Development of an In-Vessel Composting Facility, Former Befesa Salt Slags Site, Fenns Bank, Wrexham – Fenn's Bank IVC

Validation Statement

Prepared for

Veolia ES (Shropshire) Ltd

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1.0 OVERVIEW

1.1 Background

1.1.1 This Validation Statement has been prepared in support of a planning application submitted to Wrexham County Borough Council ('the Council' or 'WCBC') as Local Planning Authority (LPA) by Veolia ES (Shropshire) Ltd ('VES' or 'the Applicant'). The application relates to the development and operation of an In-Vessel Composting Facility (IVC) with a processing capacity of circa 50,000 tonnes per annum (tpa) of green and/or co-mingled food waste (the Proposed Development). The Proposed Development ("Fenn's Bank IVC") would utilise existing buildings on site that are in an excellent state of repair and can be converted from their former use, and added to, in order to make them fit-for-purpose. The application site is located at the former Befesa Salt Slags Site, Fenns Bank, Near Whitchurch, Wrexham ('the Site').

1.1.2 The function of this document is to set out what reports and information have been prepared in support of the application in order to ensure that the application is valid for planning purposes. This statement also acts as a 'bookmark' for other elements of the submission to help the Council and other stakeholders to locate relevant documents and allow the Council to proceed to determination without delay.

1.1.3 Section 2.0 provides an appraisal of the national statutory requirements and the relevant local validation requirements needed to make the applications valid for planning purposes.

1.1.4 Section 3.0 provides an explanation as to the methodology used to calculate the statutory planning fee.

2.0 APPLICATION VALIDATION

2.1 National and local requirements

National requirements

2.1.1 The minimum national requirements for information to be submitted in support of a full planning application is set out within Article 5 Part 2 of the Town and County Planning (General Development Procedure) (Wales) Order 2012 (as amended by The Town and Country Planning (General Development Procedure) (Wales) Order 2016. It states that;

"(1) Subject to the following provisions of this article, an application for planning permission must

(a) be made in writing to the local planning authority on a form published by the Welsh Ministers (or a form substantially to the like effect);

(b) include the particulars specified or referred to in the form;

(c) except in the case of a section 73 application or where the application is made pursuant to section 73A(2)(c) (planning permission for development already carried out) of the 1990 Act(1), be accompanied, whether electronically or otherwise, by—:

(i) A plan which identifies the land to which the application relates;

(ii) Any other plans, drawings, and information necessary to describe the development which is the subject of the application;

(iii) Except where the application is made by electronic communications or the local planning authority indicate that a lesser number is required, 3 copies of the form; and

(iv) Except where they are submitted by electronic communications or the local planning authority indicate that a lesser number is required, 3 copies of any plans, drawings and information accompanying the application.

(2) Any plans or drawings required to be provided by paragraph (1)(c)(i) or (ii) must be drawn to an identified scale and, in the case of plans, must show the direction of north."

2.1.2 In addition to the information required to be submitted by statutory provisions, a number of national policy and guidance documents exist that recommend the extent and content of information which should be submitted in support of an application.

2.1.3 In particular, the Development Management Manual (DMM) - Section 7 Annex sets out a List of standard validation requirements for planning applications. In this case List 2 applies which includes the following:

"1. Standard application form

…

Additional documents where the proposed development fulfils the criteria cross referred to by the Standard Application Form:

- Biodiversity Survey and Report

- Flood Consequences Assessment

- Coal Mining Risk Assessment

- Noise Assessment

- Retail Impact Assessment

- Rural Enterprise Dwelling Appraisal

- Transport Assessment

- Tree Survey

DMPWO requirements: - Ownership Certificate - Agricultural Holdings Certificate - Pre-application Consultation Report (Proposed major development only)

…

2. Plans and relevant information

(If not submitted electronically – original plus 3 copies)

- Location plan.

- Other plans and drawings or information necessary to describe the subject of the application.

- Plans / drawings must be drawn to an identified scale and, in the case of plans, must show the direction of north.

- Design and Access Statement (refer to article 7 of DMPWO).

- Environmental Statement (refer to The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017).

- International Commission on Non-ionising Radiation Protection (for development involving the construction or installation of antennae for the purpose of operating an electronic communications network – refer to article 9 of DMPWO).

…

3. Fee…"

Local requirements

2.1.4 Article 22(3)(f) of Part 4 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 and Section 62(3) of the Town and Country Planning Act 1990 (as substituted by Section 42(1) of the Planning and Compulsory Purchase Act 2004) provide that where an application is for a major development a Local Planning Authority may require that an application for planning permission must include such particulars as they think necessary. This is commonly referred to a Local Validation List.

2.1.5 WCBC do not have an adopted Local Validation List published immediately prior to this application being submitted.

2.1.6 The tables below identify all requirements (both statutory and non-statutory), the approach adopted by the Applicant in meeting that requirement (where relevant) and confirmation that the requirement has been complied with. This should allow WCBC

to validate the application without delay and then proceed to determination expediently.

Table 2.1: National Validation Requirements

Requirement	Source	Detail of Requirement	Approach Adopted in Application	Requirement Complied With
Part 1 – National Requirements				
Application Form	The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) & DMM	Complete application using the standard Welsh Government form, relevant to the type of development (e.g., full, outline, change of use). Submitted via Planning Portal or in paper.	This has been completed in accordance with the statutory requirements. The relevant forms and certificates have been completed electronically using the Planning Portal.	✓
Correct Fee	The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) & DMM	Relevant fee to be paid to the Council.	The requisite application fee has been paid via the Planning Portal.	✓
Ownership Certificates	The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) & DMM	Requirement to certify that the site is in the ownership of the applicant or notify relevant landowners.	This has been completed in accordance with the statutory requirements. The relevant forms and certificates have been completed electronically using the Planning Portal.	✓

Requirement	Source	Detail of Requirement	Approach Adopted in Application	Requirement Complied With
Agricultural Land Declaration	The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) & DMM	Requirement to certify whether the site is an agricultural holding.	This has been completed in accordance with the statutory requirements. The relevant forms and certificates have been completed electronically using the Planning Portal.	✓
Location Plan	The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) & DMM	A plan which identifies the land to which the application relates.	VES_TD_WREXIVC_200_018	✓
Site / Block Plan	The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) & DMM	Show appropriate detail of the development at an appropriate scale.	VES_TD_WREXIVC_200_000	✓
Design and Access Statements (for some applications)	The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) & DMM	For certain types of development, a Design and Access Statement is required.	As the application is for a waste development the requirement for a DAS does not apply (per DMPWO Part 2, Article 7, Para. (2). However, the Planning Design and Access Statement provides the detail required by a DAS.	✓
Pre-Application Consultation (PAC) Report	The Town and Country Planning (Development	Required for major developments. Must include feedback	A PAC Report has been provided in support of the of the planning application.	✓

Requirement	Source	Detail of Requirement	Approach Adopted in Application	Requirement Complied With
	Management Procedure) (Wales) Order 2012 (as amended) & DMM	from local community and statutory consultees and how it influenced the proposal.		
Biodiversity Survey and Report	DMM, PPW, TAN5	All applications and development likely to impact nearby designated sites and protected species. Preliminary Ecological Assessment and Phase 1 Habitat Survey with Green Infrastructure Statement (GIS) are included to support the planning application	A Preliminary Ecological Assessment and Phase 1 Habitat Survey together with a Green Infrastructure Statement (GIS) has been provided.	✓
Flood Consequences Assessment	DMM, PPW, TAN15	All applications and development set in in zones 2 and 3, and for some development in Defended Zones	No development is proposed in flood zone 2 or 3, so no FCA is required.	✓
Coal Mining Risk Assessment	DMM, PPW	Any planning application in coal mining consultation areas may need to be accompanied by a coal mining risk assessment report, or equivalent	Per Mining Remediation Authority mapping the site is not set in a coal mining consultation (reporting) area so a Coal Mining Risk Assessment is not required	✓
Noise Assessment	DMM, PPW, TAN11	Any application proposing noise generating development (this includes uses, plant, machinery or equipment) within close proximity to	The Noise Impact Assessment has been undertaken and is submitted in support of the planning application	✓

Requirement	Source	Detail of Requirement	Approach Adopted in Application	Requirement Complied With
		noise sensitive uses.		
Retail Impact Assessment	DMM, PPW, TAN4	Retail applications of 2,500 sq. metres or more gross floorspace that are proposed on the edge of or outside retail and commercial centres should be supported by a retail impact assessment provided by the developer. Smaller retail planning applications or site allocations may also be assessed where local planning authorities believe it will have a significant impact on a retail and commercial centre	No retail development is proposed so no RIA is required.	✓
Rural Enterprise Dwelling Appraisal	DMM, PPW, TAN6	Applications for the erection of Rural Enterprise Dwellings to support Rural Enterprises	No dwelling is proposed and neither is the proposal a Rural Enterprise so no Rural Enterprise Dwelling Appraisal is required.	✓
Transport Assessment	DMM, PPW, TAN18	Thresholds are set for provision of a TA/TS. These must confirm the number of vehicles arising from the development, assess impacts upon the highway, and identify any mitigation measures that may be necessary.	A Transport Statement has been undertaken and is submitted in support of the application.	✓

Requirement	Source	Detail of Requirement	Approach Adopted in Application	Requirement Complied With
Tree Survey	DMM, PPW, TAN10	Where there are trees within, overhanging or in close proximity of the application site (within half their height of the boundary of a site), an application should include a tree survey.	No trees are set within proximity to the development site and so no tree survey and arboricultural impact assessment has been provided.	✓
Environmental Statement	DMM, PPW	Developments listed under Schedule 1 of the Town & Country (Environmental Impact Assessment) (Wales)Regulations 2017 will require an ES. Development listed under Schedule 2 of the EIA Regs where the Council has issued a Screening Opinion which states that an EIA is required.	The LPA issued a Screening Opinion on the 20 June 2025 that confirmed the development will not need to be subject to an Environmental Impact Assessment. Consequently, no ES is required.	✓
International Commission on Non-ionising Radiation Protection Report	DMM, PPW	Any application for planning permission for development which involves the construction or installation of one or more antennae for the purpose of operating an electronic communications network	The application does not include any antenna for the purposes of operating an electronic communications network. Thus, a International Commission on Non-ionising Radiation Protection Report is not required.	✓

Table 2.2: Local Validation Requirements

Requirement	Source	Detail of Requirement	Approach Adopted in Application	Requirement Complied With
Part 2a – Local validation requirements				
Air Quality Assessment	Cross-checked with PPW, TANs, combined with latest LDP/UDP framework	Any development which could give rise to impact on air quality through dust, fumes or significant traffic movements or impact an Air Quality Management Area.	An air quality assessment has been undertaken and is submitted in support of the application.	✓
Bioaerosol Risk Assessment	Cross-checked with PPW, TANs, combined with latest LDP/UDP framework	Required for all composting facilities that handle food or green waste, especially In-Vessel Composting (IVC) plants under the Environmental Permitting Regulations 2016 and enforced by Natural Resources Wales (NRW).	An Bioaerosol Risk Assessment has been undertaken in support of the parallel Environmental Permit, and is submitted in support of the application.	✓
Building Reuse Statement/ Structural Survey	Cross-checked with PPW, TANs, combined with latest LDP/UDP framework	Required when an existing building is proposed for conversion to a new use. As a means to justify use of existing buildings, state of repair.	The age and condition of the buildings are such that they are clearly structurally sound. Thus, not considered proportionate to require one in this case and consequently a Structural Survey is not provided.	✓
Contaminated Land Assessment	Cross-checked with PPW, TANs, combined with latest LDP/UDP framework	All new development proposals where contamination is known or suspected (on the site or on adjacent land). Or, the proposed use would be vulnerable to the	An Assessment has been undertaken and is submitted in support of the application.	✓

Requirement	Source	Detail of Requirement	Approach Adopted in Application	Requirement Complied With
		presence of contamination.		
Ecological Impact Assessment (EcIA)	Cross-checked with PPW, TANs, combined with latest LDP/UDP framework	Developments listed under Schedule 1 of the Town & Country (Environmental Impact Assessment) (Wales)Regulations 2017 Development listed under Schedule 2 of the EIA Regs where the Council has issued a Screening Opinion which states that an EIA is required.	This application is not EIA development, but is accompanied by an PEA and GIS.	✓
Foul and Surface Water Drainage Details & Drainage Statement	Cross-checked with planning PPW, TAN15, combined with latest LDP/UDP framework	All new development will be expected to use Sustainable Drainage Systems (SuDS). Detailed planning applications must be supported by a detailed drainage statement	A Drainage Statement and details of foul and surface water drainage has been undertaken and is submitted in support of the application.	✓
Heritage Statement and Archaeological Assessments	Cross-checked with PPW, TAN24, combined with latest LDP/UDP framework	Required in the case of development proposals which affect or may affect designated and non-designated heritage assets, conservation areas and areas of archaeological potential.	A Heritage Impact Assessment has been undertaken and is submitted in support of the application.	✓
Landscape and Visual Impact Assessment	Cross-checked with PPW, TANs, combined with latest LDP/UDP framework	All applications which are likely to have a significant impact on landscape character and will incur visual impact. All applications requiring EIA.	A Landscape and Visual Appraisal (LVA) is provided as this is considered to provide sufficient assessment of the effects of the Proposed Development upon	✓

Requirement	Source	Detail of Requirement	Approach Adopted in Application	Requirement Complied With
			landscape character and visual amenity. In this case a LVIA is not justified.	
Odour Management Plan	Cross-checked with PPW, TANs, combined with latest LDP/UDP framework	Required for all waste handling facilities likely to generate odours. A planning and a permitting requirement under UK environmental law and Natural Resources Wales (NRW) guidance.	Whilst a stand-alone odour management plan has not been prepared, assessment of the potential impact, and means to mitigate potential odour is addressed proportionately within the Air Quality Assessment submitted in support of the application.	✓
Swept Path Analysis	Cross-checked with PPW, TANs, combined with latest LDP/UDP framework	Required as part of a Transport Assessment or planning application. For any site with vehicle access constraints. When designing tight site entrances, roundabouts, or turning heads.	Included with the Transport Statement.	✓
Waste Need Assessment	Cross-checked with PPW, TAN21, combined with latest LDP/UDP framework	Required under TAN21 (Welsh Planning Policy for waste) to utilise both the accessible data through the EA Waste Data Integrator, and the Q2000 Waste Data Flow in order to provide a quantitative demonstration of the commercial green and food waste that is being sent to landfill and could be managed at the	A WNA has been provided within the PDAS.	✓

Requirement	Source	Detail of Requirement	Approach Adopted in Application	Requirement Complied With
		facility, and/or exported from Wrexham for treatment at a less local (and consequently less sustainable) facility elsewhere.		
Welsh Language Statement/Impact Assessment	Cross-checked with PPW, TAN21, combined with latest LDP/UDP framework	Where development exceeds thresholds set in the UDP/LDP and is set in the Welsh Language Sensitive Areas	The Site is not set in the Welsh Language Sensitive Areas designated in the UDP & LDP. Consequently a WLS/WLIA is not required.	✓

3.0 FEE CALCULATION

3.1 Introduction

3.1.1 Under section 303 of the Town and Country Planning Act 1990 ("the 1990 Act") the Welsh Ministers may prescribe fees or charges in connection with planning functions. In relation to Local Planning Authority (LPA) planning application fee categories, these are currently detailed in the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015 No.1522 (as amended) ("the 2015 Fee Regulations").

3.1.2 The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) (Amendment) Regulations 2025 ("the 2025 Fee Regulations") came into force on 20th October 2025. These Regulations amended the 2015 regulations, and are intended to make provision for a more effective and efficient system of updating and publicising fees. Amongst the changes made the 2025 Fee Regulations require that the Welsh Ministers publish a Fee Document setting the method used to calculate fees and the amount of fees payable, and the time period to which the fee document applies, along with other relevant detail.

3.1.3 The first Fee Document was published on the 20 October 2025. This came into effect on the 01 December 2025. Separate guidance advises that it will remain in effect until the 01 April 2026 when further fee increases are expected to come into effect.

3.2 Fee calculation

3.2.1 According to the Fee Document published by the Welsh Ministers per the 2025 Fee Regulations the applicable fee category is as follows:-

Schedule 1

…

Part 2 – Scale of Fees in Respect of Applications Made or Deemed to be Made:

…

I. Uses of land

…

11. The use of land for the disposal of refuse or waste materials or for the deposit of material remaining after minerals have been extracted from land, or for the storage of minerals in the open.	*(a) Where the site area does not exceed 15 hectares, £374 for each 0.1 hectare of the site area;* *(b) where the site area exceeds 15 hectares, £56,100 and an additional £197 for each 0.1 hectare in excess of 15 hectares, subject to a maximum in total of £108,470* *(FCR)*

3.2.2 Thus, the amount of fee payable is as follows:-

Table 3.1: Fee calculation

[redacted]