for which the submission of an EIA is mandatory. As such, it is appropriate to consider the proposed development in the context of paragraph 3(a) (Energy industry - Industrial installations for the production of electricity, steam and hot water) under Schedule 2 of the Regulations. The proposal has a site area of approximately 1 hectare (exceeding 0.5 hectares). The test of whether the proposal is EIA development is whether it would have significant effects on the environment by virtue of its size, nature or location with specific reference to Schedule 3 of the Regs. These thresholds determine whether a development falls within Schedule 2 of the regulations whereby an EIA may be required if the development has the potential to generate significant effects.

I have given careful consideration to the possible environmental impacts of the development and I have concluded that there will be no significant environmental impacts that would justify a decision to require an Environmental Impact Assessment.

A formal Screening Opinion has been given upon the proposal and I enclose a copy for your information. Should you require any further explanation or information, please do not hesitate in contacting me.



INVESTOR IN PEOPLE
BUDDSODDIWR MEWN POBL

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'L. M. C.', written over a dotted line.

Chief Planning Officer

Bryn Lane, Wrexham Industrial Estate, Wrexham

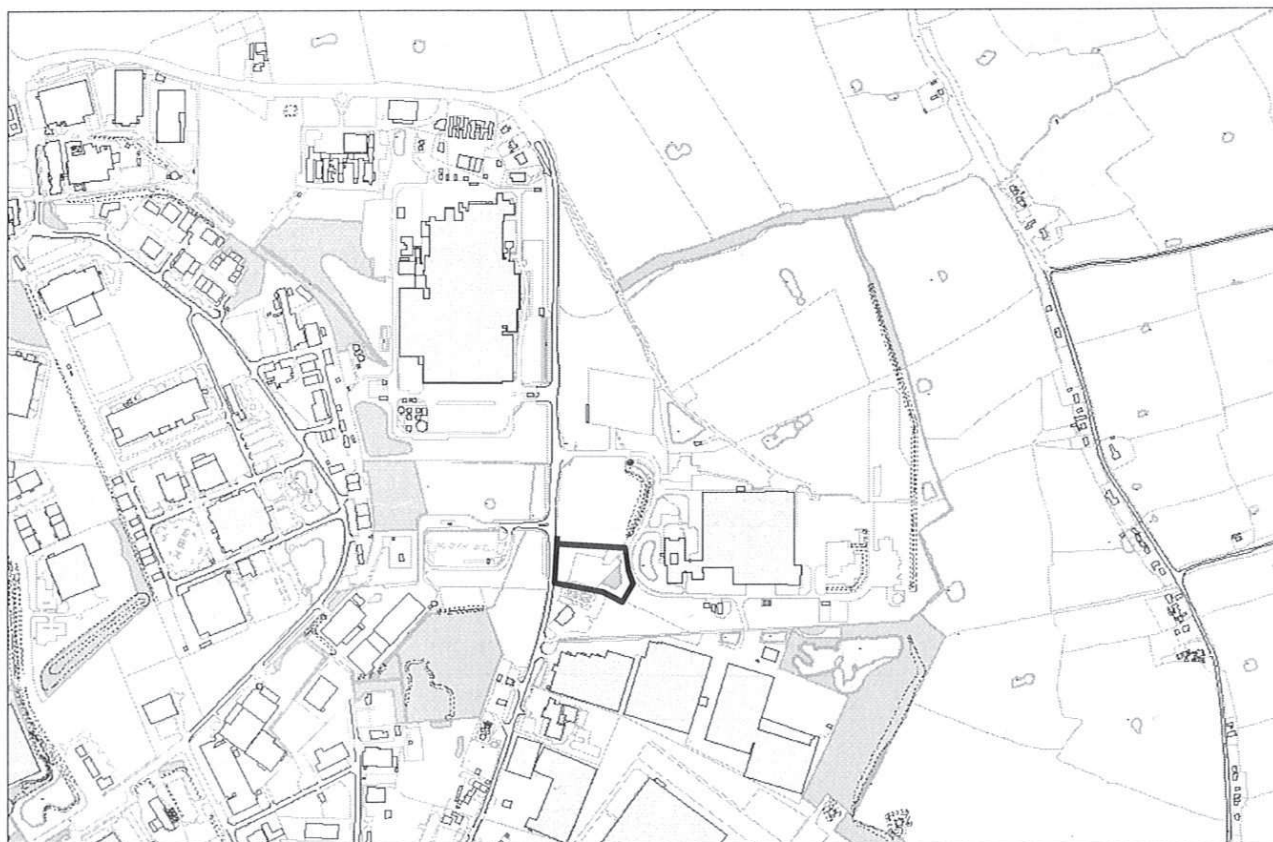
**Town and Country Planning (Environmental Impact Assessment) (England and Wales)
Regulations 1999 (as amended)**

SCREENING OPINION

**Proposed redevelopment of site for renewable energy generation facility
Request for screening opinion.**

The Proposal

A Screening Opinion has been requested under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended). The screening relates to the proposed development as described above on land off Bryn Lane, Wrexham Industrial Estate, Wrexham. An application is expected.



Plan 1 Location Plan

The site covers an area of just over 1 hectare (2.52 acres) located off Bryn Lane to the west of TDG. The site is located within the limits of Wrexham Industrial Estate although not allocated for

employment purposes. It is part of a larger site which has a council resolution to grant planning permission for B1/B2/B8 and means of access subject to the completion of a s106 agreement. The current proposal subject of this Screening request is for an alternative development described as follows:

The proposed changes are a redevelopment of the site for a proposed renewable energy generation facility. The facility will utilise one of the cleanest and most efficient methods of energy generation, one of the few technologies eligible for the governments renewable obligation certificates at the highest level. To be housed within two industrial B8 type buildings, the facility will have an operating capacity of up to 3 MW and will be fuelled by clean wood-chip which would be delivered by road. The wood-chip is sourced from virgin wood from a plant in Merseyside which is approximately 50 miles north east of the site. The proposed throughput would be no more than 22,500 tonnes per annum, which equates to approx 1 tonne per MW/hour over 7500 hours per annum. The site would receive approximately 3 articulated vehicles per day, which would all arrive and depart towards Bryn Lane north.

The proposed facility will generate both electrical and heat energy. It is proposed to export the generated electricity to the National Grid via a sub station to be located within the proposed facility. The excess heat will be offered to existing operators on the Industrial Estate as well as being recycled within the site. The proposed facility will therefore contribute in meeting both national and regional targets for renewable energy provision and contribute to reducing carbon dioxide emissions.

It is proposed that the facility would be served by a new access off Bryn lane.

Relevant History

P/2008/0992 was considered by the Council's Planning Committee earlier in 2009 with a resolution to grant permission subject to the completion of a s106

Development Plan

The site is located in the open countryside as shown in the Wrexham Unitary Development Plan. UDP policies: PS2, PS9, PS11, GDP1, EC4, EC5 (nearby), EC6, T8 and MW8. Local Planning Guidance Notes 7 – Landscape and Development, 17 – Trees and Development and 26 – Landscaping and Industrial Development also refer.

National policy in respect of minerals is set out in Mineral Planning Policy Wales published (December 2000). Other relevant guidance is contained in TAN 5 - Nature Conservation and Planning (draft 2006), TAN 11 Noise (1997) and TAN 18 Transport (2007).

Screening Consideration

This **request** for a Screening Opinion is submitted to Wrexham County Borough Council under the procedures set out in Part II of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (amended). The proposed development is **not** categorised as any of the activities under Schedule 1 of the Regulations, for which the submission of an EIA is mandatory. As such, it is appropriate to consider the proposed development in the context of paragraph 3(a) (Energy industry - Industrial installations for the production of electricity, steam and hot water) under Schedule 2 of the Regulations. These

thresholds determine whether a development falls within Schedule 2 of the regulations whereby an EIA may be required if the development has the potential to generate significant effects. For this development the applicable threshold and criteria to be taken into account when determining if the proposals fall within Schedule 2 is defined as follows:

- The area of the development exceeds 0.5 ha.

The proposal does fall within Schedule 2 of the 1999 Regulations as a development project with a site area exceeding 0.5 hectares. The issue for consideration – will the project **have significant effects upon the environment**.

The general criteria for assessing **significance** are provided in paragraph 33 of the Circular. In applying the general tests of significance the LPA must assess whether a Schedule 2 project is likely to have impacts that are of 'more than local importance'. It is not sufficient that the development will have off site local impacts. More than local importance means effects beyond their immediate locality, which give rise to substantial national or regional controversy, which may conflict with national policy on important matters. The fact that there are likely to be environmental effects beyond the site boundaries but within the general locality of the site does not therefore, in itself, constitute 'more than local importance'.

Schedule 3 of the Regulations raises certain selection criteria that must be taken into account:

- Characteristics of the development (it is more than local importance?)
- Location of development (is there a sensitive/vulnerable location involved?)
- Characteristics of potential impacts (would these be complicated or adverse?)

Characteristics of the Development

- Size** – The Development will comprise an area of approximately 1 hectare. The proposed development will produce an output of 3 MW – considerably less than the 50 MW threshold for larger energy generating operations and therefore under this threshold alone it is considered that the proposed development does not constitute EIA development. It will not be of a nature or activity that would give rise to potential significant increase in emissions from operations nor a significant increase in terms of traffic generation. A Transport Statement will be submitted with the application.
- Cumulative effect** – there are no other proposals of this nature in the locality. It is located within the limits of Wrexham Industrial Estate where new employment development, in principle, is directed, thereby ensuring that no adverse cumulative impact would occur.
- Use of natural resources** – there is no use or loss of natural resources beyond that associated with standard construction practices. The proposal does not require significant excavation work and any excavated material will be retained on site and used for screening purposes or as part of engineering on the adjacent landfill. Good general practice will be complied with to recycle or reuse materials wherever possible at the construction stage. The proposed development will use wood chip as a source of renewable energy. The material is clean wood from a plant in Merseyside of a sustainable source – therefore no significant effects will occur relating to natural resources.
- Waste** – the proposed development will result in certain by-products consisting of treated liquid condensate (of up to 40 litres per hour, per 250 KW gasifier). This will be flushed into the foul sewer following periodic testing to ensure its suitability (monitored within the remit of the Environmental Permit). Char and ash will be created as a by-product (up to 17kg per hour, per 250 KW gasifier) which is typical of such a facility.
- Pollution and nuisance** – construction operations can be controlled through suitable environmental management plans (EMP). The proposed development is not predicted to give rise to any adverse increased pollution or nuisance. Standard working practices and the need to obtain and operate within the constraints of the planning consents would mean that there is

no realistic potential for new pollution or nuisance to be created at the site. Issues such as noise and air quality can be controlled by condition and should not give rise to any material adverse effects. Noise and air quality reports will be produced and submitted along with the application.. An Environmental Permit is expected to be required for the facility.

- f. **Risk of accidents** – this is a proven form of development, specifically designed to minimise the risk of accidents and will be regulated by health and safety requirements. No untested technologies or unusually hazardous substances will be used during construction. The access to the site and turning areas for HGVs will be carefully considered to ensure its adequacy. The use of all potential pollutants will be appropriately managed in accordance with best practice and Environment Agency guidance. As stated above, a PPC or Environmental Permit is expected to be required for the facility.

Location of the Development

- g. **Land use** – the site is located on land within the Wrexham Industrial Estate where new employment development, in principle, is directed. The site is currently vacant land.
- h. **Local natural resources** – no exceptional or unique natural resources will be lost or significantly affected by the proposed development.
- i. **Absorption capacity** bearing in mind the locality – it is noted that:-
- the proposal is located on a vacant site;
 - the site is not a wetland;
 - it is not on the coast;
 - it does not relate to a mountain, forest, park or nature reserve;
 - it does not sit within any European nature conservation designation;
 - the adjacent area currently has a habitat potential for a variety of species including protected species. Ecological mitigation will be incorporated within the submission to ensure the long term integrity of known protected species are safeguarded.
 - no areas in which the environmental quality standards laid down in Community Legislation have already been exceeded will be affected by the proposals;
 - the immediate area is not densely populated, being within the boundary of an existing industrial estate, nor is there particular landscape or heritage interest that would be adversely affected; and
 - no landscapes of historical, cultural or archaeological significance will be affected by the proposals.

Characteristics of Potential Impacts

- a. **Extent** – direct effects are limited to the local area in terms of traffic, air quality, noise, scale and ecological issues which will be all addressed within any subsequent submitted application;
- b. **Transfrontier impacts** – the proposed works and any impacts are entirely within the administrative area of Wrexham County Borough Council;
- c. **Magnitude and complexity** – there are no particular complexities with the proposed activities at the site;
- d. **Probability** – the likely effects of the development are clearly definable and limited to the development site and its immediate vicinity only. The probability of this impact is certain and of any other unknown effects occurring the probability is minimal/zero;
- e. **Duration, frequency and reversibility** – disturbance to sensitive receptors during the construction phase will be localised and temporary in duration - duration of the construction works will be over a relatively short period. Once operational, any effects of the development are predicted to be negligible in relation to its location. While the proposed development will be part of the Industrial estate in perpetuity, the impact of the completed development is reversible as the facility could be removed and the site restored.

Summary

The proposed development is referred to as Schedule 2 development. Following the above consideration it is not of such a nature or scale that it will breach Schedule 3 thresholds and criteria. Accordingly, it is hereby certified that based upon the above assessment and the information known at this stage, no significant environmental impacts of more than local importance are identified that would justify a decision to require an Environmental Impact Assessment.

Signed: 
Lawrence Isted
Chief Planning Officer

Date: 15 December 2009