

CONSULTATION RESPONSES	Supports	Objects	No objection or no comments	Comments	No reply
Community Council					
Local member(s)					
Highways					
Public Protection					
Natural Resources Wales					
Welsh Water					
Other					
Neighbours					

RELEVANT HISTORY	

PLANNING POLICY/CONSTRAINTS	YES	ACCEPTABLE	NOT ACCEPTABLE
Outside settlement			
Inside settlement			
Conservation Area			
Listed Building/ setting			
Green Barrier			
Special Landscape Area			
Flood Risk			
Within Buffer Zone or affecting SAC*			
World Heritage Site			
AONB			
Other			

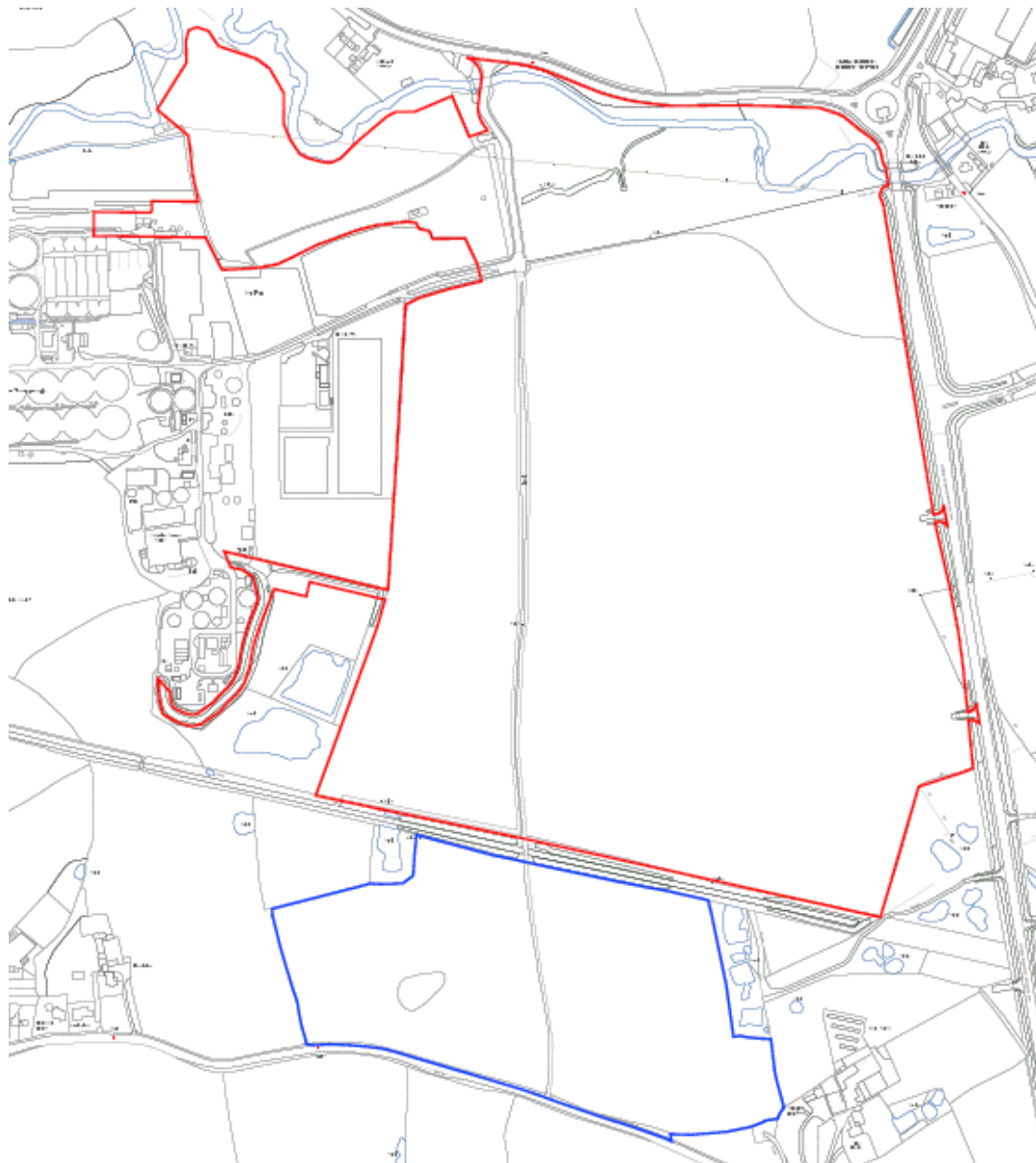
LOCAL PLANNING GUIDANCE	ACCEPTABLE	NOT ACCEPTABLE

KEY ISSUES	Acceptable	Not Acceptable	Observations below	N/A
Residential Amenity				
Design				
Highway safety				
Parking				
Conservation/LB				
Ecology				
Trees				
Other				

OBSERVATIONS:

RECOMMENDATION	
GRANT	
REFUSE	X
S106	

SITE



PROPOSAL

The application seeks full planning permission for the construction of a large glasshouse with packing facility and offices, energy centre, recovery plant and reservoirs.

HISTORY

P/2015/0543 – Formation of a replacement vehicular access to Cefn Road, improvement of existing site access to five fords waste water treatment works and

construction of replacement bridge and removal of existing bridge deck.
Approved 02/12/2015.

P/2014/0700 – Use of land for installation of solar panels and associated equipment to enable energy generation (equivalent power for 1500 homes) together with landscaping and habitat creation works. Approved 19/12/2014.

DEVELOPMENT PLAN

Within designated open countryside and outside defined settlement limits.

National Planning Policy – PPW, TAN 5, TAN 8, TAN 15, TAN 18, TAN 23

UDP Policies - PS1, PS2, PS4, GDP1, EC2, EC3, EC4, EC6, EC9, EC11, EC12, EC13, E5, T8.

LPG 07 – Landscaping and Development, LPG 16 – Parking Standards, LPG 17 – Trees and Development, LPG 32 – Biodiversity and Development.

CONSULTATIONS

Sesswick Community Council: Response dated 20.08.2020. The site is in valuable open countryside, outside of where development normally takes place on the Wrexham Industrial Estate. Such an edifice would be a highly material deviation from Wrexham County Borough Council policy for construction to be concentrated in the northern side of the estate, where there is far superior connectivity to the wider road network. Members strongly oppose the concreting over of such a large tract of prime agricultural land in this rural setting, and feel any perceived benefits of the proposal do not outweigh these objections. Moreover, considering that the proposed site will require 15.75 MVA of electricity for its seven transformers, members are of the view that the green credentials of the proposal and the economies of scale associated with the sewage works are somewhat overstated and should not legitimise authorisation to proceed.

The area of Cefn Road around the Five Fords entrance to the roundabout with Sesswick Way is susceptible to flooding, with the road having to be closed after heavy rainfall in 2019 and 2020. Members are extremely concerned that the removal of soakaway- land as part of the development will exacerbate this tendency. The applicant has advised that the provision of on-site reservoirs will accommodate all precipitation, including a once- a century storm event and further built- in climate change capacity. However, the council feels it impossible to gauge the robustness of such theoretical assertions and are fearful of the consequences for the community should these calculations prove to be unreliable and the area were to suffer unprecedented levels of inundation which the site could not absorb. The river Clywedog is the main means of overflow drainage at this site. The watercourse is fed by numerous tributaries along its course in its upper and middle reaches, amassing huge volumes of runoff at this point from a wide area before shortly entering the river Dee. Ground percolation in heavy clay is also restricted. When the Dee and Clywedog are

in full flood, along with the ditches and tributaries, how is it possible for anyone to say that they can accommodate all precipitation and control the flood waters? It is also disconcerting that Station Road in Marchwiel (part of which is unadopted) experienced very high traffic flows when Cefn Road, the A525 and A528 were flooded in February 2020, as this represented the only means to access the Five Fords site (via a track). This fallback route is insupportable and demonstrates the unsuitability of the proposal.

Members are concerned over the potential auditory volumes that will be emitted from the complex. Table 6.1 of the "Noise Impact Assessment" gives a total level of 109.79 decibels for external equipment, so their impacts would not be mitigated by building cladding for internal machinery. Although assurance is given that all predicted noise levels should be agreed with the Local Planning Authority's Environmental Protection Team, it is unclear how nearby residents would be safeguarded from the aural emissions of all the projected machinery and vehicular movements. This community already experiences noise-pollution from nearby food-related complexes which the environmental agencies seem unable to control, so members are not in favour of another such instance being placed so close to population centres.

The site would generate significant traffic volumes through residential settlements on 30mph & 40mph roads, never designed for such HGV flows. The proposed long operating hours of the site (7 days a week in high-season) would have a detrimental impact on residential amenity with no respite from noise, vibrations and vehicular emissions. The applicant has stated that only A-roads would be used by drivers to and from the site, but this is not enforceable and members are worried that HGVs will use the narrow rural lanes as shortcuts to access the A483.

Concern is expressed regarding employee accommodation. It is undetermined whether the workflow would be recruited locally or from further afield, and where staff would be lodged.

Sesswick Community Council:

Response dated 14.09.2020. Inadequate notice and consultation process given by the applicant to nearby properties and local residents.

Further clarification required regarding noise impacts, flooding, traffic movement and the green 'credentials' of the scheme.

It is extremely difficult to justify how this operation can be considered by the applicant to be 'low carbon' and green energy, when 15.75 MVA of electrical power is to be used by the seven transformers stated in the list of plant for this proposed development.

The noise from the transformers and the heat pumps (17 in total), as well as associated equipment (fans) is of major concern to residents living in close proximity to the plant. It

does not take into account the times of extreme variations in temperatures throughout the winter and summer seasons when the plant will be in full operation, which will maximize the noise levels.

Further clarification required regarding reasons for the Welsh Government withdrawing their objection to the proposal.

Abenbury Community Council: The application will be outside the settlement area for the Industrial Estate and the planned area will be accessed through land owned by Welsh Water as a sewerage works. It is believed the proposed development will add considerably to the number of vehicles and road issues associated with this stretch of road. This will impact on the residential areas nearby and on the traffic through the Industrial Estate nearby.

Cefn Road is prone to flooding and becoming impassable for traffic. That being so there is also a concern that any works carried out to mitigate flooding would have a knock-on effect further downstream to the river Clywedog and the residential areas that sit alongside it.

Further concerns are around wildlife in the area. In the vicinity of Marchwiell and Abenbury and nearby areas there is a designated nature reserve, and the potential effect on the ecology would need to be looked into thoroughly.

The proposal would add artificial light pollution to the area. This needs to be addressed and the impact reduced.

Any detailed plan would need to account for how and to what capacity the rainwater runoff would be dealt with as there is the potential for run off elsewhere, potentially adding to the problems of flooding on the Cefn Road and the A525, and to the river Gwenfro beyond.

Local Member: The future policy of WCBC was to develop the Industrial Estate to the north, not into open countryside as this application would suggest.

There has been no consultation with residents living nearest to the proposed development in Marchwiell.

The roads in close proximity to the site are prone to flooding. This occurs often when the roads to the sewage works are closed and an alternative route for visitors to the sewage works has to be found. The latest occurrence of this was in February this year, when a large volume of transport was seen in Station Road, Marchwiell with residents believing that this was because the only entrance accessible to Five Ford Sewage Works was via a track that has to be walked. If this track continues to have to be accessed during flood events, this could have implications to Marchwiell itself and Station Road, in particular potential parking problems.

At the time of receiving this application, the local Community Councils have been unable to meet. An extension of time to respond to the application is requested, as well as all residents in close proximity to the site should be consulted to ensure no problems occur relating to access, parking, future flooding and noise from the development.

Photos provided to show flooding towards the proposed site, causing the A525 to Sesswick Way to close on the same day Cefn Road was closed in February 2020.

NRW:

Response dated 27.08.2020. Additional information required to ensure the proposal would not have a detrimental impact in relation to Great Crested Newts, bats, otters and protected sites.

Response dated 18.09.2020. Additional information required to ensure the proposal would not have a detrimental impact on Great Crested Newts.

Response dated 21.09.2020 on the basis of the additional information submitted by the applicant:

Protected Species

The amount of habitat provision and enhancement required in connection with the Great Crest Newt Mitigation Strategy has been provided.

The proposal is not likely to harm or disturb bats and otters, their breeding sites or their resting places.

Conditions recommended to secure GCN Species Conservation Plan, bat lighting plan and that specific documents relating to GCN mitigation, otter mitigation and the Ecological mitigation site layout plan are included in the approved plans condition.

To note, the LPA must be satisfied that the proposal meets the three tests set out in the Habitats Directive.

INNS

Condition to secure submission of Biosecurity Risk Assessment.

Aerial Emissions

The proposal is not likely to have significant effects alone or in combination on the River Dee and Bala Lake SAC, Johnstown Newt Sites SAC and Berwyn and South Clwyd Mountains SAC.

Land Contamination

Conditions recommended to secure submission of a site investigation scheme, verification report, long term monitoring plan, remediation strategy and piling.

Flood Risk

The site lies partially within Zone C2, with the flood extent limited to the northern areas of the site. The FCA outlines that the operational area of the site lies outside the flood zone; this is supported by the proposed site plan, which shows all new development to be located outside the 0.1% AEP event flood outline. The development platform is therefore raised above the expected flood extent. On the basis that all new development will be located outside the 0.1% AEP event flood outline, we raise no objection to this development proposal.

The existing site access is located in Zone C2. The FCA does not provide any indication as to what the potential flood depths/velocities could be for the site access. We therefore recommend that the North Wales Councils Regional Emergency Planning Service (NWC-REPS) is consulted in order to provide comments relating to access and egress matters. The FCA does outline that there is a flood free secondary access off Sessick Way.

Protected Landscape

Given the distances from the site, the proposal is unlikely to have an adverse effect on the AONB.

Welsh Government:

Response dated 12.08.2020 objecting to the proposal. Comments stated that the application had failed to apply the Sequential Test and justify the loss of BMV agricultural land in accordance with the procedure required under paras 3.54 and 3.55 of PPW.

Response dated 27.08.2020 withdrawing its objection to the proposal. Comments state that having considered the proposal in light of the submitted Sequential Test and in relation to PPW paras 3.54 and 3.55, the original objection is withdrawn.

CADW:

No comments to make.

Welsh Water:

No objection subject to conditions to secure submission of a scheme(s) to protect the structural condition of the strategic treated effluent sewer and public raising mains crossing the site, as well as submission of a foul water drainage scheme.

HSE:

Do not advise, on safety grounds, against the granting of planning permission.

Ramblers Society:

Footpaths Marchwiell 39 and 26 should not be blocked or diverted by the development, nor during its construction.

CPAT:

No objection subject to a condition to secure a scheme of archaeological investigation/excavation, prior to commencement of development.

Highway Authority:

Response dated 20.08.2020 requesting additional information to demonstrate that the development can be accommodated by the highway network in terms of safety and capacity and that a wider assessment of accidents was undertaken, in particular looking at routes to the A534 and west into Wrexham.

Response dated 18.09.2020 on the basis of the additional information submitted by the applicant:

Trip Generation and Traffic Assessment

In order to assess the impact of the development trips on the highway network it is necessary to combine these trips with the baseline traffic flows and undertake junction assessments of the key junctions.

Due to the Covid-19 lockdown it was not possible to collect meaningful baseline traffic data. In light of this the developer was previously advised to contact the consultants working on the Wrexham KS2 scheme and the North Wales Traffic Model to obtain previously collected data.

The Technical Note received in response to the previous comments asserts that as trips are likely to occur outside of the network peak hours there will be no significant impact on the highway network during the peak hours. Without consideration of the existing traffic flows or any junction assessments, it is not possible to establish precisely what impact the development will have on the highway network or judge whether it would be acceptable. However, there is no anecdotal evidence to suggest that there are any existing significant traffic issues in the near vicinity to this site.

The original documentation stated that the proposed hours of operation for the site will be 06:00 to 15:00 and the use of an appropriate condition requiring an enforceable Traffic Management Plan would address the issues of HGV movements during the morning peak period.

HGVs

It is welcomed that an Operational Traffic Management Strategy is proposed by the developer to prevent HGVs from arriving or departing between 08:00 and 09:00. This document would form the basis of the proposed planning condition in respect to vehicle movements. Paragraphs 2.3 and 2.4 of the Technical Note shows that this restriction would increase the HGV headway such that HGV's would arrive every 5 minutes rather than every 8 minutes if this restriction is imposed.

Site Access

A potential future issue was previously identified with the minor gated accesses if they are used at a future date. The Technical Note confirms that these access points are reserved for emergencies only and the site plans show an area of grass in front of these accesses.

Accident Analysis

The previously submitted Transport Statement had a limited assessment of the collisions in the wider area surrounding the site and further collision history for Cefn Road and Clywedog Road was requested. A detailed analysis has now been provided, which is satisfactory as it shows that there are no

highway safety issues present that would need to be addressed by this developer.

Construction Traffic Management Plan

The Technical Note confirms that a Construction Traffic Management Plan shall be provided and suggests that this is dealt with in the form of a planning condition.

Staff/Visitor Travel

It is welcomed that there is a proposal to implement a staff minibus transport scheme and the suggested Employee Travel Plan. These measures will help to minimise traffic to the site and encourage use of sustainable travel options. This does not, however, remove the need to assess the traffic impact of the development.

Conditions recommended to secure the following:

The Technical Note suggests that a staff minibus transport scheme and an Employee Travel Plan will reduce the impact of staff trips. These initiatives are welcomed and encouraged.

As previously stated, a Construction Traffic Management Plan is required for approval before any construction can take place on this site, paying particular attention to the proposed usage of all the access/egress points to the site.

An Operational Traffic Management Strategy/Plan is required for approval before any operation begins on the site.

It should be noted that the Technical Note provided still does not provide information to demonstrate whether the development can be accommodated by the highway network in terms of capacity. However, the implementation of the Operation Traffic Management Plan will ensure the morning peak period is not affected. This plan will also need to pay particular attention to the proposed usage of all the access/egress points to the site.

Contaminated Land:

No objection subject to a condition to secure a phased site investigation of the nature and extent of any land contamination on the site. A further condition added to secure submission of a verification report if any part of the site is subject to remediation.

Conservation Officer:

Concurs with the findings of the Heritage Impact Assessment in relation to the impact of the proposal on designated heritage assets.

PROW:

There may be potential for conflict between pedestrians and vehicles where the access road crosses the footpath. Recommends that signage is required on the access road either side of the footpath, warning drivers to be aware of pedestrians crossing. Some physical change to the surface of the access road at the point where the footpath crosses, would

also be beneficial in helping to give the impression that footpath users have priority.

Flood:Officer

The site is partially located in areas identified as DAM Zone B and C2 as defined within TAN 15. The site also has areas identified as being at a high risk of surface water flooding on NRW's updated flood map for surface water. The FCA associated with the application outlines that the operational area of the site lies outside the flood zone; this is supported by the proposed site plan, which shows all new development to be located outside the 0.1% AEP event flood outline. The development platform is therefore raised above the expected flood extent.

The existing site access is located in Zone C2. The FCA does not provide any indication as to what the potential flood depths/velocities could be for the site access. The FCA does outline that there is a flood free secondary access off Sesswick Way.

Based on the submitted information, a SAB compliant scheme should be deliverable for the site.

Public Protection:

Conclusions of the Air Quality Report and Noise Impact Assessment are accepted. Conditions recommended to limit rating level of any noise generated by the development to no more than 5db at any time and submission of an external lighting scheme. Informatives regarding dust management, construction site noise, burning of waste and illumination.

Ecology:

Refusal is recommended.

Insufficient evidence to determine that the development will not be detrimental to the maintenance of the favourable conservation status of the Great Crested Newt population.

The site is within an area identified as national importance for Great Crested Newt and involves loss of terrestrial habitat, development which impedes connectivity and increases the risk of invasive species and water fowl, damaging adjacent mitigation habitat.

The applicant must demonstrate that there is 'no satisfactory alternative' and that the development is 'not detrimental to the maintenance of the population of the species at a favourable conservation status'. The Ecology Officer considers that on the basis of the level of information submitted, both of these tests have not been fully met.

Whilst submissions received on 21.9.2020 show an increase in proposed mitigation land, there is no information on the mechanism which will be used to ensure long-term management, the information constitutes a map with little narrative.

Previous submissions have also not been clear as to whether the mitigation located north and east, will be transferred to a 3rd

party or retained by the current landowner. The late addition of the extra land to the south is considered results in uncertainty, as it is outside the red line and does not appear to be proposed for substantial ecological improvement. The long-term future of these proposals are fundamental to the issue of whether the development will be detrimental or not. Whilst NRW have mentioned in their response that this could be covered in a conservation plan, given the history of this site and adjacent sites, knowing the long-term ownership plans at the time of granting planning permission is essential and avoids unsatisfactory outcomes in the future.

Insufficient survey work and/or mitigation/compensation for breeding birds of Priority in Wales and those farmland bird species classed as at risk.

Breeding bird surveys were carried out too late in the season to pick up all species breeding. Lapwing and skylark have both been seen breeding on site and no mitigation is proposed for these species.

Lack of information on lighting

The issue of lighting is crucial to understanding if the development will have an adverse impact on wildlife including European Protected Species such as bat and otter. The submitted lighting information is considered to be weak and vague in this respect.

Trees:	No comments received at the time of writing.
Press Notice:	Expired 04.09.2020.
Site Notice(s):	Expired 28.08.2020.
Neighbours:	18 no. representations received. 14 support the proposal (which include neighbour representations and the following organisations: Wrexham Glyndwr University, Food Technology Centre Llangefni, Independent Sel-Catered Accommodation, Bonaprene Products Ltd, NFU Cymru, Levercliff, Coleg Cambria Llysfasi)

Comments made in relation to- provision of employment in the area, the proposal will support the economy post-Covid, the proposal represents a low Carbon response to the food supply chain, the proposal will add value to the food and drink supply chain in Wales and further afield, the proposal will help local businesses, the site is in a good location, beneficial to the environment, provision of fresh food, educational and scientific interest, chance to become a nationally significant piece of infrastructure with a significant contribution to the economy, good network links across the region, opportunities to link in with Welsh Water and neighbouring Anaerobic Digester Plants, the proposal is a blue print for what can be done elsewhere in Wales across similar sites, the food output will contribute to the local economy, the proposal could result in Wrexham being a hub for horticulture in Wales attracting further investment, the project has sought to develop local partnerships with land-

based higher education universities and colleges, the proposal meets the Welsh Governments Strategic Action Plan, sustainable production of fruit and vegetables in Wales, the proposal represents sustainable development, the proposal meets the three measures set out by NFU in achieving the goal of reaching net zero greenhouse gas emissions (GHG) across agriculture in Wales and England by 2040, reduction in carbon emissions, production of 40% of Wales' tomatoes, it meets the Well-Being of Future Generations Act, benefits to learners and employees of Coleg Cambria Llysfas as well as other Coleg Cambria campuses including increasing skills and knowledge, promotes careers in land based/food production/technologies sector, potential to deliver education programme qualifications, access for work experience on this specific site, retention of young people in the local area with high end skills for long term employment, maintain individuals and groups in the rural environment, raises awareness and profile of food production and environmental benefits of using this system.

4 no. representations objecting to the proposal. Comments made in relation to: implications of increased traffic on the road, there is already odour and noise generated from the nearby water works, adverse impact on ecology and environment, increase in noise and light pollution, adverse visual impact, the site is too close to residential properties.

SPECIAL CONSIDERATIONS

Summary of proposal

The site lies outside settlements limits and within an area of open countryside. The proposed development is for two large commercial glasshouse and packing facilities occupying a 44ha site, which would be used to grow high value crops. The proposed development aims to reduce carbon emissions from the growing process through the use of heat, sourced from the nearby Five Fords works.

The development consists of 2 no. 7.6ha glass houses covering a total of 15.2 ha of land. 8m high. A 4m wide stone maintenance access runs around the perimeter. North of the glasshouse building lies a substantial packing and welfare building approx. 0.7ha in size. This comprises the packing area, canteen /toilets, irrigation, storage rooms and site offices, 8m in height and constructed in a grey steel cladding.

In addition, ground source heat pumps are located in the energy centre, connected to Five Fords through a series of pipes. The area includes gas combined heat and power units, 6 electrical transformers surrounded by palisade fencing and 8 dry air coolers outside the energy centre building. 2 large vertical heat store tanks located near the energy building will have a height of 12.5m and 25m diameter. 5 water silos will also be installed 6m high and 11m in diameter. Other smaller buildings and plant will also be sited to provide electricity to the site.

Access to the site is via Cefn Road. Extensive parking areas are provided with parking for up to 150 vehicles. 10 no. HGV loading bays are provided adjacent to the pack house.

Principle of Development

The site lies outside defined settlement limits both within the existing UDP and the emerging LDP. UDP PS1 and LDP Policy PS2 direct new development to the defined settlement limits and employment areas as identified in the plan.

This site is in open countryside. UDP Policy PS2 also states that 'development must not materially detrimentally affect countryside, landscape/townscape character', etc and Policy PS4 goes on to state the 'development should maintain the existing settlement pattern and character' amongst others things.

There is therefore a clear conflict between this proposal and the location of development policies within the UDP and emerging LDP which is also reflective of national planning policy.

Economic Benefits

The proposal will generate up to 150 full time jobs once operational. The applicants have advanced a justification on economic grounds to support the application. Details of the organisational structure, annual salaries, etc have been provided as well the indirect benefits to the local economy.

However, given scale of development and its visual impact upon the surrounding area, I do not consider the economic benefits override established planning policies to protect the open countryside.

In addition, this area south of the Wrexham Industrial Estate was discounted for employment through the LDP processes, in preference to an extension to the north to provide a strategic expansion (KSS3) site of 28ha (LDP Policy SP9). Equally significant is that the ratio of job creation in comparison with the extent and size of development is low. It does not justify the extent of the environmental impact this development would have upon the locality.

Agricultural Classification

The applicants maintain that the proposed use falls within the definition of agriculture as defined within Section 336 of the Town and Country Planning Act. This would include 'fruit growing' within the definition.

Whilst I would accept this interpretation, this proposal involves far more than fruit growing. There is a large packing plant, staff facilities including a canteen, car park, HGV loading area and numerous other large plant and buildings associated with a more intensive commercial use. They are all integral to the scheme and therefore need to be considered as a whole.

In addition, my interpretation of the proposed use is consistent with NRW and Welsh Government Rural Affairs Division. NRW in their response describe the development as 'industrial/commercial land use' (first line of page 10 of their response) and Welsh Government expressed concerns over the loss of BMV land. In their second response they refer to a 'change of use' when disputing the loss of agricultural land. In fact the applicants themselves and appointed consultants refer to the application as a 'commercial greenhouse and associated infrastructure'.

Notwithstanding any disagreement over the interpretation of use, an agricultural building of this scale in this location would be unacceptable on visual impact grounds.

Visual Impact

The applicants have provided a Landscape and Visual Impact Assessment. The assessment of the effects of the proposals on the wide landscape character found that there would be a moderate effect in the long term. I disagree.

This site is highly prominent and exposed particularly when viewed from the site entrance on Cefn Road and along Sesswick Way. In addition, the land gently rises from north to south. Any development within this open area would be highly conspicuous.

A development of the scale proposed would be significantly detrimental to the wider visual amenities of the area. This is demonstrated by the illustrations and photomontages set out in the applicant's own Landscape and Visual Impact Assessment (A3 Figures Volume) dated 17th June.

It also demonstrates that the mitigation planting is inadequate in reducing the impact and assimilating the development into the landscape.

The impact is further compounded by the fact that the most commercial element of the scheme, the pack house, staff facilities, HGV loading area, parking and the two large heat store tanks and energy building lie within the most visually prominent part of the site i.e. at the northern end facing the Wrexham Industrial Estate.

The appearance of the site from this vantage point would be more akin to industrial development. In fact it would resemble the appearance of factory development on the Wrexham Industrial Estate.

Approving it would give the impression, visually, of an extension to the industrial estate. It may also result in other sites in the vicinity outside the industrial estate coming under pressure for development in future, further eroding the open character of the area.

The proposed scale and use of materials would also re-inforce the commercial / industrial appearance of the site.

Whilst the applicants have identified other sites in England where similar development has been allowed, notably near Bury St Edmunds and Norwich, the Wrexham site is much larger and the site context is fundamentally different.

The scale of this development is inappropriate in the context of its surroundings and would erode a significant amount of open countryside which acts as an open buffer to the south of the Wrexham Industrial Estate.

The development does not accord with the character of the site nor makes a positive contribution to the appearance of the nearby locality. Despite the proposed introduction of blinds within the glasshouses, the site would also be highly conspicuous at night, given the level of illumination from lighting within the site. It would therefore be contrary to UDP policy GDP1(a).

Highways

The site access is off Cefn Road. The key issue relates to trip generation and highway capacity.

The expected number of trips generated by both cars and HGV's has been based upon knowledge of other comparable sites. The numbers are high with up to 90 HGV trips and approx. 300+ car trips expected at the site.

Traffic Assessments were undertaken on Cefn Road and Sesswick Way in May 2020 (during lockdown). These traffic counts are therefore substantially lower than typical traffic and is acknowledged in the Traffic Assessment.

No baseline traffic flows or capacity assessment of the key junctions have been provided. In the current circumstances new meaningful traffic count data cannot be obtained at this time, but without this data and assessment it is not possible to confirm that the development can be supported by the surrounding highway network,

Although Highways do not object as such they continue to raise concerns regarding the need for further junction assessments. This includes the main site access junction, Cefn Road / Bridge Road South / Bedwell Road / Sesswick Way roundabout / Bridge Road South / Clywedog Road South roundabout.

They state that 'without consideration of the existing traffic flows or any junction assessment, it is not possible to establish precisely what impact the development will have on the highway networks or judge whether it would be acceptable'.

The concern appears to relate to trips during peak hours. The applicants maintain that 'trips are likely to occur outside of the network peak hours'... It would appear that Highways have accepted the situation on the basis of controlling trip generation at peak hours.

They propose to achieve this by conditioning an operational Traffic Management Strategy (proposed by the applicant) to prevent HGVs from arriving or departing between 8 am and 9 am (this would result in HGV's arriving every 5 minutes rather than every 8 minutes if the restriction is imposed).

They also propose a staff minibuss transport scheme to reduce the impact of staff trips.

In suggesting this however they still acknowledge that the Technical Note provided by the applicant still does not provide information to demonstrate whether the development can be accommodated by the highway network in terms of capacity.

I do not consider this acceptable or a robust assessment of the impact of a large scale development and a high generator of traffic.

Concerns clearly remain, and to allow a development of this significance without a full and proper assessment is unacceptable.

I also have concerns over the imposition of the two conditions proposed in term of practicality of enforcement. It would be extremely difficult to monitor and enforce either condition. Transport by mini bus could be undetectable and difficult to implement and adhered to. Similarly we cannot control traffic movement on the public highways. This may result in incidents of HGV's queueing on Cefn Road, to comply with the condition. In addition paragraph 4.25 Circular WGC 016/2014 (The Use Of Planning Conditions for Development Management) states that ' planning conditions are not an appropriate means of controlling the right of passage over public highways and can be very difficult to enforce'. We already have examples in the County Borough where this has proven to be the case.

In the circumstances I do not believe the impact of the additional traffic has been properly addressed and it has not been demonstrated whether the local highway network can accommodate the proposed development..

Loss of Agricultural Land

The application involves the loss of 44ha of BMV land. Welsh Government objected on 12th August. A further response following the submission of a sequential Test Report was received on 27th August.

Whilst concerns remained in respect of the loss of BMV land and they did "not accept that there is an overwhelming need for land at Five Fords to be converted from its current maize crop to fresh produce horticultural production" the objection was withdrawn on the "case for the

development” and its “location” near Five Fords. Although contrary to UDP Policy EC2, given this latest response I would not propose to refuse the application on loss of agricultural land.

Ecology

The Councils ecologist continues to have concerns regarding this application and based on the information submitted and recommends refusal.

Insufficient evidence to determine that the development will not be detrimental to the maintenance of the favourable conservation status of the Great Crested Newt population.

The site is within an area identified as national importance for Great Crested Newt and involves loss of terrestrial habitat, development which impedes connectivity and increases the risk of invasive species & water fowl damaging adjacent mitigation habitat.

The applicant must demonstrate that there is ‘no satisfactory alternative’ and that the development is ‘not detrimental to the maintenance of the population of the species at a favourable conservation status’. I do not believe that with the level of information submitted that either of these tests have been fully met.

Whilst submissions received 21/9/20 show an increase in proposed mitigation land there is no information on the mechanism which will be used to ensure long-term management, it merely constitutes a map with little narrative. Previous submissions have also not been totally clear if the mitigation north and east will be transferred to a 3rd party or retained by the current landowner.

The late addition of the extra land to the south has even more uncertainties as it is outside the red line and does not appear to be proposed for substantial ecological improvement. The question of the long-term future of these proposals are fundamental to the issue of whether the development will be detrimental or not.

Whilst NRW have mentioned in their response that this could be covered in a conservation plan, given the history of this site and adjacent ones, knowing the long-term ownership plans at the time of granting planning permission is essential and avoids unsatisfactory outcomes in the future.

Insufficient survey work and/or mitigation/compensation for breeding birds of Priority in Wales and those farmland bird species classed as at risk.

Breeding bird surveys were carried out 2 late in the season to pick up all species breeding. Lapwing and skylark both seen breeding on site and no mitigation is proposed for these species.

Lack of information on lighting

The issue of lighting is crucial to understanding if the development will have an adverse impact on wildlife including European Protected Species such as bat and otter. The submitted lighting information is weak and vague.

Food risk

It is acknowledged that the operational area of the site lies outside the flood zone. The Flood Consequences Assessment also indicates that the development platform is raised above the expected flood extent.

NRW raises no objections on this basis. However the existing site access is located within a zone C2. The Flood Consequences Assessment does not provide an indication of what flood depths / velocities could be for the site access.

The area frequently floods and Cefn Road has been closed to traffic in recent years. This absence of information is also acknowledged by Natural Resources Wales. In the view of the frequency of flooding and as this is the main entrance, it would be inappropriate to support the proposal without this matter being fully investigated and addressed.

Conclusion

Whilst I acknowledge the benefits of the scheme in terms of carbon reduction and employment, I do not consider these override established planning policies.

In addition, there remain uncertainties in respect of the impact of the development upon the local highway network, drainage and ecology in the absence of adequate information.

Given the scale and significance of this proposal I do not consider it appropriate to condition these matters, as the information is fundamental to the issue of whether the development will be detrimental or not.

Reasons

1. The proposed development lies outside the defined settlement limits and would comprise of major development within the open countryside. To allow the development would be contrary to Policies PS1, PS2 and PS4 of the adopted Wrexham Unitary Development Plan.
2. The proposed development, by virtue of its siting and scale within a visually prominent location would have a significant adverse impact upon the wider landscape. Development in this exposed location would be highly conspicuous and detrimental to the wider visual amenities of the area. It does not make a positive contribution to the appearance of the nearby locality and as such would be contrary to Policies GDP1 (a) and PS2 of the adopted Wrexham Unitary Development Plan.
3. The submitted plans and supporting information fail to demonstrate that there is sufficient capacity within the existing local highway network to accommodate the proposed development. No baseline traffic flows or capacity assessments of the key junctions have been provided. Given the current circumstances new meaningful traffic count data cannot be obtained at this time and without this data and the assessment it is not possible to establish precisely what impact the development will have on the highway network. To allow the development in the absence of this information would have a detrimental impact upon the capacity of the local highway network, contrary to Policy GDP1 (a) of the adopted Wrexham Unitary Development Plan and Welsh Government TAN 18.
4. The application fails to demonstrate that the proposed development would be detrimental to the maintenance of the favourable conservation status of the Great Crested Newt population at this site. Whilst the proposals show an increase in mitigation land there is no information on the mechanism which will be used to ensure its long term management. The future management of mitigation land is fundamental to whether the proposed development will be acceptable. To allow this development without this information would have a detrimental impact, contrary to Policy EC6 of the adopted Wrexham Unitary Development Plan and Welsh Government TAN 5 Nature Conservation and Planning.
5. The application fails to demonstrate that the proposed development mitigates against impact on breeding birds of priority in Wales. Breeding bird surveys were undertaken too late in the season to ensure that all species were accounted for. In addition, no information on lighting is provided which is fundamental to whether the proposed development will have a detrimental impact upon wildlife including European Protected Species such as bats and otter. To allow the development without this information would have a detrimental impact, contrary to Policy EC6 of the adopted Wrexham Unitary Development Plan and Welsh Government TAN 5 Nature Conservation and Planning.
6. The Flood Consequences Assessment does not provide any indication as to what the potential flood depths/velocities could be for the site access. The existing site access is located in Zone C2 and Cefn Road frequently floods in this location with recent incidences of road closures. In the absence of any detailed technical investigations to evaluate the extent of the flood risk at the Cefn Road entrance, the application should not be permitted. To allow the proposed development in the absence of this information would be contrary to Policy EC12 of the adopted Wrexham Unitary Development Plan and Welsh Government TAN 15 Development and Flood Risk.

