

Planning Application Reference P/204/0845

**Proposed Asphalt Plant, Land at Clywedog Road North,
Wrexham Industrial estate, Wrexham. LL13 9XN**

Objection by Leigh Planning Limited on behalf certain local businesses –
Response by Breedon Aggregates England Limited.

1.0 Introduction

- 1.1 This submission has been prepared by Breedon Aggregates England Limited (BAEL) to address the ‘planning objection’ to develop an asphalt plant at Clywedog Road North on Wrexham Industrial Estate. In general terms, the objection refers to a range of issues in respect of the following:
- (i) Procedures for determining the planning application;
 - (ii) Planning Policy
 - (iii) Insufficient information on certain aspects; and
 - (iv) Material considerations

- 1.2 Each of these subjects are examined below

2.0 Procedures for determining the planning.

- 2.1 It is contended that the development falls within Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) regulations 2011 (SI 2011 No. 1824), and therefore is ‘EIA Development’. Accordingly, either the planning authority or the applicant should have produced a Screening Opinion to the effect that an Environmental Statement should have been prepared containing all relevant information in respect of potential environmental effects associated with the development.
- 2.2 The objection correctly points out on page 6 that the “first step” in the process is “determine whether the development falls within Schedule 2” of the Regulations. The objector then goes on to conclude that the proposed asphalt plant does, but this is not regarded as being the case.

2.3 Under the Regulations the following definitions apply as specified in Regulation 2.

“EIA Development” means development which is either:

- (a) Schedule 1 development; or
- (b) Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location”

“Schedule 2 development” means development, other than exempt development, of a description mentioned in column 1 of the table in Schedule 2 where –

- (a) every part of that development is to be carried out in a sensitive area; or
- (b) any applicable threshold or criterion in the corresponding part of Column 2 of that table is respectively exceeded or met in relation to that development.

2.4 The objector considers that the development “falls within...Schedule 2 development under the heading ‘minerals industry’”. However, the descriptions of development listed do not include installations for the production of asphalt, nor can it be advocated that any of the development types described encompass such installations. Given the definitions above the stance taken by the objector is wholly unfounded, and the associated arguments in respect of the procedures followed by the Council have no weight.

2.5 The proposed asphalt plant is not ‘EIA Development’, and a screening opinion to the contrary is not required. Notwithstanding this, given BAEL’s experience it was anticipated that the planning authority would require environmental information on certain topics, and this was borne out during pre-applications discussions. Accordingly, the statement submitted in support of the application included technical assessment reports in respect of ecology, landscape and visual impact, noise, highway and traffic, air quality and hydrology. Subsequently, the planning authority requested additional assessments relating to potential odour emissions and ecology, and these were duly supplied.

3.0 Planning Policy

3.1 The application statement examines the relevant policies of the development plan, and no conflict is judged to exist. Moreover, this assessment has been endorsed by the council’s planning officer who has not recorded any policy issues in the report prepared for the meeting of the Planning Committee on 2 March 2015.

3.2 The objector acknowledges that the application should be determined having regard to the provisions of the development plan, and specifically Policy GDP1 of Wrexham unitary Development Plan. However, no conflict with this policy has been identified which is supported by evidence to demonstrate that the proposed asphalt plant would not result in any significant impacts.

4.0 Insufficient Information

- 4.1 The arguments by the objector on this subject appear to disregard the information supplied by the applicant on a range of relevant environmental topics as mentioned above. It is also worthy of note that the contents of the submissions are in a format adopted typically in the production of an Environmental Statement. Further, the objector has not recognised that the planning authority has undertaken extensive consultations on the proposals, including consultations with environmental bodies and statutory consultees. The applicant is not aware that there are any outstanding requests for further information from the consultees or any allegations that the information supplied is inadequate.
- 4.2 The points raised regarding the information provided in the planning application form are inappropriate or lacking in substance. Similarly, the comments relating to Environmental Impact Assessment are not applicable for the reasons set out earlier.