

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6 January 2020

APPLICATION NO:

P/2019 /0505

LOCATION:

KRONOSPAN LTD HOLYHEAD
ROAD CHIRK WREXHAM
LL14 5NT

DATE RECEIVED:

08/07/2019

COMMUNITY:

Chirk

DESCRIPTION:

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

CASE OFFICER:

KH

WARD:

Chirk South

AGENT NAME:

AXIS
MR ANDREW RUSSELL

APPLICANT(S) NAME:

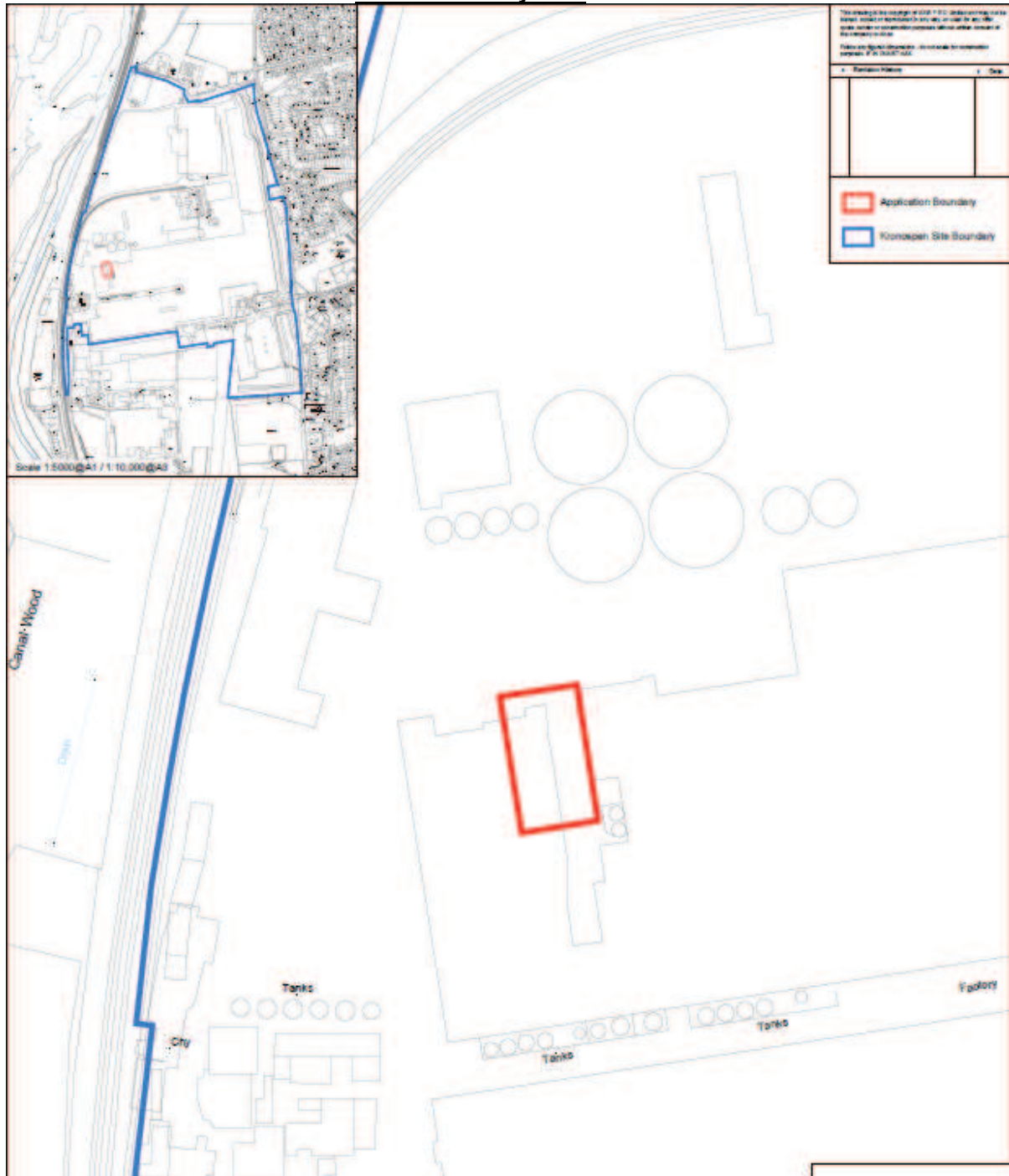
MR KEITH BAKER KRONOSPAN LTD

THE SITE

The location of the proposed development lies within the existing Kronospan manufacturing site. The Kronospan site is an established industrial area located on land adjacent to Holyhead Road (B5070) Chirk and covers a total of approximately 40 hectares

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PROPOSAL

The proposed development comprises of the installation and operation of 2 No. gas engines each with a maximum electricity capacity of 9.73 MW. Other ancillary works involve the removal of existing equipment, a control room, installation of roof mounted coolers and the installation of carbon monoxide catalyst abatement system.

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The application includes a Landscape and Visual Assessment, a Noise Report, an Air Quality Report, and a Planning Statement. A screening opinion has also been undertaken (EIA Regulations) which concludes that the proposed development is unlikely to give rise to significant environmental effects. It does not constitute EIA development.

HISTORY (Most Recent)

P/2017/0700	Development of a Raw Board Store. Refused 06.11.2017. Allowed on Appeal 22.05.2018
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 assorted sifting, grading and transfer system and demolition of existing structures to facilitate the development. Granted 31.07.2017.
P/2016/0534	Proposed extension to store medium density fibreboard. Refused 05.09.2016.
P/2016/0442	MDF wash water pre-heater. Granted 23.01.2017.
P/2016/0336	Extension to house a new melamine facing (MF) press, following the demolition / re-location of the existing MF departments ventilation system, hydraulic oil and diesel storage tanks, a vehicle filling station, garage service building and other associated infrastructure. Allowed on Appeal 04.05.2017.
P/2018/0551	Development of an Orientated Strand Board (OSB) production facility. Allowed on Appeal 09.10.2019

DEVELOPMENT PLAN

Within the settlement for Chirk. Policies PS1, PS2, GDP1, EC5 and EC7 of the Wrexham UDP apply.

CONSULTATIONS

Community Council:	The Council does not support this application. • They have concerns over the noise the new fans being sited on the roof will generate and the variable direction judging by the stated design • Despite the 2020 investment programme, Councillors have yet to see any improvement, dust and noise continue and residents are fed up. • We call for independent monitoring equipment to be installed that clearly states what pollution is being endured in Chirk.
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- The Nation has a zero net carbon emissions commitment by 2050 – how can the installation of gas powered electricity generation help? This application flies in the face of using fossil fuels and global warming.

Local Member:	Notified
Public Protection:	No objections. No issues in relation to contaminated land. The air quality report concludes that the analysis has shown that there would be no material change in the air quality impact from the current operations on site, especially as these CHP gas engines would replace the operation of the two Gas Turbines on site. This conclusion is accepted.
Highways:	No objections. The proposal will not increase traffic generation at the site and will not therefore adversely impact upon the B5070 Holyhead Road.
NRW:	NRW does not object to the proposal and is not likely to adversely affect any of the interests below:- <u>Landscape:</u> Initially had concerns with regards to the potential scale, nature and visibility of any plumes that could be produced by the proposed gas engines. However, we understand that the gas engines would not result in any visible plumes and therefore, have no further concerns in relation to this element of the proposal. <u>Air Quality and Protected Sites:</u> The two additional gas engines are already permitted by NRW's Permitting Team as part of the Variation Notice EPR/BW/99991G/V007. The air quality assessment provided at the time was assessed and considered acceptable with regards to impact upon protected sites.
Welsh Water:	No objections subject to condition to prevent discharge of surface water into the public sewerage system.
Canal & River Trust:	The proposed development would only be visible from a limited number of viewpoints. It would also be viewed against the existing industrial complex and existing vegetation assists in screening the development from the towpath. The development will not therefore result in further significant visual harm to the canal corridor and that part of the WHS over and above the existing situation.
Wales & West Utilities:	No comments but advise that the proposed development may affect their high pressure network within the site.

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- Health & Safety Exec: Does not advise, on safety grounds, against the granting of planning permission.
- Network Rail: No objections.
- Neighbouring Occupiers: 9 letters of objection on the following grounds:-
- It will cause additional noise and source of pollution
 - This is a development of national significance and should be considered by Welsh Government
 - Kronospan need to recognise the impact on the environment burning fossil fuel
 - The noise report takes account of all residential properties around the site e.g. the Co-op field
 - The proposed development does not take into account the impact upon new housing allocated in the LDP on land opposite owned by Kronospan
 - Contrary to Welsh Government policy of carbon reduction
 - Noise report has used out of date guidance
 - There is a link between this and the OSB application. Should the OSB application be refused by the Planning Inspectorate there will be no requirement for the current proposal
 - Concern that all the gas engines and gas turbines are run together continuously
 - 66% increase in gas generation capacity
 - over development of the site
 - Concerns over increase in noise, pollution and environmental damage
 - Baseline noise data referenced in the application is 2011 which is out of date
 - The factory has outgrown its location
 - Increase in HGV movements
 - The development is unsightly and more appropriate materials should be used
 - Company claims to employ most locals but half the workers are from the EU
 - The need for the additional gas turbine is based upon the unreliability of the electricity transmission system – no evidence is given for this and the National Electricity Transmission report 2017/18 gave overall reliability of 99.99%
 - The electricity generated is greater than the plant needs
 - Residents are subjected to on-going odour of formaldehyde causing symptoms of breathing difficulties, nausea and depression.

SPECIAL CONSIDERATIONS

Background: In 2015 Natural Resources Wales (NRW) issued an Environmental Permit for the operation of 5 No. gas engines. By granting the permit NRW were of the view that the operation of the engines would not result in unacceptable effects on human health or the environment. Planning permission of the construction of 3 No. engines was granted in January 2016 and these engines are now operational. Kronospan are now seeking planning permission for the construction of the two remaining gas engines which were granted an Environmental Permit by NRW.

The proposed development would enable Kronospan to increase their self-sufficiency in terms of energy supply, this would help prevent interruptions to the manufacturing processes and increase the efficiency of the manufacturing process. It assists the company to achieve their vision 2020 improvement program which is being implemented to maintain the sustainability of the business at the site, safeguarding the significant direct and indirect employment opportunities supported by the business.

I note concerns raised that the application should have been determined by Welsh Government as a Development of National Significance. Within the Regulations one of the types of development listed is “the construction, extension or alteration of a generating station that generates electricity.” In determining whether it is a Development of National Significance the increase in generating capacity would need to be more than 10 MW. In this case the plant already generates 41 MW from existing electricity generating equipment. The generating capacity of the 3 No. existing gas engines is 29 MW and the generating capacity of the existing gas turbines is 12 MW, hence the total of 41 MW. The existing gas turbines are for backup only and will be removed prior to the construction of the proposed development being completed. The proposed development (2 new gas engines) will have a total generating capacity of 19 MW. As I mentioned earlier, once these are completed, the gas turbines will be decommissioned. This will form a condition of any permission granted. Consequently, the total generating capacity at the site will be the sum of the 5 gas engines which is 48 MW, resulting in an overall increase in generating capacity at the site of 7.4 MW (which is less than the 10 MW threshold). Welsh Government has confirmed it is therefore not a Development of National Significance.

Visual Impact: The 2 new gas engines will be located within the south-western portion of the Kronospan site, to the north of the MDF / particle board production buildings. The proposed development would be 19.3m in height, 24.7m in length and 11.8m in width, finished in an Agate Grey colour. This area of the site already accommodates a number of large industrial process facilities including tall structures such as stacks. It is the most densely built up part of the site. A Landscape Visual Impact Assessment (LVIA) has been undertaken and it is considered that because of the existing site context and industrial character these additions will have minimal impact upon the wider

area. Only limited views are achievable into the site from the adjoining World Heritage Site and the existing vegetation would also assist with screening the development from the towpath. As such, the development would not result in further significant visual harm to the canal corridor and that part of the WHS over and above the existing situation. I am satisfied that given previous planning decisions to allow much larger structures within this part of the site to refuse the application on visual impact grounds would be unsustainable. It should also be noted that as no plume is emitted, NRW have not raised any objections on visual impact grounds. The LVIA confirms that visibility of the proposed development from the Pontcysyllte Aqueduct and Canal World Heritage Site and Scheduled Monument and from the Chirk Castle estate would be very limited and would not affect the experience of visitors to these features. As such a formal cultural heritage appraisal has not been completed and is neither justified.

Highways: The proposed development would not result in any change to the existing site access arrangement or increase in traffic. Highways raise no objections.

Noise: A detailed Noise Assessment is provided with the application. The assessment has been undertaken in accordance with appropriate standards and guidance as agreed with Public Protection. The noise assessment has been completed using baseline sound level data to establish any potential noise impact on the nearest sensitive receptors which would result from the proposed development. The assessment identifies that the gas engines would not cause any increase in existing noise levels and therefore there would be no increase in cumulative noise experienced at noise sensitive receptors.

The noise from the operation of the proposed gas engines and associated plant would result in noise levels complying with all relevant standards at the nearest sensitive receptors (according to BS4142 : 2014). On this basis it is concluded that the noise levels from the proposed development, when considered in isolation and cumulatively with the noise levels from the existing plant and other proposed development at the Kronospan site would be acceptable. Public Protection raises no objections to the proposal.

Air Quality: NRW have already issued an Environmental Permit which allows these additional gas engines to operate. An independent Air Quality Analysis has been undertaken to consider the impact on local air quality of the operation of the proposed additional 2 gas engines in combination with other sources at the Kronospan site. NRW are satisfied with the methodology used and the conclusions and deem that by granting the Permit the impact is acceptable to the local environment and human health. Pollution control is regulated through the Environmental Permit process and not the planning system.

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Conclusion: This proposal already has the benefit of an Environmental Permit which although lies outside the planning process, demonstrates that the operation of gas engines will not result in any unacceptable impact upon the local environment. Visually the proposed development both individually and cumulatively will have minimal impact upon the skyline and will be sited within an area of the site which already contains much larger buildings and structures. The impact upon cultural assets therefore is negligible. There will be no increase in noise levels and Highways raise no objections as the proposal does not involve any increase in traffic generation.

In the circumstances, I recommend accordingly.

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. Prior to their use on the development samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.
3. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday and 8.00 to 14.00 on a Saturday and at no time on a Sunday or a Bank Holiday.
4. Notwithstanding the approved plans details of the colour of the proposed cladding shall be submitted to and approved in writing by the Local Planning Authority. Works shall only be carried out strictly in accordance with the details as approved and retained thereafter unless otherwise agreed in writing with the Local Planning Authority.
5. The proposed works shall be carried out in accordance with the Noise Impact Assessment including the noise mitigation measures.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
3. In the interests of nearby residential amenity.
4. In the interests of the general visual amenities of the area.
5. In the interests of nearby residential amenity.

NOTE(S) TO APPLICANT

See advice from Natural Resources Wales and Wales and West Utilities and attached to this decision notice.

Works near Watercourse / Construction or Demolition sites:

Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with GPP5 and PPG6: 'Works in, near or over watercourses' and 'Working at construction and demolition sites' which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Waste produced during construction:

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls.

The links below provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

Surface Water Drainage:

We refer the developer to the Environment Agency (2017) 'Approach to groundwater protection' position statements which have been adopted by Natural Resources Wales. In particular the developer should be aware of the advice under Position Statements G11 (Discharges from areas subject to contamination) and G13 (sustainable drainage systems applies to this development).
