

Town and Country Planning Act 1990
Section 78 Appeal

Council's Statement of Case

Land at Kronospan Ltd, Chirk, Wrexham, LL14 5NT

LPA ref: P/2016/0336

PINS ref: APP/H6955/A/16/3165368

1.0 The Site

The Kronospan site is located on land adjacent to Holyhead Road, Chirk and covers approximately 40 hectares. The site comprises a number of large industrial processes buildings, warehouse buildings, air emission stacks and storage area for raw materials. A number of individual process facilities are located mainly to the west of the site and include a number of tall structures including stacks, with the tallest stack 70m in height.

Melamine facing of MDF/Particle board is undertaken within process buildings/warehouses. A number of other process buildings are located in the northern half of the site including a saw mill, Formalin plant and the secondary product manufacturing facility which produces laminate flooring and worktops.

The western perimeter of Kronospan is formed by the Shrewsbury to Chester Railway with the Llangollen Canal (World Heritage Site) located to the west of the railway line. The eastern perimeter of the site is formed by Holyhead Road (B5070) with the main residential area of Chirk located east of Holyhead Road, with additional residential properties to the south.

Chirk Town Centre and the Conservation Area lies to the South East of the site – approximately 500m.

Reason for refusal

The proposed development by virtue of its scale, height and massing would have a detrimental impact upon the wider visual amenity of the area. This would have an adverse impact upon the character and setting of a World Heritage Site and nearby Area Of Outstanding Natural Beauty. It would also have a detrimental impact upon Chirk Castle, particularly the setting of the registered Park and Garden. To allow the development would be contrary to National Planning Policy TAN 6 and 12 and policy GDP1 of the adopted Unitary Development Plan.

Visual Impact / Heritage Assets

Kronospan is located close to numerous cultural heritage assets and development requires careful consideration on the impact on these assets. They include Chirk Castle Estate (Castle and Gardens) the World Heritage Site (Pontcysllte Aqueduct and Canal World Heritage Site) and Chirk Conservation Area.

Policy considerations

TAN 12 5.6 considers the Historic Environment and in section 5.6.2 in areas recognised for their landscape, townscape, architectural and/or historic value such as National Parks, Areas of Outstanding Natural Beauty, World Heritage Sites and Conservation Area, the objective of sustaining character is particularly important.

Reference is made to the setting and views of key buildings, landscape, parks and gardens, archaeology and skylines within, to and from the area.

Planning Policy Wales Edition 8 January 2016 Chapter 6 – conserving the Historic Environment 6.1.1 recognises the importance of preserving or enhancing the Historic environment and a recognition of its contribution to economy, vitality and culture, civic pride and the quality of life and its importance as a resource for future generations.

6.4.8 emphasises the need to protect both the site and the setting of World Heritage Sites in Development Plan policies.

6.5.9 refers to protecting the setting of listed buildings.

6.5.24 World Heritage Sites are a material consideration to be taken into account by Local Planning Authorities in the determination of planning applications and by the Welsh Government in determining cases on appeal.

6.5.25 Local Planning Authorities should protect parks and gardens and their settings of Landscapes, Parks and Gardens of special historic interest in Wales.

Wrexham Unitary Development Plan 1996-2011 adopted February 2005.

Policy GDP1 (a) ensure that built development in its scale, design and layout and its use of materials and landscaping accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.

Technical Advice Note 12 Design and Planning Policy Wales, Edition 8 January 2016 Chapter 6 - Conserving the Historic Environment provides significant support for the conservation of the Historic Environment and Heritage Assets and the impact of development on their setting.

Visual Impact / Heritage Assets

Kronospan is located close to a number of heritage assets including Chirk Castle Estate (Castle and Gardens. Grade 1 listed Building and Grade 1, CADW Register of Parks and Gardens) the World Heritage Site (Pontcysyllte Aqueduct and Canal

World Heritage Site) and The Clwydian Range and Dee Valley AONB Area of Outstanding Natural Beauty.

A significant number of large applications have been submitted over recent years which have involved substantial structures / buildings which have had the potential of compromising nearby heritage assets. Generally Heritage Groups have taken the view that the proposals would be viewed in the context of the relationship with existing substantial development and considered generally that these would have no significant additional adverse impacts.

Comments however have been expressed in the past from residents and other consultees regarding the cumulative impact of development on the site and the visual impact. There comes a point where a significant development to the scale proposed will inevitably have an impact which cannot simply be acceptable on the view it is only seen in the context of existing large scale development.

The Council considers that we are that tipping point with regards to major new development in this location.

Whilst it is recognised the site is of a highly industrial character, consideration nonetheless should be given to the impact of significant development on the site and to the wider visual amenities of the area.

The position is reinforced by the national significance of the sensitive nature of the nearby area and heritage assets.

The Council are duty bound to protect these assets and whilst recognises the economic benefits these have to be weighted against harm to sites of National importance.

The current proposal is of a substantial scale. 335m in length, 29m in width, 8.5m in height to the eaves and 11.5m to the ridge, with a maximum combined height of the building and loop extraction system of 25.605m above ground level.

Despite the fact that existing buildings have been removed in the past to mitigate the impact of new development the overall effect has been to increase the scale and significance of development on the site.

Conclusion

The Councils objections are based on the large scale incremental development on the site and whilst having recognition of the economic benefits, these need to be considered against the harm to heritage assets of national importance.

Suggested conditions

The Inspector is respectfully requested to dismiss the appeal.

Should permission be forthcoming the Local Authority would request that the following conditions be attached

1. The development hereby permitted shall be carried out in accordance with the following approved plans –
 - 1860-01-01 Rev A – Statutory Plan
 - 1860-01-03 Rev A – Proposed Site Layout
 - 1860-01-04 Rev A – Proposed Plans, Elevations and Cross sections
2. The development hereby approved shall be constructed using the materials described within section 3.5 of the Design and Access Statement (April 2016).
3. The rating level of any noise generated by reason of this development shall not exceed the pre-existing background level by more than 5dB(A) 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 of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

Kevin Hughes