
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 28/03/17

gan Kay Sheffield BA(Hons) DipTP
MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 04.05.2017

Appeal Decision

Site visit made on 28/03/17

by Kay Sheffield BA(Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Date: 04.05.2017

Appeal Ref: APP/H6955/A/16/3165368

Site address: Kronospan Limited, Holyhead Road, Chirk, Wrexham, LL14 5NT

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Kronospan Limited against the decision of Wrexham County Borough Council.
 - The application Ref P/2016/0336 dated 07/04/2016, was refused by notice dated 05/09/2016.
 - The development proposed is building 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.
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Decision

1. The appeal is allowed and planning permission is granted for building 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 at Kronospan Limited, Holyhead Road, Chirk, Wrexham, LL14 5NT in accordance with the terms of the application, Ref P/2016/0336, dated 07/04/2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development shall be carried out in accordance with the following approved plans: Drawing No. 1860-01-01 Rev A; 1860-01-03 Rev A; and 1860-01-04 Rev A.
 - 2) The rating level of any noise emitted from the development hereby permitted shall not exceed the pre-existing background level specified in the Noise Impact Assessment dated 5 April 2016 by more than 5dB(A) at any time. The noise levels shall be determined at the noise sensitive premises specified in the Assessment. The measurements and assessment shall be made in accordance with BS 4142: 2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

Procedural Matter

2. The development subject of the appeal has been started on site. Furthermore minor amendments have been proposed namely the increase in the height of the closed loop extraction system by approximately 0.5 metres to allow for safety railings required for maintenance access; and the provision of a canopy over a loading bay between the eastern end of the proposal and the adjacent existing building. The amendments were
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fully documented in the Appellant's grounds of appeal and considered by the Council in its submissions. I am satisfied that the amendments do not materially alter the nature of the application and consideration of them as part of the appeal would not prejudice the rights of any of the parties.

Main Issue

3. The main issue is the effect of the development on visual amenity and the setting of heritage assets.

Reasons

4. The appeal site forms part of an existing industrial complex which covers about 14 hectares. The complex lies to the west of Holyhead Road (B5070) and to the east of the Shrewsbury to Chester railway line. The Llangollen Canal, which forms part of Pontcysyllte Aqueduct and Canal World Heritage Site, is located beyond the railway line and the boundary of the Chirk Conservation Area lies approximately 500m to the south east. Chirk Castle, a Grade I listed building and Grade I Registered Park and Garden, lies a similar distance to the west and shares a boundary with The Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB).
5. The complex comprises several large industrial process buildings, storage areas for raw materials, warehouse buildings for manufactured products, offices and car parking. The proposed extension would be located within the heart of the complex and would be in scale with the adjoining building. Although the closed loop extraction system would be taller than the building, it would not be a solid structure; it would be similar in height and scale to other roof mounted infrastructure on other adjoining buildings; and be seen in the context of an expansive factory roofscape which includes several tall structures, the tallest being 70m high.
6. The existing complex is an extensive and heavily developed industrial site which already exerts an influence on the character of the local landscape. The proposed development would be viewed in the context of the existing development and given its central position within the complex it would be assimilated into its surroundings. Furthermore the local landform and vegetation screen views of the site from many public vantage points and longer distance views.
7. Receptors currently experience views of a large industrial complex and as demonstrated by the submitted photomontages and confirmed by my own observations during my site visit, the view would not be altered as a result of the development. I consider that the influence of the complex on the landscape would not increase tangibly as a result of the development. It would not result in a material change to visual amenity, including the AONB, and consequently there would be no harm to the wider amenity of the area.
8. It is acknowledged that there would be some intervisibility between the proposed development and the heritage assets already referenced. However, the development would not extend or alter the impact of the existing industrial complex. No objections have been raised by statutory consultees with regard to the effect of the development on the various heritage assets. Furthermore, the Council has not identified specific examples of the harm it considers would be done. I am satisfied that the cultural significance of the Llangollen Canal and Chirk Castle would not be harmed.
9. I accept that the incremental growth of the complex might in some circumstances harm visual amenity. However, in this instance I am satisfied that the scale, height

and massing of the proposed development would accord with the character of the site and would not result in any significant change to the appearance of the locality. On this basis the proposal would not harm the visual amenity of the area or the setting of the various heritage assets in the locality. The development would therefore comply with Policy GDP1 of the adopted Wrexham Unitary Development Plan 1996-2011 and the guidance in Technical Advice Note 6: Planning for Sustainable Rural Communities and Technical Advice Note 12: Design.

10. Representations made by interested parties against the development also raise issues of air quality, dust, odour, noise and traffic and the consequences these have for the health of local residents. Whilst I do not dispute the claims made by local residents regarding the industrial complex as a whole, several of the issues raised are controlled by separate legislation. Notwithstanding this, I have no substantive evidence that the proposed development would cause problems in respect of air quality, dust, odour or traffic. Noise is a matter which would be controlled by condition.
11. I have had regard to the conditions suggested by the parties in the light of Welsh Government Circular 016/2014 *The Use of Planning Conditions for Development Management*. In view of the amendments made to the development I have confirmed the drawings on which my decision is made. In the interests of the living conditions of local residents I have imposed noise levels. Whilst the Council has suggested the need to specify the materials to be used, the building has already been erected using materials appropriate to its setting. I therefore consider that the condition is not necessary.
12. In determining the appeal I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching the decision I have taken into account the ways of working set out in section 5 of the WBFG Act and I consider that the decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out as required by section 8 of the WBFG Act.
13. For the reasons given above, and having had regard to all other matters raised, the appeal is allowed.

Kay Sheffield

INSPECTOR