

Report of the Chief Officer Economy and Planning

Application Reference

P/2022/1080

Applicant

KRONOSPAN LTD

Agent

AXIS MR BOBBY CLAYTON

Site Address

KRONOSPAN LTD HOLYHEAD ROAD CHIRK WREXHAM LL14 5NT

Description of Development

CREU FFORDD FYNEDIAD NEWYDD, PARC LORIS, PONT BWYSO AC ADEILAD, MAES PARCIO, BLOC CYFLEUSTRAU, ARDALOEDD STORIO COED CRWN, IS ORSAF 132 KV A GWAITH ATEGOL / CONSTRUCTION OF NEW ACCESS ROAD, LORRY PARK, WEIGHBRIDGE AND BUILDING, CAR PARK, FACILITIES BLOCK, ROUNDWOOD STORAGE AREAS ,132 KV SUBSTATION AND ANCILLARY WORKS

Ward

Chirk South/De'r Waun

Community

Chirk/Y Waun

Recommendation

Recommendation A

That planning permission is granted subject to the completion of a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure:

- The submission of a final Conservation Management Plan;
- The implementation and long-term management of the measures contained within the final Conservation Management Plan;
- The submission of a final Woodland Management Plan; and
- The implementation and long-term management of the measures contained within the final Woodland Management Plan.

That the Interim Chief Officer Economy & Planning be given delegated authority to approve the final form and content of the Planning Obligation.

Recommendation B

That if the Planning Obligation pursuant to Section 106 of the Town and Country Planning Act, 1990 is not completed within six months of the date of the Committee resolution, the Chief Officer Economy & Planning be given delegated authority to refuse the application for the following reason:

1. The application contains insufficient measures to protect the Outstanding Universal Value of the Pontcysyllte Aqueduct and Canal World Heritage Site

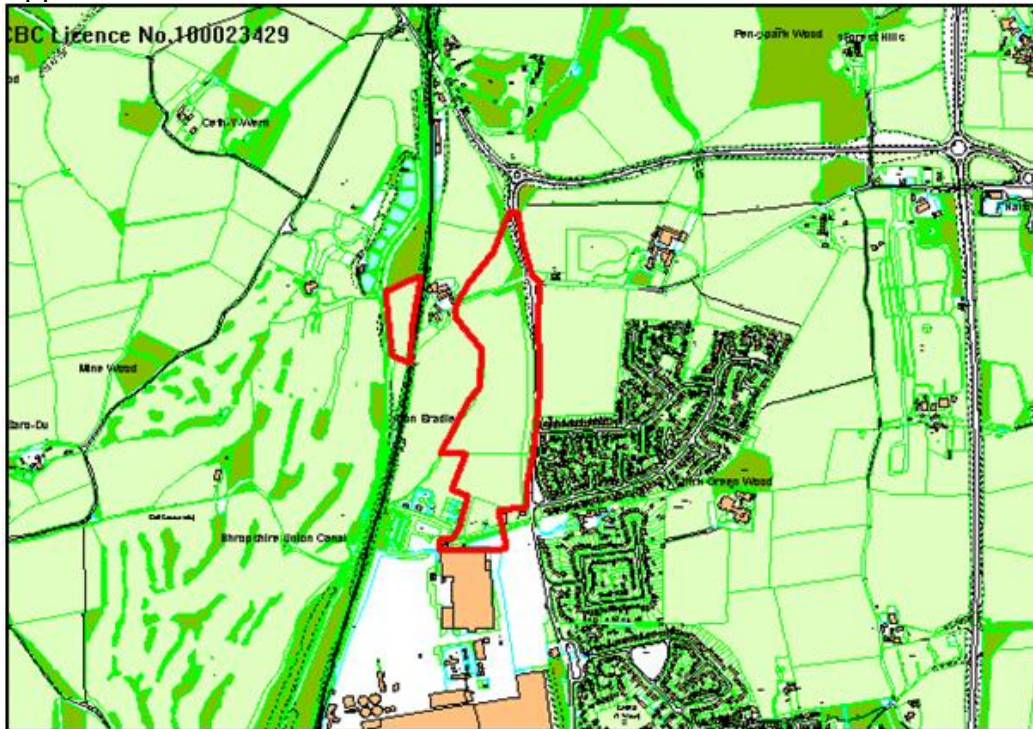
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from the adverse effects of the proposed development. The development therefore has the potential to cause a significant harmful impact upon the WHS's Outstanding Universal Value, contrary to the requirements of policy EC11 of the Wrexham Unitary Development Plan and TAN 24.

Officer Report

Site Description

The application site comprises an area of approximately 11.74 hectares of agricultural land to the north of the existing Kronospan facility. The B5070 public highway (Holyhead Road) abuts the application site's eastern boundary, whilst the Shrewsbury – Wrexham railway line and the Llangollen Canal lie to the west of the site. The application site's northern boundary is defined by the existing access road to Afon Bradley Farm, which is under the ownership of the Applicant.



Proposal

The application, seeks full planning permission for the following:

- Construction of new northern access road, and new 4-arm roundabout access point, off the B5070 public highway;
- Construction of a new lorry park to the east of the proposed northern access road, and to the west of the B5070 public highway. The lorry park would have parking spaces for up to 45 HGVs and is designed so that vehicles can enter and exit the spaces in a forward gear, without the need for reversing;

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- Construction of three new 'in' weighbridges and one new 'out' weighbridge to the south-west of the proposed lorry park, together with a new timber-clad weighbridge building and weighbridge car park;
- Construction of two new roundwood storage areas; one to the west of the proposed lorry park and one to the south of the proposed weighbridge car park. Both would provide temporary storage areas for logs prior to being moved to other areas of the wider Kronospan facility for processing;
- Construction of a 132kV electricity substation to the south-west of the proposed weighbridges, to include a substation building and associated electricity infrastructure within a fenced compound;
- Earthworks comprising of both cut and fill works, and the creation of a new earth bund along part of the site's eastern boundary adjacent to the B5070 public highway;
- Installation of a Sustainable Drainage System (SuDS) to manage surface water drainage from the site;
- Installation of external lighting and security fencing;
- Comprehensive on-site landscaping works, to include new native woodland planting, new native hedgerow planting, new specimen tree planting, new species-rich grassland and new wetland vegetation; and
- A comprehensive off-site landscape enhancement scheme, both on land under the control of the Applicant and on land owned by third parties.

Members should note that the underground cable to connect the proposed electricity substation to the Oswestry – Legacy 132kV network does not form a part of the planning application.

Reason for Committee Determination

Major Development.

The proposed development is a departure from the adopted development plan.

The application is accompanied by an Environmental Impact Assessment.

Changes in circumstances since Committee previously considered the application.

Site History

See Report of the Chief Officer Economy and Planning - 8 April 2024

Development Plan

Future Wales

Policies 1 and 20.

Wrexham Unitary Development Plan

UDP PS1 - The Broad Location Of Development

UDP PS2 - The Broad Location of Development

UDP Policy PS11 - Biodiversity

UDP Policy GDP1 - Development Objectives

UDP Policy EC4 - Hedgerows, Trees and Woodland

UDP Policy EC1 - Green Barriers

UDP Policy EC5 - Special Landscape Areas

UDP Policy EC6 - Biodiversity Conservation

UDP Policy E5 - Employment in the Countryside

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UDP Policy T8 - Parking

UDP Policy MW9 - Protection of Mineral Resources

UDP Policy EC11 - Archaeology

Relevant National Policy

Planning Policy Wales (Edition 12)

Technical Advice Note 5: Nature Conservation & Planning

Technical Advice Note 11: Noise

Technical Advice Note 12: Design

Technical Advice Note 15: Development & Flood Risk

Technical Advice Note 18: Transport

Technical Advice Note 23: Economic Development

Technical Advice Note 24: The Historic Environment

Consultation Responses

See Report of the Chief Officer Economy and Planning - 8 April 2024 and the Addendum to the Report of the Chief Officer Economy and Planning - 8 April 2024.

Background

The application was previously reported to Planning Committee on 8 April 2024. Members resolved to grant planning permission subject to the completion of a planning obligation to secure;

- The submission of a final Conservation Management Plan;
- The implementation and long-term management of the measures contained within the final Conservation Management Plan;
- The submission of a final Woodland Management Plan; and
- The implementation and long-term management of the measures contained within the final Woodland Management Plan.

To date, the Obligation has not been completed, but discussions remain on-going.

Since the December 2023 Committee meeting, there has been a significant change in circumstance. The Officer report to Planning Committee in April 2024 assessed the application in terms of its compliance with relevant policies in the Wrexham Local Development Plan. However, as Members will be aware the High Court issued an Order received by the Council on 12 June 2025 quashing the adoption of the LDP and on the 16 March 2026 the Council the Council was directed by the Welsh Government to withdraw the LDP. The Wrexham Unitary Development Plan 1996-2011 (UDP) is therefore returned to the status of being the development plan

The requirements of policies of the UDP in respect of the technical matters discussed in the April 2024 report are broadly similar to equivalent policies in the now-withdrawn LDP. However, in respect of the principle of development, there are some notable differences between UDP and now-withdrawn LDP. It is therefore necessary for Committee to reconsider the application in light of the current policy framework.

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In addition to the planning policy framework, it is also necessary to re-assess the application in light of the phosphorous situation, which has also changed since April 2024.

The report below includes a new assessment of the principle of development, design (Special Landscape Area) and phosphorous. No further assessment is necessary in respect of other matters, however, for completeness, those sections of the previous report are included below with an updated concluding sentence to refer to the relevant UDP policies.

Since the application was last considered by the Planning Committee, the applicants have proposed to develop the site in a phased manner. A phasing plan has been submitted and therefore condition 2 has been updated to include it in the list of determined plans and documents. Conditions 3, 4, 5, 13, 14, 15, 18, 20, 24 and 26 have also been amended so that they can be discharged on a phase by phase basis.

A copy of the original report can be found at **Appendix 1** and the Addendum Report at **Appendix 2**.

Principle of Development

The site lies outside of but adjoining a settlement limit, as defined by the UDP. It is also within UDP Green Barrier and Special Landscape Area designations.

Development Outside of Settlement

UDP policy PS1 directs new employment development to sites within settlements limits. Policy E5 permits small scale employment development outside of defined settlement limits, but only through conversion of existing buildings. The site lies outside of the settlement limit for Chirk and does not propose the conversion of existing buildings. It therefore conflicts with both policies PS1 and E5.

Despite being outside of the settlement limit for Chirk, the proposed development would adjoin it. It would therefore be broadly consistent with PPW12 paragraph 3.60 which states that "*development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation*".

The application proposes a major extension to the existing Kronospan site, which lies within the settlement limit of Chirk. The policies of the UDP make no specific provision situation for cases where an existing employment site located within a settlement limit needs to expend onto land outside the settlement limit/employment area. However Technical Advice Note 23 provides the following criteria that provide an appropriate basis to assess the application:

Alternatives: if the land is not made available (application is refused), is it likely that the demand could be met on a site where development would cause less harm, and if so where?

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It has been satisfactorily demonstrated that there are no other suitable sites adjacent to the existing facility which would be capable of accommodating the development. Indeed, the Kronospan site is heavily constrained by its surrounding land uses to the south, east and west. To the south lies several community facilities together with neighbouring employment sites. In addition, the development of the proposals to the south of the existing facility would also not deliver the environmental and social benefits of removing a large proportion of HGV traffic from Chirk itself. To the east lies the B5070 public highway and large-scale residential development. To the west lies the Shrewsbury – Wrexham Railway Line and the Llangollen Canal. It is thus considered the siting of the development on the land to the north of the existing facility, within the open countryside, is the only feasible option for the delivery of the proposals.

Jobs accommodated – how many direct jobs will be based at the site?

The development would not generate any additional jobs. However, The Kronospan manufacturing facility is a major local employer within the Chirk area, and within the wider County Borough, with the site employing over 600 staff. It is estimated that the facility also provides indirect employment to 6,000 people in industries relating to the manufacturing and supply chains associated with the operations at the site.

The development would also provide enhanced parking and turning areas for HGVs at the facility itself, with enhanced weighbridge areas also being provided alongside additional roundwood storage areas. The delivery of a 132kV substation would allow Kronospan to connect directly into the strategic 132kV overhead electricity line that runs from Oswestry to Legacy, thus reducing reliance on on-site fossil fuel energy generation, and reducing the risk of intermittent or complete failure of the local 33kV electricity network which supplies the rest of Chirk.

Having regard to the above, although no additional jobs would be created, the development would nevertheless serve to underpin the significant economic benefits that are derived from having a major employer based in the area.

Special Merit – would the development contribute towards any special policy objectives?

The development would provide a new vehicular access to the Kronospan facility and would eliminate almost all HGV trips associated with Kronospan's operations from Chirk Town itself. This would be of considerable benefit to residents of Chirk, as discussed in more detail below under Impact on Neighbouring Amenity.

In addition to the matters discussed above, the development would form a logical extension to Kronospan site. The proposed development would not project significant further north than existing built development to the east of Holyhead Road. When viewed within the wider landscape, the development would not be viewed as an illogical addition to the built up area of Chirk.

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Having regard to the above, and notwithstanding the conflict with PS1 and E5, the proposed development accords with PPW12 paragraph 3.60 and TAN23. The principle of development in this location is consequently considered acceptable.

Green Barrier

The site is situated in the Green Barrier as defined by the UDP, which is analogous to Green Wedges described in PPW12. The proposed development would constitute inappropriate development within a Green Barrier, as defined by paragraph 3.75 of PPW12. Paragraph 3.74 states that inappropriate development should only be permitted in very exceptional circumstances

Paragraph 3.68 of PPW12 advises that Green Wedges should be reviewed as part of the development plan process. The UDP Green Barriers were reviewed in the Strategic Green Wedge Review (the Review) October 2017 as part of the process of preparing the now withdrawn LDP. The Review concluded that the Green Barrier designation in this location did not comply with the purpose of a Green Wedge as defined in paragraph 3.67 of PPW12 and was therefore unnecessary. By extension it would also not serve the purpose of a Green Barrier, as set out in UDP policy EC1.

The requirements of policy EC1 have now been superseded by successive changes to PPW12 since the UDP was adopted in terms of the purpose of a Green Wedge. The outcome of the Review supports this conclusion. The Review has been scrutinised at Examination in Public and found to be sound. The more up to date national policy and the findings of the Review are therefore material considerations that would weight against any conflict with policy EC1.

Nevertheless, the development would harm the openness of the UDP Green Barrier. However, the matters discussed above in terms of the lack of alternative sites and the significant benefits that would be secured by providing an alternative access to the site are considered to constitute very exceptional circumstances required to ensure compliance with PPW12's Green Wedge policy.

Having regard to the above, the principle of development is acceptable.

Design

The application site currently comprises undeveloped agricultural grassland to the immediate north of the existing Kronospan facility, and to the west of the B5070 public highway. The proposed development would unquestionably result in a different visual impact to the existing situation on-site.

The development would include elements of cut and fill earthworks to create a development platform on the site; with there being an identified materials balance of approximately 11,200m³ fill. An earth bund is also proposed along part of the site's eastern boundary, to effectively extend the existing earth bund in this part of the site northwards. On the site itself, the largest visual changes would comprise the construction of the north access road, the lorry park area,

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the new weighbridges with gantries and weighbridge building, the creation of the roundwood storage areas and the construction of the 132kV substation.

Special Landscape Area

The site is within a Special Landscape Area as defined by the UDP. However, policy EC5 does not clearly set out which landscape features, characteristics or qualities require extra protection or how the policy or designation will achieve that protection, as required by Planning Policy Wales 12 paragraph 6.3.12.

The boundaries of the UDP Special Landscape Area predate LANDMAP, the nationwide set of spatial datasets covering five topic areas; Cultural Landscape, Geological Landscape, Historic Landscape, Landscape Habitat, Visual and Sensory.

As part of the preparation of the now withdrawn LDP, a Special Landscape Areas Study 2017 (the Study) was undertaken to review the boundaries of the Special Landscape Areas. The methodology of the review followed that recommended by NRW and is consistent with PPW12 para 6.3.12, which recommends that LANDMAP and any associated landscape character assessments (including the register of historic landscapes in Wales) should be used to inform local landscape policies and to help identify or revise Special Landscape Areas.

The Study did not identify the application site as being in an area high landscape importance that would justify the additional protection a Special Landscape Area designation would provide. The Study has been scrutinised at Examination in Public and found to be sound. In the absence of any evidence to the contrary, the Special Landscape Area designation in this location and by extension policy EC5 are therefore afforded outdated.

Nevertheless, it is still necessary to consider the impact of the development on landscape. As noted above, the site forms a logical extension to the existing build up edge of Chirk, lying between the B5070 to the east and Shrewsbury – Wrexham Railway Line and the Llangollen Canal to the east and projecting no further northwards than existing development to the east.

Significant on-site and off-site landscape planting and enhancement planting is proposed in order to help reduce any landscape visual impact associated with the development, and several extensive areas of existing woodland are also proposed to be retained as part of the development proposals.

The submitted Environmental Statement includes a detailed Landscape Visual Impact Assessment (LVIA), which has been updated routinely during the course of the application to take account of any amendments made to the proposed scheme. The submitted assessment concludes that whilst some larger scale visual impacts would occur during the construction of the development and within the initial stages of the development, in the long-term there would be no significant visual or landscape visual impacts as a consequence of the proposals.

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Indeed, it is considered that particularly when compared to the existing development at the existing Kronospan facility, the scale of each component element of development subject of the application is relatively minor and would be viewed as subservient additions to the existing facility. The tallest individual structure on the site would be the three-storey weighbridge building (measuring approximately 9 metres in height), which is noted to be considerably lower in height than many of the towers, stacks and flues at the existing site. Whilst the overall development, together with that already present on the existing site, would have a cumulative visual effect, it is nevertheless concluded that the proposals would be viewed within the context of the existing industrial site and would not cause any unacceptably significant landscape visual impact; particularly when considering the extent of landscape planting proposed.

Thus, whilst it is accepted the development would cause a visual impact and the impact may be significant at times from certain viewpoints during the construction phase, the conclusions of the submitted LVIA are accepted. It is therefore considered and consider that in the long-term there would not be a significant or unacceptable impact upon the landscape character of the surrounding area; particularly when considering the low-lying nature of the proposals within the wider landscape setting, and their assimilation into the wider existing Kronospan site. On balance, the development would therefore not harm the Special Landscape Area

Clwydian Range & Dee Valley AONB

The application site is located approximately 600 metres to the east of the AONB boundary. Attention is drawn to LDP Policy NE4, which confirms that where proposals are outside of but closely interlinked with the AONB, they must not have an adverse impact upon the natural beauty of the AONB.

The submitted LVIA identifies that the character of the landscape within the AONB would not experience significant effects as a result of the proposed development; and that the presence of development in outwards views is an established part of the visual context of the landscape, and this would not appreciably change as a result of the proposals. Whilst it is noted that the external lighting could cause further impacts upon the AONB's landscape character, full details of external lighting would be secured by way of condition; with there being several measures that could be employed to reduce upward light spill.

Within its response, NRW raises no overall objections in terms of impacts upon the AONB subject to a several conditions being attached to any planning permission granted in relation to landscape planting. It is considered these requirements could be subject to conditions and planning obligations as part of any consent granted.

NRW does note that the development would be at least partially visible from important AONB viewpoints within the grounds of Chirk Castle, and that the development would replace agricultural fields that currently make a positive contribution to the character and visual amenity of the AONB. However,

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members should note that when viewed from Chirk Castle, views of the development, as amended, would be limited, and those that would be available would be viewed against the backdrop of existing built development within Chirk, and against the backdrop of an allocated housing site within the LDP. Given the land in question is allocated for residential development within the adopted LDP, it is considered reasonable to assume its development in the near future.

Further to the above, whilst time would be needed to allow planting to establish and provide screening benefits, as noted, a substantial on-site and off-site native species planting scheme would be secured by conditions and planning obligations, which would help to further screen the development from view from sensitive receptors.

Whilst the objections raised by the AONB Joint Committee are duly noted, on this occasion, and given that no objections have been raised by NRW in this regard, it is considered that there would be no long-term harmful impacts upon the landscape character, visual amenity and special qualities of the AONB on this instance.

In light of the above, officers consider the scheme as amended to be compliant with the requirements of UDP Policies PS2, EC5 and GDP1.

Impact on Neighbouring Amenity

The nearest residential properties to the application site lie on the opposite side of the B5070 public highway, approximately 25 metres from the site boundary.

Noting the proposed scale of the earth bund adjacent to the public highway and the separation distance, it is considered there would be no potential for the proposed bund to cause an unacceptable impact upon neighbouring residential amenity by way of overbearing impacts.

It is further considered there would be no adverse overlooking impacts associated with the proposals.

In terms of the potential for other impacts to occur in relation to noise, vibration, dust, pollution and lighting, the Council's Public Protection Officer has raised no objections subject to a number of appropriately worded conditions to secure adherence to mitigation measures contained within the submitted supporting information, to secure the submission of a Dust Management Scheme and a Construction Environmental Management Plan (CEMP). It is considered appropriate for the CEMP to include details of hours of construction work on the site, and therefore this requirement would be included within the wording of the condition.

The proposed development would provide substantial improvements for the residents of Chirk, most notably due to the removal of high levels of HGV traffic from the town itself. In addition, with regards to noise, at present it is noted the existing lorry park serving the Kronospan facility requires HGVs to reverse into

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parking spaces, and this results in additional engine and reversing alarm noise. The proposed lorry park, which would be sited further out-of-town, is designed to avoid the need for any HGVs to reverse into and out of parking spaces, which would remove additional engine noise and noise from reversing alarms.

Noting the above, the proposals are in compliance with the requirements of UDP policy GDP1.

Highway Considerations

The application proposes the creation of a new north access road, with associated new access point and 4-arm roundabout on the B5070 public highway, for use primarily by HGV traffic visiting and leaving the Kronospan facility.

Whilst the development would clearly involve additional trip generation to/from the site within the local highway network during the construction phase, given that no new operational/manufacturing facilities are proposed as part of the application, it is not expected there would be any appreciable difference in traffic generation to/from the site as a consequence of the proposals in the future operational phase. Indeed, whilst new weighbridges are proposed, these would operationally replace the existing corresponding facilities at the southern end of the Kronospan facility at present. Similarly therefore, it is anticipated that the extent of operational HGV traffic using the local highway network would not increase as a result of the proposals; with HGVs simply using the new access point, access road and lorry park instead of the existing facilities at the site's existing southern access.

Thus, it is considered that operational traffic travelling to/from the Kronospan facility would not increase appreciably as a result of the proposals.

The submitted Transport Assessment Addendum identifies that approximately 224 daily two-way HGV movements would be associated with the construction phase of the development should planning permission be granted.

In terms of the proposed highway infrastructure design, a compact 4-arm roundabout design is proposed on the B5070 to provide access to the site via the new north access road. Existing footway and cycleway provision is proposed to be accommodated within the design.

The Council's Highway Officer raises no objections to the development subject to suitably worded conditions being attached to any permission granted in relation to the submission of a Construction Traffic Management Plan (CTMP), a Stage 1 Road Safety Audit and the submission of further details of the proposed works to the footway and cycleway in the area of the roundabout. It is noted that these works, together with the highways works more generally, would be subject to a S278 Highways Agreement under the Highways Act. For the purposes of the

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planning application, it is considered the submitted details are sufficient and clearly show the proposed arrangement. It is not, therefore, considered necessary to secure further details of the proposed active travel works, and these would be subject to a separate legislative process under the Highways Act.

The Highway Officer notes that the proposed compact roundabout design is acceptable, however would necessitate a speed limit reduction along this stretch of the B5070 from 50mph at present to 40mph, in the interests of highway and pedestrian safety. Whilst this alteration to the speed limit would require the completion of a Traffic Regulation Order, which is separate to the planning process, it is considered necessary to secure a scheme of speed limit changes by way of condition.

Given the proximity of the application site to the Trunk Road Network, the Welsh Government Highways Directorate has also been consulted, and has raised no objections to the development proceeding subject to a range of suitably worded conditions. These are incorporated into the recommendation.

In terms of on-site parking arrangements, it is noted the proposed lorry park contains less spaces than the existing lorry park. However, noting the improved design of the proposed lorry park, together with more waiting and storage space within the proposed site design over the existing situation, the Highway Officer has raised no concerns in terms of parking provision.

In-line with the requirements of Policy 12 of Future Wales, at least 10% of all new non-residential car parking spaces need to be served by EV charger infrastructure. Therefore, to secure the appropriate level of EV chargers within the weighbridge car park, a suitably worded condition is recommended.

The existing access to the site, off the B5070, is not proposed to be closed up as part of the development. Noting that one of the principal reasons for the development is to remove a large proportion of HGV traffic from roads within Chirk itself, it is therefore important that HGV drivers would use the proposed north access rather than the existing access point, in order for the environmental and social benefits associated with the scheme to be realised. The submitted Transport Assessment includes a range of mitigation measures that would be employed by the Applicant in order to ensure future HGV traffic does not use the existing access point, and it is considered these are appropriate. Further, given that the lorry park and new weighbridges could only be accessed via the proposed new access, it is considered that as drivers get used to the new access arrangements, use of the old access point would decline naturally. The existing access would be retained for use by car traffic, and for use during emergency situations, which is considered to be acceptable in highway safety terms.

Notwithstanding the above, to ensure that the future use of the existing access point onto Holyhead Road is acceptable, it is considered necessary to secure the submission of an Operational Traffic and Parking Management Plan to the Local Planning Authority by condition.

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In light of the above, officers consider the proposals to be acceptable in highway safety terms, in compliance with UDP policy GDP1.

Historic Environment

Pontcysyllte Aqueduct & Canal World Heritage Site

The application site is located wholly within the buffer zone of the WHS, although outside of the WHS boundary itself. Part 3.3 of TAN 24 advises that the buffer zone itself is not of Outstanding Universal Value but can be used to highlight areas where potential impacts need to be given careful consideration by developers and decision makers. Part 3.6 of TAN 24 confirms that Local Planning Authorities must preserve the Outstanding Universal Value of World Heritage Sites by carefully managing development within and adjacent to them. It is noted that parts of the proposed development would be visible from the WHS boundary.

CADW has been consulted, and in light of the amendments made during the course of the application, has confirmed no objections to the development. The application has been accompanied by a Conservation Management Plan, which provides an outline of the measures that could be carried out on the Kronospan estate inside the boundaries of the World Heritage Site to offset the impact of the development on it and along with financial support for other heritage initiatives in the surrounding area. It demonstrates that offsetting measures can be included in the proposed development that will compensate for the scale of impact on the setting of the WHS. The submitted Conservation Management Plan demonstrates that appropriate compensatory measures can be produced to compensate/mitigate for impacts upon the setting of the WHS. However, as some details within the plan need to be refined and finalised, CADW considers that the final version of the document and the implementation of the measures contained in it, should be secured by a suitably worded Planning Obligation.

Indeed, given that the proposals subject of the Conservation Management Plan would not all be on land forming part of the application site and under the control of the Applicant, it is considered the final plan, together with its implementation and long-term maintenance should be secured through a Planning Obligation, rather than by condition.

In light of the above, noting the comments provided by CADW, and subject to a Planning Obligation to secure the Conservation Management Plan, it is considered the impacts upon the WHS would be acceptable and would not cause long-term harm to the Outstanding Universal Value of the WHS.

Scheduled Monuments

Offa's Dyke: Caeau-Gwynion Section and Pontcysyllte Aqueduct and Canal Scheduled Monuments are both located within 1.1km of the application site. Both CADW and CPAT raise no objections with regards to the potential impacts of the development as amended upon the two Scheduled Monuments. It is therefore considered that the development would not cause any harmful impact

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upon the way in which the monuments are understood and appreciated on this occasion.

Archaeology

CPAT have been consulted, and note the presence of a former lime kiln on the application site, which is a non-designated heritage asset.

CPAT note the lime kiln is to be preserved as part of the development, but advise that specific details of how its preservation will be achieved should be secured by suitably worded conditions. Such conditions are included within the recommendation, and subject to these it is deemed sufficient protection for the non-designated heritage asset would be afforded as part of the proposals.

Whilst CPAT also raise issues in relation to the proposed 132kV cable route, Members are advised that this does not form part of the planning application, and cannot therefore be considered.

Listed Buildings

The Local Planning Authority is required have special regard to the desirability of preserving listed buildings or their settings under Section 314A of the Town and Country Planning Act 1990.

CADW identifies that the proposed development would impact on the setting of the Grade I Listed Chirk Castle. However, in light of the amendments made to the scale of the development, the latest CADW response confirms no objections to the development, and it is therefore considered there would be no harmful impacts upon the setting of the listed building.

In terms of the several Grade II Listed Buildings within the application site's environs, the Council's Conservation Officer has raised no overall objections, and considers the development as amended would have a limited impact on the significance of the listed buildings.

In light of the consultation responses received, it is considered that the development as amended would not cause a harmful impact upon the character, setting or appearance of nearby listed buildings, and therefore it is compliant with the requirements of UDP policy EC9.

Chirk Conservation Area

Chirk Conservation Area lies approximately 1km to the south of the application site. Section 161(1) of Historic Environment (Wales) Act 2023 requires the Local Planning Authority to have special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Noting that the proposed development would be wholly to the north of the existing Kronospan facility, the Council's Conservation Officer considers that very little impact is expected on the significance of the conservation area and it is hoped that the new entrance to the site and the associated lorry park would significantly reduce the number of HGVs moving through the town; which would aid in the appreciation and understanding of the town's complex, multi-layered

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significance. Thus, it is considered that there would be no harmful impact upon the character and setting of Chirk Conservation Area as a consequence of the proposed development.

Natural Environment

Protected Species

The application has been accompanied by several ecological assessment reports and surveys, outlining the current situation on-site for protected and priority species. The submitted information identifies that there would be some impacts upon protected species, notably birds and bats, due to the proposed elements of hedgerow and tree removal from within the site. However, suitable mitigation measures are proposed, including the retention of specific trees with bat roost potential, the planting of replacement hedgerows and trees, not undertaking any site clearance works within the bird nesting season, and the implementation of a reduced scheme of low-level lighting along the north access road. In terms of the Great Crested Newt, the submitted information identifies that a pond within 500 metres of the application site is not suitable for use by newts due to its connection with the Llangollen Canal.

NRW has been consulted and raises no objections in terms of the potential impacts upon protected species, both on the application site itself and within its wider vicinity. Furthermore, the Ecology Officer has also not raised any objections subject to a number of appropriately worded conditions, which are reflected within the recommended condition list.

In light of the submitted information and the responses received from NRW and the Ecology Officer, it is considered the development would not have an unacceptable impact upon any protected species.

Protected Sites

The application site does not lie within any designated ecological sites, nor within the buffer zones of any designated sites. However, the application site lies approximately 1.1km north-east of the Chirk Castle and Parkland SSSI, and approximately 1.8km north of the River Dee and Bala Lake SAC.

In terms of pollution prevention and impacts upon groundwater, whilst NRW did initially raise several areas of concern, further to the Applicant submitting additional information concerning proposed arrangements for surface water drainage and hazardous substances, NRW have removed their previous objections, subject to a condition to secure further details of the storage of hazardous substances on the site.

Thus, in light of NRW's most recent consultation response, it is considered there would be no unacceptable impacts upon any nearby protected sites as a consequence of the proposals, subject to the condition as recommended by NRW in relation to hazardous substances. This condition is included within the recommendation accordingly.

Air Quality

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The application has been accompanied by an Air Quality Assessment, as well as an Addendum Report, and having reviewed the submitted information, NRW has confirmed that it has no concerns to raise in terms of the development's potential impact upon air quality within the site's vicinity.

Trees

The submitted Arboricultural Impact Assessment identifies that a total of 88 trees, six complete tree groups, two part tree groups, six complete hedges and six part hedgerows would need to be removed to facilitate the development, and that five trees would require pruning and/or tree protection barriers.

The application also proposes the retention of several areas of trees, as well as significant additional native species and specimen tree planting within the application site.

The Arboricultural Officer, having reviewed the submitted documentation and plans, has confirmed no objection to the development on the basis that an Arboricultural Method Statement, on-site supervision of arboricultural works and an amended landscaping scheme are secured by way of conditions. Suitably worded conditions are included within the recommendation to reflect these requirements.

In light of the above, the impact upon trees is considered to be acceptable in accordance with UDP policy EC4.

Green Infrastructure & Net Biodiversity Benefit

Part 6.4.15 of Planning Policy (PPW) Wales advises that the first priority for planning authorities is to avoid damage to biodiversity in its widest sense (i.e. the variety of species and habitats and their abundance) and ecosystem functioning. Where there may be harmful environmental effects, planning authorities will need to be satisfied that any reasonable alternative sites (including alternative siting and design options) that would result in less harm, no harm or benefit have been fully considered. This is known as the 'step wise approach'. Part 6.2.12 of PPW outlines that all planning applications should be accompanied by a Green Infrastructure Statement, demonstrating how the step wise approach has been followed.

The application has been accompanied by a Green Infrastructure Statement, which outlines that where possible, existing green infrastructure on the site would be retained, and where unavoidable, the loss of existing features would be replaced with greater quantities of new native woodland, native hedgerow and specimen tree planting, with a net gain in all three vegetation types. It is further noted that new wetland areas are proposed within the north-western corner of the application site, which would introduce a new habitat to the site.

Having reviewed the submitted information, the Ecology Officer has not raised any objections, and it is noted that sufficient net benefit for biodiversity measures have been proposed to comply with the requirements of Chapter 6 of PPW.

Flood Risk

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The application site is located partially within Zone C2 of the Development Advice Maps, and partially within Zones 2 and 3 of the updated Flood Map for Planning (for fluvial flooding). The proposals comprise less vulnerable development as defined within Technical Advice Note 15.

NRW has not raised any objections in terms of flood risk, and it is considered the development is justified in this location in accordance with the requirements of TAN 15.

NRW has, however, advised that the final design details for the re-grading of flood plain compensation areas should be secured by condition, and a condition is included within the recommendation accordingly.

Subject to the above, it is considered the risks from flooding are acceptable in accordance with the requirements of TAN 15 and UDP policy EC12.

Drainage

The applicant's agent has confirmed that the proposed development would not result in any additional employees. The access road and associated lorry park would also cater for vehicles that are already visiting the site. The proposed development would therefore not increase foul water discharges from the site and in turn would not increase either the volume or concentration of phosphorous entering the River Dee and Bala Lake Special Area of Conservation. Having regard to NRW's guidance "*Advice contain to planning authorities for planning applications affecting nutrient sensitive Special Areas of Conservation*" the development is therefore no likely to have a significant effect on the Special Area of Conservation. It therefore accords with UDP policy EC6 and Planning Policy Wales Chapter 6.

Dwr Cymru Welsh Water have raised an objection on the basis that the proposed development would be located within the easement of some of their sewerage assets crossing the site. However, this would not constitute a sustainable reason to refuse planning permission on this occasion, with the matter ultimately being one to be resolved between the parties involved. It is noted there would be scope for the sewerage assets to be diverted under Section 185 of the Water Industry Act, 1991.

In terms of surface water drainage, the development would require separate SuDS approval from the SAB prior to the commencement of any works on the site. It is noted the submitted scheme takes surface water drainage considerations into account, with the provision of surface water attenuation features within the site design. However, given that separate approval is required on these matters, and that no comments have been received from the Council's SAB Team as part of the planning application, it is considered the development is acceptable in this regard.

Other Considerations

Agricultural Land Classification

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The application site is graded as 3b as per the Welsh Government Agricultural Land Classification Predictive Map, which is not the best and most versatile land to be preserved for future agricultural use. Given that the proposal would not see the change of use of the best and most versatile agricultural land, the development is considered to be compliant with Paragraph 3.58 of PPW.

Minerals

Two areas of the site are subject to UDP policy MW9, which applies to areas where there are potentially exploitable mineral reserves. In contrast, in the unadopted LDP part of the site lies within a Sand and Gravel Safeguarding Area. However, Minerals Technical Advice Note (MTAN)1: Aggregates recommends that buffer zones of 100m are established around sand and gravel mineral extraction sites in order to protect sensitive development, such as existing housing and schools, from adverse impacts such as noise and dust. A 100m buffer zone around existing sensitive development in Chirk would occupy the majority of the unadopted LDP Sand and Gravel Safeguarding Area to the west of Holyhead Road. It is therefore highly unlikely that mineral extraction would take place within any part of it. The proposed development would therefore not sterilise potentially valuable and extractable mineral resources.

Planning Obligations

As noted within the Historic Environment section above, the Applicant has produced a Conservation Management Plan (CMP) to help mitigate any impacts upon designated and non-designated heritage assets within the wider environs of the application site. CADW has, within their latest consultation response, confirmed no objections to the development subject to the final version of the CMP, and its long-term implementation, being secured by planning obligation. Indeed, given that the CMP includes works on land outside of the Applicant's direct control, together with a commuted sum paid to Friends of Whitehurst Gardens towards ongoing restoration and scoping works within Whitehurst Registered Historic Park and Garden, it is considered the delivery of the CMP would need to be secured by Planning Obligation.

Whilst the National Trust has raised concerns with the submitted CMP and has recommended that further commuted sums should be required, it is noted these views are not shared by CADW. It is therefore considered that the additional requirements outlined by the National Trust would be unreasonable and not directly linked to the proposed development.

In addition, the Applicant has produced a Woodland Management Plan (WMP) in consultation with Glandŵr Cymru, which relates to proposed tree works on land within Glandŵr Cymru's ownership consisting of:

- Selective removal of old/decaying tree cover along the canal cuttings;
- Replacement planting with new native species; and
- Management of the woodland (including any new planting) to maintain existing levels of visual screening, to enhance biodiversity, to ensure the safety of canal users, and to maintain the stability of the canal structures and earthworks.

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Glandŵr Cymru has confirmed no objections to the principle of the WMP, and given that it proposes off-site works on land not under the control of the Applicant, it is considered necessary to also secure the WMP by way of a Planning Obligation under Section 106 of the Town and Country Planning Act 1990.

In terms of the proposed off-site landscape enhancements, it is noted that although these would be located outside of the application site, they would be sited on land under the control of the Applicant. It is therefore considered appropriate for these planting works to be secured and controlled by condition instead of a Planning Obligation.

Conclusion

Despite the changes in the local planning policy framework since this application was last considered by the Planning Committee, the principle of development is considered acceptable. The proposed development would also not give rise to design, residential amenity, highway safety, historic environment, natural environment or mineral resource concerns. It accords with the relevant UDP policies in respect of those matters.

Condition(s)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.

2. The development shall only be carried out in accordance with the details shown on the following plan(s) and document(s):
 - Drawings Nos 7000/0805 Sheets 1, 2, 3 and 4 (Phasing Plan 1a, Phasing Plan 1b, Phasing Plan 2a and Phasing Plan 2b)
 - Planning Figure 1.1 REV A - Statutory Plan
 - Planning Drawing No. 1 Revision C - Proposed General Arrangement
 - Planning Drawing No. 2 Revision B - Proposed Landform
 - Planning Drawing No. 3a Revision D - Illustrative Landscape Masterplan
 - Planning Drawing No. 3b Revision B - Proposed off-site Landscape Enhancements
 - Planning Drawing No. 4a Revision D - Illustrative Landscape Cross-Sections Sheet 1

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- Planning Drawing No. 4b Revision B - Illustrative Landscape Cross-Sections Sheet 2
- Planning Drawing No. 4c Revision A - Illustrative Landscape Cross-Sections Sheet 3
- Planning Drawing No. 4d Revision A - Illustrative Landscape Cross-Sections Sheet 4
- Planning Drawing No. 5 - Proposed Weighbridge Building & Facilities Block Plan and Elevations
- Planning Drawing No. 6 Revision A - Proposed 132kV Substation Layout
- Planning Drawing No. 7 Revision A - Proposed 132kV Substation Equipment Elevations

3. No part of the development shall commence in a particular phase until details of all earthworks, excavation, and land regrading and retaining structures in that phase have been submitted to and approved in writing by the Local Planning Authority. The plan shall include the existing and proposed levels and contours, cut and fill line, existing vegetation and site features of the development. Details of soil stripping, storage and replacement shall be included where appropriate. The development in each phase shall be carried out in strict accordance with the details as approved.
4. No development shall take place in a particular phase until further details of both hard and soft landscape works within that phase have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i) A statement setting out the design objectives and how these will be delivered;
 - ii) means of enclosure and retaining structures, including details of colours and materials of acoustic screens;
 - iii) other vehicle and pedestrian access and circulation areas;
 - iv) hard surfacing materials;
 - v) minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, etc.); and

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vi) planting, seeing and management measures for the attenuation basins and any other water/wetland features.

Soft landscape works shall include detailed planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, plant supply sizes and proposed numbers/densities and an implementation programme.

5. The on-site landscaping works shall be carried out in accordance with the details approved under Condition 4 in-line with the approved implementation programme. The completed scheme shall thereafter be managed and maintained in accordance with a detailed scheme of management and maintenance which has first been submitted to and approved in writing by the Local Planning Authority.

6. No development shall commence until a detailed landscape scheme for off-site enhancements relating to items 1 - 4 as identified in drawing No. 3b Revision B - Proposed off-site Landscape Enhancements, has been submitted to and approved in writing by the Local Planning Authority. The Landscaping Scheme shall include:
 - Earthworks plan showing existing and proposed landforms and retaining structures including contours and/or spot heights as appropriate;
 - Highway and utility plan, plotting the location of highway sight lines and existing and proposed utilities on the layout plan to ensure tree planting and hedgerows essential for landscape integration of the development are achievable;
 - Details of existing habitats / trees and hedgerows on the site to be retained and measures for their protection, remedial work and management;
 - Details of existing and proposed walls, fences, surfacing and structures, including historic features;
 - Details of treatment of site boundaries;
 - Details of the extent, distribution and type of new planting;
 - Details of the extent, distribution and type of new habitat creation on the site;

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- Specification of ground preparation and planting operations - including specification of topsoil quality and depth, remediation of compacted soils, planting season, plant protection, watering of newly planted stock, mulching etc;
- Details and timings of when the landscape scheme will be implemented including the phasing of any landscaping;
- Details of contingency measures should any trees or plants die, be removed or become seriously damaged within 5 years of planting;
- Maintenance schedule setting out annual operations, frequency and standard of workmanship during the establishment period; and
- Long term management plan, setting out management activities, frequency and standard of workmanship, responsibilities for management and monitoring.

The landscape scheme shall be carried out in accordance with the approved details, and thereafter be managed in accordance with the approved Long Term Management Plan.

7. No development shall commence until full details of an Ecological Clerk of Works for the duration of the construction works have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in strict accordance with the approved details.
8. Notwithstanding the submitted details, no development shall take place, including site clearance, until a long-term Wildlife and Habitat Protection and Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
 - i) Details of sensitive site clearance with respect to protected species and breeding birds;
 - ii) A plan showing wildlife and habitat protection zones;
 - iii) Details of development and construction methods within wildlife and habitat protection zones and measures to be taken to minimise the impact of any works;

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- iv) Details of the management of ecology features to maximise biodiversity;
- v) Measures to be undertaken to enhance biodiversity on site;
- vi) A minimum of 100mm gap at the bottom of all fencing/screening used on-site, other than acoustic fencing; and
- vii) Timings for the implementation of the measures and maintenance thereafter in the long-term.

The protection and management plan shall be fully implemented in accordance with the approved details.

9. No development shall commence until details of proposed Amphibian Reasonable Avoidance Measures (RAMs) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- Details of a tool box talk on the identification and ecology of great crested newts to be made

available to all construction staff employed on the project;

- Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);
- Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;
- Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery.
- Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked each morning for any amphibians. Any amphibians located are to be moved to the artificial hibernacula.

The development shall be carried out in strict accordance with the RAMs as are approved.

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10. Any vegetation clearance must be undertaken outside the nesting season, which is generally recognised to be from March to August inclusive, unless it can be first demonstrated that nesting birds are absent.
11. No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with Method Statement as is approved. The Method Statement shall include the following:
 - 1) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
 - 2) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
 - 3) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone , including any related sections and method for avoiding damage to retained trees;
 - 4) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
 - 5) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
 - 6) Method for protecting retained trees during demolition works;
 - 7) Details of all proposed tree works, including felling and pruning.
12. No part of the development shall commence until full details for the arboricultural supervision of tree protection measures and any ground works within retained tree(s) Root Protection Areas, as specified by BS5837:2012 or as shown on a Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The supervisory works shall be carried out in strict accordance with the details as approved.
- 13.

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Prior to its installation, further details of all external lighting within a particular phase of the development shall be submitted to and approved in writing by the Local Planning Authority in a Lighting Plan. The Lighting Plan shall include:

- Details of the siting and type of external lighting to be used;
- Drawings setting out light spillage in key sensitive areas;
- Light modelling images to present the night time effects of lighting on building elevations and ground surfaces from key viewpoints;
- Measures to reduce light spillage onto foraging habitats for bats;
- Details of lighting to be used both during construction and operation; and
- Measures to monitor light spillage once development is operational.

All external lighting on-site shall be installed and operated in strict accordance with the approved Lighting Plan.

14. No development shall commence in Phase 2a and 2b until a scheme for the reduction in the speed limit along the B5070 from 50mph to 40mph, so that the site access and new roundabout are located within the 40mph zone, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented as approved prior to the construction of the roundabout junction shown on Drawing No. 1 Revision C - Proposed General Arrangement.
15. Prior to the commencement of development in a particular phase, a Construction Traffic Management Plan (CTMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Welsh Government. The CTMP shall include details of the following:
 - Haulage routes for construction vehicles;
 - Times of working/operation and restrictions on deliveries during peak hours;

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- Timings of construction traffic and means of defining and controlling such traffic routes and timings;
- Parking of construction vehicles, and contractor parking, on site and not along the Trunk Road Network, the B5070, or within residential streets;
- Areas for loading and unloading of plant and materials on site;
- Measures to control mud and debris entering the highway;
- Measures taking into account the strategic diversion route nature of the B5070, the potential disruption to the planned works, large vehicle sizes and high traffic flows associated with an emergency trunk road closure and diversion scenario; and
- Measures taking into account constraints on vehicle movements such as traffic management embargo periods, route traffic sensitivity, temporary roadworks and other highway restrictions along the Trunk Road and local highway networks.

The development shall be carried out in accordance with the approved CTMP.

16. To ensure that traffic queuing towards the trunk road interface (A5) does not exceed 80% of the available space between any temporary signals and the trunk road, temporary traffic light signals must be manually overseen at peak times to prevent traffic backing up onto the trunk road network and impacting road safety.
17. The use of the lorry park hereby approved shall be limited for use of vehicles immediately associated with the operation of the Kronospan site only.
18. Prior to the first beneficial use of the development hereby approved, the new access, roundabout and alterations to the footway and cycle path shall be fully completed and laid out in accordance with the details shown in Drawing no. 1 Revision C - Proposed General Arrangement, and retained thereafter for as long as the development remains in existence.
- 19.

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Prior to its first beneficial use, 10% of the car parking spaces within the new weighbridge car park, as shown on drawing no: Drawing No. 1 Revision C - Proposed General Arrangement, shall be submitted with EV chargers. The EV chargers shall be retained as such for the lifetime of the car park.

20. No development shall commence in a relevant phase until a Construction Environment Management Plan (CEMP) for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

- i) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- ii) wheel washing facilities;
- iii) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- iv) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- v) hours of construction;
- vi) construction phase site lighting;
- vii) management, control and mitigation of noise and vibration, to include adherence to the measures outlined within Part 8.7.3 of Report 3046-01;
- viii) odour management and mitigation;
- ix) diesel and oil tank storage areas and bunds;
- x) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk) during the course of the construction of the development; and
- xi) a system for the management of complaints from local residents which will incorporate a reporting system.

The construction of the development shall be undertaken in accordance with the approved CEMP.

- 21.

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No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the local planning authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

22. Each part of the site subject to the remediation under the scheme(s) approved as part of condition [INSERT NUMBER] shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.
23. Prior to the commencement of development, design details for re-grading of flood plain compensation areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details prior to its first use.
24. In order to preserve important archaeological remains (sub-surface lime kiln) identified during archaeological assessment, no development in Phases 2a and 2b shall not commence until an appropriate fenced area, surrounding these remains, has been marked out in accordance with a specification first submitted to and approved in writing by the Local Planning Authority. Throughout the course of the development in Phases 2a and 2b, no construction works shall be undertaken within the area surrounded by fencing without the prior written consent of the Local Planning Authority.
25. No development shall take place until a detailed scheme showing the scope and arrangement of all landscaping groundworks above and

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around the lime kiln remains protected by the exclusion (Condition 24) has been submitted to and approved in writing by the Local Planning Authority and the Development Control Archaeologist (Clwyd-Powys Archaeological Trust, The Offices, Coed y Dinas, Welshpool, SY21 8RP Email: mark.walters@cpat.org.uk Tel: 01938 553670). Works shall thereafter be carried out in accordance with the approved details.

26. Prior to the first beneficial use of the access road, lorry park, weighbridge and car park, an Operational Traffic and Parking Management Plan, to include arrangements for the future use of the existing vehicular access and Lorry Park, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented as approved for the lifetime of the development.
27. No development, or phase of development, shall commence until details regarding the storage and containment of hazardous substances relating to the electrical sub-station and compound have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.
28. Notwithstanding the provisions of Schedule 2, Part 8, Classes A and B, of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no further development shall take place on the application site other than that expressly authorised by this permission.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- 3.

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To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and wider landscape, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and wider landscape, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and wider landscape, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. To ensure the development conserves and enhances the character and visual amenity of designated landscapes in accordance with Policies PS2, EC4, EC6 and GDP1 of the Wrexham Unitary Development Plan.
7. In order to ensure that no protected species are adversely affected by the development and in the interests of ecology, in compliance with Policy EC6 of the Wrexham Unitary Development Plan.
8. In the interests of ecology and to ensure compliance with Policy EC6 of the Wrexham Unitary Development Plan.
9. In order to ensure that no protected species are adversely affected by the development and in the interests of ecology, in compliance with Policy EC6 of the Wrexham Unitary Development Plan.
10. In order to ensure that no protected species are adversely affected by the development and in the interests of ecology, in compliance with Policy EC6 of the Wrexham Unitary Development Plan.

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11. To preserve the health, safety and amenity value of the tree(s) in accordance with Policies EC4 of the Wrexham Unitary Development Plan.
12. To preserve the health, safety and amenity value of the tree(s) in accordance with Policies EC4 of the Wrexham Unitary Development Plan.
13. In the interests of ecology and the wider landscape, in accordance with Policies EC6 and GDP1 of the Wrexham Unitary Development Plan.
14. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
15. To ensure that the parking provision and highway safety in the area are not adversely affected by the construction of the development and to meet the requirements of Policies GDP1 and T8 of the Wrexham Unitary Development Plan.
16. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
17. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
18. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
19. To comply with the requirements of Policy 12 of Future Wales: The National Plan 2040.

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20. To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
21. To ensure that the risks to the future occupants/users of the site and to the local environment associated with contamination at the site have been assessed and, where necessary, appropriately remediated, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan. and paragraph 6.9.17 of PPW12.
22. To ensure that the risks to the future occupants/users of the site and to the local environment associated with contamination at the site have been assessed and, where necessary, appropriately remediated, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan and paragraph 6.9.17 of PPW12.
23. In the interests of flood risk in accordance with TAN 15 and Policy EC12 of the Wrexham Unitary Development Plan.
24. To secure preservation in-situ of recorded archaeological remains which may be vulnerable to damage during construction in accordance with TAN 24 and Policy EC11 of the Wrexham Unitary Development Plan.
25. To ensure that important archaeological remains are not disturbed or damaged by landscaping or ground preparation groundwork and are preserved in situ by an agreed design, in accordance with TAN 24 and Policy EC11 of the Wrexham Unitary Development Plan.
26. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
27. To ensure necessary measures are approved prior to commencement of development and implemented to prevent the

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deterioration of water quality within a sensitive site, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

28. To enable the Local Planning Authority to retain control over any future development on the site which has the potential to cause an adverse impact upon the surrounding landscape and the natural beauty of the Clwydian Range and Dee Valley AONB in accordance with paragraph 6.3.7 of Planning Policy Wales 12.

Notes

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties in that section include the following:

*** Notice of initiation of development**

Before beginning any development to which this planning permission relates, notice must be given to the Local Planning Authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The forms set out the details that must be given to the Local Planning Authority to comply with this duty.

*** Display of notice**

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details that the person carrying out development must display to comply with this duty.

The person carrying out development must ensure that the notice is:

- a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- b) Legible and easily visible to the public without having to enter the site; and
- c) Printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

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This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as ""conditions precedent"". You should be aware that it is important that you comply with any ""conditions precedent"". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage:

https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time

Report of the Chief Officer Economy and Planning

on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60 Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If, however, there are urgent or unavoidable circumstances requiring work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & Housing Standards at healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

Further advice on compliance with condition no's 21 and 22 may be obtained by contacting the Council's Contaminated Land Officer on 01978 298771 or 298333, or contaminatedland@wrexham.gov.uk

Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Council's Contaminated Land Officer prior to commencement of works on site.

NRW:

- We advise that standard pollution prevention measures are employed during their construction due to the proximity to the Afon Bradley watercourse and subsequently the River Dee and Bala Lake SAC. Further information can be found here: <https://www.netregs.org.uk/environmental-topics/guidance-for-pollution-prevention-gpp->

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documents/#:~:text=Guidance%20for%20Pollution%20Prevention%22%20(GPPs,Ireland%2C%20Scotland%20and%20Wales%20only.

- Permitting

The Operator needs to satisfy the requirements of The Environmental Permitting (England and Wales) Regulations 2016 (as amended) and the Best Available Techniques (BAT) Reference Document for Wood-based Panels Production and submit an application to vary the newly consolidated Natural Resources Wales environmental permit to update of any changes that may have consequences for the environment e.g. change to the installation boundary, 132 KV substation, round wood storage, site drainage and discharge to surface water and amenity impacts etc.

A soil / groundwater assessment 'baseline report' should be submitted with an environmental permit application or an application for variation of an existing permit to enable any degradation over time to be detected, we advise that you contact our permitting team for further advice:

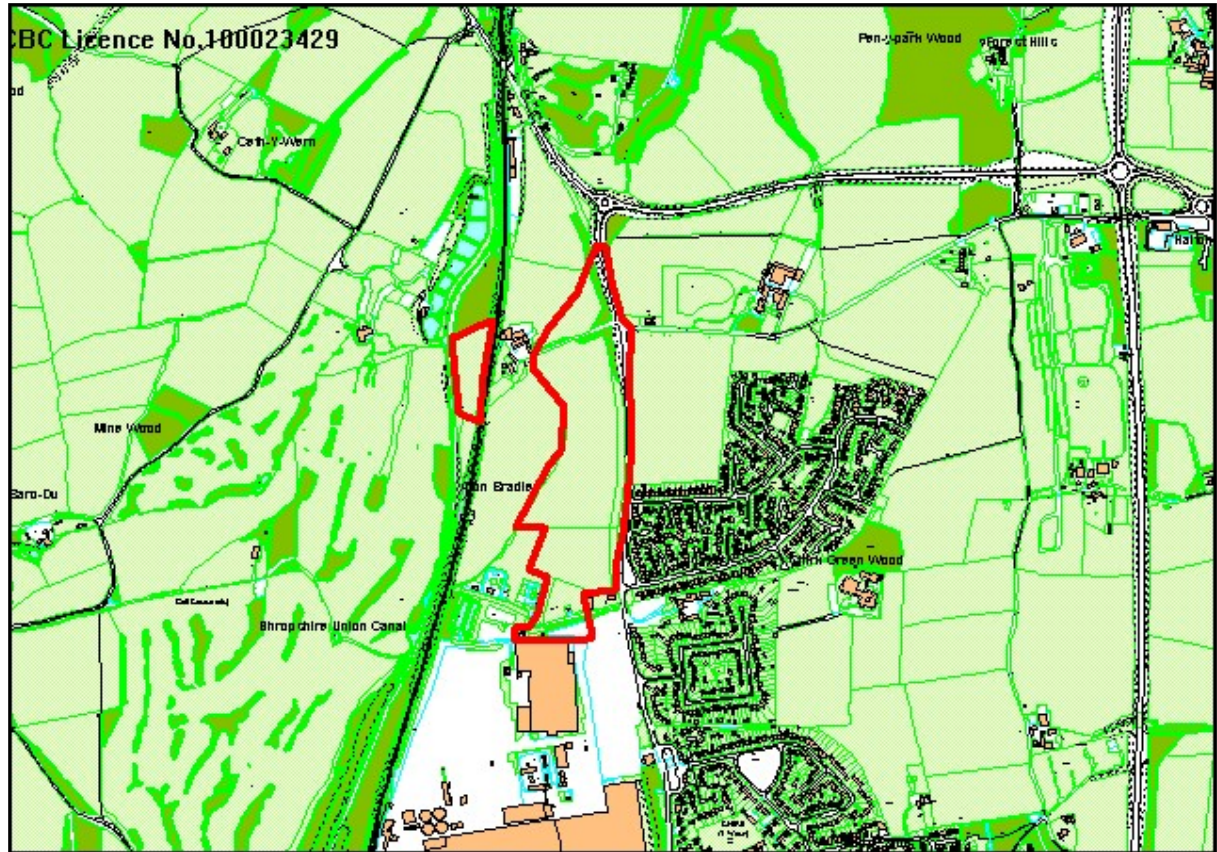
<https://naturalresources.wales/permits-and-permissions/environmental-permits/pre-application-advice-for-environmental-permits/?lang=en>.

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 8 April 2024**APPLICATION NO:**
P/2022/1080**LOCATION:**
KRONOSPAN LTD HOLYHEAD
ROAD CHIRK WREXHAM
LL14 5NT**DATE RECEIVED:**
13/12/2022**COMMUNITY:**
Chirk**DESCRIPTION:**
CREU FFORDD FYNEDIAD
NEWYDD, PARC LORIS, PONT
BWYSO AC ADEILAD, MAES
PARCIO, BLOC CYFLEUSTRUAU,
ARDALOEDD STORIO COED CRWN,
IS ORSAF 132 KV A GWAITH
ATEGOL / CONSTRUCTION OF
NEW ACCESS ROAD, LORRY PARK,
WEIGHBRIDGE AND BUILDING, CAR
PARK, FACILITIES BLOCK,
ROUNDWOOD STORAGE AREAS
,132 KV SUBSTATION AND
ANCILLARY WORKS**CASE OFFICER:**
GH1**WARD:**
Chirk South**AGENT NAME:**
AXIS
MR BOBBY CLAYTON**APPLICANT(S) NAME:**
KEITH BAKER

THE SITE

The application site comprises an area of approximately 11.74 hectares of agricultural land to the north of the existing Kronospan facility. The B5070 public highway (Holyhead Road) abuts the application site's eastern boundary, whilst the Shrewsbury – Wrexham railway line and the Llangollen Canal lie to the west of the site. The application site's northern boundary is defined by the existing access road to Afon Bradley Farm, which is under the ownership of the Applicant.

The application site is located outside of the defined settlement boundary and employment area for Chirk, and is therefore located within the open countryside as defined by the adopted Wrexham Local Development Plan (2013-2028). The site is located wholly within the buffer zone of the Pontcysyllte Aqueduct and Canal World Heritage Site.



PROPOSAL

The application, as amended, seeks full planning permission for the following:

- Construction of new northern access road, and new 4-arm roundabout access point, off the B5070 public highway;
- Construction of a new lorry park to the east of the proposed northern access road, and to the west of the B5070 public highway. The lorry park would have parking spaces for up to 45 HGVs and is designed so that vehicles can enter and exit the spaces in a forward gear, without the need for reversing;
- Construction of three new 'in' weighbridges and one new 'out' weighbridge to the south-west of the proposed lorry park, together with a new timber-clad weighbridge building and weighbridge car park;
- Construction of two new roundwood storage areas; one to the west of the proposed lorry park and one to the south of the proposed weighbridge car park. Both would provide temporary storage areas for logs prior to being moved to other areas of the wider Kronospan facility for processing;
- Construction of a 132kV electricity substation to the south-west of the proposed weighbridges, to include a substation building and associated electricity infrastructure within a fenced compound;

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- Earthworks comprising of both cut and fill works, and the creation of a new earth bund along part of the site's eastern boundary adjacent to the B5070 public highway;
- Installation of a Sustainable Drainage System (SuDS) to manage surface water drainage from the site;
- Installation of external lighting and security fencing;
- Comprehensive on-site landscaping works, to include new native woodland planting, new native hedgerow planting, new specimen tree planting, new species-rich grassland and new wetland vegetation; and
- A comprehensive off-site landscape enhancement scheme, both on land under the control of the Applicant and on land owned by third parties.

Members should note that the underground cable to connect the proposed electricity substation to the Oswestry – Legacy 132kV network does not form a part of the planning application.

REASON FOR COMMITTEE DETERMINATION

The application proposes a form of EIA Development under The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, and has therefore been accompanied by an Environmental Statement.

HISTORY

The Kronospan site has an extensive planning history extending back to the early 1970s. The wider Kronospan site's relevant planning history over the past ten years is set-out as follows:

P/2013/0824 DEVELOPMENT OF BIOMASS PLANT COMPRISING BIOMASS BOILER & FURNACE ASH, HANDLING FACILITY & FLUE, GAS TREATMENT FACILITY INCLUDING STACK & AIR POLLUTION CONTROL, REAGENT STORAGE SILOS, RECYCLED WOOD FIBRE OFFLOADING & SCREENING FACILITY, BIOMASS STORAGE AREA & ASSOCIATED INFRASTRUCTURE (SUBSTITUTION OF PLANNING PERMISSION CODE P/2012/0165); Decision: Granted; Date: 07/05/2014

P/2014/0215 2.35 METRE DIAMETER BY 7 METRE HIGH EXTENSION TO EXISTING 15 METRE HIGH ABATEMENT STACK; Decision: Granted; Date: 02/06/2014

P/2015/0728 ERECTION OF BUILDING TO CONTAIN THREE GAS ENGINES AND THREE STEAM BOILERS, ERECTION OF ELECTRICAL SUBSTATION BUILDING, OIL TANK COMPOUND A DUCT FROM THE PRESS ABATEMENT SYSTEM TO CARRY PROCESS EMISSIONS TO THE SEKA (WESP) STACK AND ASSOCIATED INFRASTRUCTURE TO SUPPORT EXISTING PRODUCTION OPERATIONS; Decision: Granted; Date: 04/01/2016

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P/2016/0219 CONSTRUCTION AND OPERATION OF A RECYCLED FIBRE (RCF) RECEPTION FACILITY, GRADING PLANT, STORAGE SILOS AND OTHER ASSOCIATED INFRASTRUCTURE; Decision: Granted; Date: 03/05/2016

P/2016/0336 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; Decision: Refused; Date: 05/09/2016. Appeal allowed 04/05/2017

P/2016/0442 MDF WASH WATER PRE-HEATER; Decision: Granted; Date: 23/01/2017

P/2016/0534 PROPOSED BUILDING EXTENSION TO STORE MEDIUM DENSITY FIBREBOARD (MDF) AND CHIPBOARD; Decision: Refused; Date: 05/09/2016

P/2017/0416 REPLACEMENT OF EXISTING WOOD CHIP PREPARATION FACILITY TO INCLUDE A BUILDING TO HOUSE NEW WOOD CHIP PREPARATION EQUIPMENT, DEVELOPMENT OF A NEW WOOD CHIP DRYER AND ASSOCIATED SIFTING, GRADING AND TRANSFER SYSTEM AND DEMOLITION OF EXISTING STRUCTURES TO FACILITATE THE DEVELOPMENT; Decision: Granted; Date: 31/07/2017

P/2017/0699 DEVELOPMENT OF A LOG DELIVERY AND TRANSFER SYSTEM AND BUILDING TO HOUSE A REPLACEMENT WOOD CHIPPING AND FLAKING SYSTEM AND DEMOLITION OF EXISTING DEBARKING AND CHIPPING FACILITIES; Decision: Granted; Date: 01/05/2018

P/2017/0700 DEVELOPMENT OF A RAW BOARD STORE; Decision: Refused; Date: 06/11/2017. Appeal allowed 22/05/2018

P/2018/0551 PLANNING APPLICATION FOR THE DEVELOPMENT OF AN ORIENTATED STRAND BOARD PRODUCTION FACILITY. Decision: Not determined. Appeal allowed 09/10/2019

P/2019/0505 DEVELOPMENT OF A BUILDING CONTAINING 2 NO. GAS ENGINES EACH WITH A MAXIMUM ELECTRICITY GENERATING CAPACITY OF 9.73 MW, 2 NO. STEAM BOILERS, ROOF MOUNTED COOLERS, WALKWAY BETWEEN AN ADJACENT BUILDING AND THE PROPOSED BUILDING, EXHAUST GAS OFFTAKE PIPES AND STEAM PIPES FROM THE GAS ENGINE BUILDING AND CARBON

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CATALYST ABATEMENT SYSTEM; Decision: Granted; Date: 27/11/2020

P/2022/0336 DEMOLITION OF RECEPTION BUILDING AND ERECTION OF COVERED LOADING YARD, AND ASSOCIATED FENCING AND ANCILLARY WORKS; Decision: Granted; Date: 12/05/2022

P/2022/0615 ERECTION OF ENGINEERING STORE AND APPRENTICE WORKSHOP (USE CLASS B2) AND ANCILLARY WORKS; Decision: Granted; Date: 07/11/2022

P/2022/0765 ERECTION OF 2 RAW MATERIAL SILOS, EXTENSION TO EXISTING CHIP PREPARATION BUILDING AND ERECTION OF 3 SILOS AND ASSOCIATED WORKS; Decision: Granted; Date: 09/01/2023

P/2023/0263 DISCHARGE OF CONDITIONS 4 (BIODIVERSITY), 9 (ECOLOGY) AND 10 (LIGHTING) OF PLANNING PERMISSION P/2022/0615; Decision: Pending

P/2023/0264 DISCHARGE OF CONDITIONS 3 (BIODIVERSITY) AND 5 (DUST MANAGEMENT PLAN) OF PLANNING PERMISSION P/2022/0765; Decision: Granted; Date: 03/07/2023

DEVELOPMENT PLAN

Future Wales: The National Plan 2040

Within Wrexham & Deeside National Growth Area.

Adopted Wrexham Local Development Plan (2013-2028):

Located outside of settlement limits and therefore within the open countryside. Also located within a Non-Energy Mineral Extraction Exclusion Area and partially within a Sand and Gravel Minerals Safeguarding Area. Policies SP2, SP5, SP8, SP11, SP12, SP13, SP14, SP15, SP16, SP17, SP18, SP19, EM4, NE1, NE2, NE3, NE4, NE6, BE1, DM1, T1, T2, MW1, MW3, MW5 and RE1 are of relevance.

Wrexham Local Planning Guidance Notes:

The following are of relevance:

- 07 – Landscape & Development
- 16 – Parking Standards
- 17 – Trees & Development
- 26 – Landscape & Industrial Development
- 30 – Design
- 32 – Biodiversity & Development

RELEVANT NATIONAL PLANNING POLICY

Planning Policy Wales (Edition 12)

Technical Advice Note 5: Nature Conservation & Planning

Technical Advice Note 11: Noise

Technical Advice Note 12: Design

Technical Advice Note 15: Development & Flood Risk

Technical Advice Note 18: Transport

Technical Advice Note 23: Economic Development

Technical Advice Note 24: The Historic Environment

CONSULTATIONS

Chirk Town Council

The Town Council has no objections and is in overall support of the development due to the long-term community benefits associated with it, however does raise the following points:

- All lorries over 7 tonnes should have to use the proposed new access road;
- Low-level lighting should be used to avoid light pollution;
- Operational hours for the roundwood stores should be limited;
- The best available technology should be used for noise abatement/cancellation for the substation; and
- Limits on construction hours should be imposed.

Local Member – Cllr Terry Evans

Notified 06/01/2023 and re-notified 20/10/2023. No response received.

Adjoining Local Member – Cllr Frank Hemmings

No comments to make.

Clwyd-Powys Archaeological Trust (CPAT)

Conditions are recommended in relation to the preservation of sub-surface features of a lime kiln on the application site. CPAT note the layout intentions in the masterplan and landscaping figures and these indicate that it should be possible to achieve full preservation of the lime kiln feature.

Objections were raised in relation to some of the proposed off-site landscape enhancements, due to the potential impact upon Offa's Dyke Scheduled Monument. However, this element of enhancement has now been removed from the plans and despite being re-consulted in light of this in October 2023, no further responses have been received from CPAT.

Dwr Cymru Welsh Water

Confirms the following apply:

- the Environmental Permit for the associated wastewater treatment works has been reviewed against revised conservation objectives for water quality;

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- there is capacity in place to accommodate the additional wastewater in compliance with revised permit limits; and
- the sewer network and associated WwTW has the hydraulic capacity for new connections without leading to an increase in the environmental impact of storm overflows.

Concerns are raised due to elements of the proposed development being located within the easement of public sewerage assets crossing the application site.

Glandŵr Cymru (Canal & River Trust)

Considers that in terms of direct impact on the Llangollen Canal, it is unlikely that the proposals would have a demonstrable direct adverse impact.

No objections are raised in terms of the principle of a Woodland Management Plan being secured and controlled by Planning Obligation.

Advises that due regard and consideration needs to be given to the potential impact major development such as that proposed could have on the status of the World Heritage Site designation and the threat of such status being revoked. Glandŵr Cymru requests that the Council carefully considers this matter within the decision making process to ensure that such development is fully justified within the World Heritage Site buffer zone.

Welsh Government Highways Directorate

No direction issued subject to the attachment of several conditions to any permission granted.

Network Rail

No objections raised in principle. Several advisory notes recommended to be attached to any planning permission granted.

CADW

No objections to the development regarding its potential impacts upon designated assets, subject to a planning obligation to secure a Conservation Management Plan.

CADW notes that submitted Conservation Management Plan provides an outline of the measures that could be carried out on the Kronospan estate inside the boundaries of the World Heritage Site to offset the impact of the development on it and along with financial support for other heritage initiatives in the surrounding area. CADW is satisfied it demonstrates that offsetting measures can be included in the proposed development that will compensate for the scale of impact on the setting of the World Heritage Site, but some measures still require to be considered and others need to be finalised. As such, CADW advise that the submitted Conservation Management Plan will need to be completed, but as it demonstrates that appropriate compensatory measures can be produced, it is recommended that the final document and the implementation of the measures contained in it can be secured by a suitably worded planning obligation.

Natural Resources Wales

Express concerns, but advise the identified concerns can be overcome with the attachment of suitable conditions to any permission granted.

Protected Sites

Concerns are raised that a significant effect from the development upon the River Dee and Bala Lake SAC cannot be ruled out.

In terms of pollution prevention, it is advised that subject to the development being carried out in accordance with recommended conditions, the development would not impact adversely upon the integrity of the River Dee and Bala Lake SAC.

Advises that the proposed surface water drainage arrangements are likely to be acceptable; not causing an adverse impact upon protected sites.

Advises it is the responsibility of the Council to assess the suitability of foul drainage arrangements.

Groundwater Protection & Land Contamination

NRW are satisfied that with the measures proposed within the submitted Surface Water Drainage Strategy Plan, and do not raise any concerns in relation to the impacts of the development upon groundwater.

NRW note that the 132kV cable connection does not form part of the proposals.

Protected Landscape

Although the extent of the proposed development has been reduced compared to the original submission, NRW explains that the development would still be visible and noticeable from viewpoints within the Clwydian Range and Dee Valley AONB, including the grounds of Chirk Castle. The development would replace agricultural fields that currently make a positive contribution to the character and visual amenity of the AONB, particularly at Chirk Castle. However, several conditions are recommended in relation to off-site landscape planting and external lighting to reduce any impacts upon the AONB.

Flood Risk

Advises less vulnerable development is proposed and that the application site is located partially within Zone C2 of the Development Advice Map, whilst the Flood Map for Planning identifies the application site to be partially within Zones 2 and 3 for River Flooding. NRW advises that the information submitted shows the risks and consequences from flooding are manageable to an acceptable level. On the basis of the Council assessing that any floodplain compensation areas would function as intended, NRW raise no objections on flood risk grounds.

Protected Species

The development site is located within 960m of the Chirk Castle and Parkland SSSI, Lesser Horseshoe Bats are a feature of the protected site. NRW advises that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places, and the potential impact pathway from proposed lighting is adequately addressed through the Environmental Statement.

NRW also notes that Appendix 7.3 of the Environmental Statement – ‘Great Crested Newt Presence or Absence (eDNA) Survey Report’ includes a baseline assessment of waterbodies within 500m of the site and concludes that the identified pond is unsuitable habitat for Great Crested Newts due to its connectivity to the Shropshire Union Canal. NRW concurs with this assessment and have no further comments in relation to protected species.

Air Quality

NRW advise they have no concerns to raise in relation to potential impacts on air quality.

At the time of writing, an additional response from NRW is awaited.

AONB Joint Committee

Objects to the proposed development. Advises that the site lies within close proximity of the AONB boundary and within the buffer zone of the Pontcysyllte Aqueduct and Canal World Heritage site. Explains that it is visible from a number of locations within the designated area and would adversely affect its setting and compromise views out from the AONB.

AONB JAC considers that the proposals would significantly compromise the existing relationship by adding an unnatural spur of development at the entrance to the village.

Comments are raised on numerous planning policy issues, and considers that if the development was to be granted, it would be difficult to resist further built development and log storage in this area in the future.

AONB JAC advises that the submitted Conservation Management Plan and Woodland Management Plan do not overcome the issues raised previously, and it is recommended that the application site area should be reduced by re-positioning the new roundabout closer to the village, reducing the incursion into open countryside.

National Trust

Considers that the submitted Conservation Management Plan lacks clarity of implementation. Concerns are raised regarding this document and it is advised that a financial contribution should be sought towards the Dee Valley Picturesque Visitor Bus to the WHS area. Recommends a condition to secure

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the details of a further CMP. Conditions are also recommended in relation to landscaping details.

Concerns are raised in relation to the potential impacts upon the AONB and the conditions/planning obligation recommended by NRW. It is reaffirmed that no screen planting can be undertaken on any land owned by National Trust.

It is also advised that further details regarding the specific details to be subject to a planning obligation should be obtained.

North Wales Fire and Rescue Authority

The Fire Authority does not have any observations in regard to access for appliances and water supplies.

British Waterways

Consulted 06/01/2023. No response received.

National Grid

Consulted 06/01/2023. No response received.

Wales & West Utilities

Consulted 06/01/2023. No response received.

Contaminated Land Officer

It is advised the southern part of the site was a sewage works and a transport support and cargo handling business, the western section of the development (to the west of the railway) is also in the vicinity of a former clay bricks and tile manufacturer. To ensure that any potential contamination issues are adequately dealt with, several conditions are recommended to be attached to any planning permission granted.

Flood & Water Management Team

Consulted 06/01/2023 and re-consulted 03/08/2023. No response received.

Public Protection Officer

No objections raised. Several conditions are recommended in relation to noise and vibration mitigation measures, a dust management scheme, a Construction Environmental Management Plan and external lighting, together with several standard advisory notes.

Highway Officer

Within the latest response, no objections are raised subject to several conditions in relation to a speed limit reduction, a Stage 1 Road Safety Audit, further details of cycle path arrangements along Holyhead Road and the submission of a Construction Traffic Management Plan.

The Highway Officer acknowledges that the proposed highway arrangements would be an improvement over the existing situation within Chirk. The proposed scale and layout of the roundabout design is also accepted. It is confirmed that further technical details would be required in relation to active travel re-

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 8 April 2024

arrangements, and that these could be secured as part of a Highway Agreement under S.278.

Ecology & Biodiversity Officer

Whilst a Bat Activity Survey was requested initially, further to amended details being submitted proposing a reduced extent and height of external lighting along the proposed access road, and additional native species tree planting being proposed adjacent to the proposed lorry park and lime kiln, the Ecology Officer now raises no objections.

Conditions are recommended in relation to landscaping, protected species, external lighting, a long-term habitat management plan, and prohibiting any vegetation clearance within the bird nesting season.

Arboricultural Officer

No arboricultural objections to the proposal subject to the provision of an approved Arboricultural Method Statement, on-site arboricultural supervision, and a revised landscaping scheme showing improved compensatory and enhancement planting within the red-line boundary where possible, and off-site planting relocated away from residential boundaries and areas of potential, increasing conflict.

Conservation Officer

Advises that the scheme, as amended, would have a limited impact on the significance of nearby heritage assets, including listed buildings and Chirk Conservation Area, and no objections are raised in relation to the proposals.

Press Notice

Expired: 01/02/2023.

Site Notices

Expired: 02/02/2023.

Public Representations

The owners/occupiers of 27 neighbouring properties were notified on 11/01/2023 and were re-notified on 03/08/2023. Public representations from one neighbour have been received at the time of writing, in objection to the proposals. The comments received are summarised as follows:

- The Kronospan site is already large enough;
- Negative impacts upon tourism within the town;
- The existing site is unsightly;
- Negative landscape impacts;
- Proposed development would block views of countryside;
- Development would have negative effect upon value of neighbouring properties;
- Dust and health concerns;
- Fire risks; and
- Noise concerns.

SPECIAL CONSIDERATIONS

EIA Development: The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 list types of development and thresholds to define where a development proposal is 'EIA development'. These are contained within Schedule 1 and 2 of the Regulations; Schedule 1 of the regulations lists where EIA is mandatory and Schedule 2 where development must be screened to determine if it is EIA development.

The proposed development falls within Schedule 2 of the Regulations, as follows:

- 10a: Industrial estate development projects. The area of the development exceeds 5 hectares;
- 10f: Construction of roads (unless included in Schedule 1). The area of the works exceeds 1 hectare;
- 13a: Any change to or extension of development of a description listed in Schedule 1 (other than a change or extension falling within paragraph 23 of that Schedule) where that development is already authorised, executed or in the process of being executed. The development as changed or extended may have significant adverse effects on the environment.

Therefore, the application has been accompanied by an Environmental Statement, and the planning application has been processed as EIA development in accordance with the 2017 Regulations.

Background: Kronospan is the UK's leading manufacturer of wood-based panels and associated products and has been manufacturing at its Chirk site for approximately 50 years. The primary products manufactured by Kronospan at the Chirk site are PB and MDF, from which a number of secondary products are produced such as laminate flooring, worktops and melamine faced boards.

The Kronospan manufacturing facility is a major local employer within the Chirk area, and within the wider County Borough, with the site employing over 600 staff. It is estimated that the facility also provides indirect employment to 6,000 people in industries relating to the manufacturing and supply chains associated with the operations at the site.

It is Kronospan's intention to ensure that the Chirk manufacturing site remains a world leading production site. Several projects have already been delivered on the site as part of the *Kronospan Vision 2020* investment and development programme, and they allow Kronospan to deliver continued environmental improvements at the site. The proposed development follows a development programme to deliver environmental improvements at the site which are intended to ensure the long-term economic viability of the manufacturing facility at Chirk.

The development would provide a new vehicular access to the Kronospan facility, and would eliminate almost all HGV trips associated with Kronospan's operations from Chirk Town itself. The development would also provide

enhanced parking and turning areas for HGVs at the facility itself, with enhanced weighbridge areas also being provided alongside additional roundwood storage areas. The delivery of a 132kV substation would allow Kronospan to connect directly into the strategic 132kV overhead electricity line that runs from Oswestry to Legacy, thus reducing reliance on on-site fossil fuel energy generation, and reducing the risk of intermittent or complete failure of the local 33kV electricity network which supplies the rest of Chirk.

There are considered to be several economic, social and environmental benefits associated with the proposed development. However, the application site is noted to be located within a sensitive area; within the buffer zone of the Pontcysyllte Aqueduct and Canal World Heritage Site (“the WHS”) and although outside of, within close proximity to, the boundary of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (“the AONB”). Careful consideration therefore has to be given to the potential impacts of the development upon both the WHS and the AONB.

Principle of Development: *Future Wales: The National Plan 2040* is the national development plan for Wales, and at Policy 20, identifies Wrexham and Deeside as a National Growth Area which will be the main focus for employment, growth and investment within the North Wales region.

With regards the Wrexham Local Development Plan, the application site is located adjacent to, but outside of, the defined boundary of the Chirk Employment Area, and is therefore situated within the open countryside. Accordingly, Policy EM4 (Employment Development Outside of Settlement Limits) of the LDP is of primary relevance, and states the following:

“New employment development outside of settlement limits will only be permitted through:

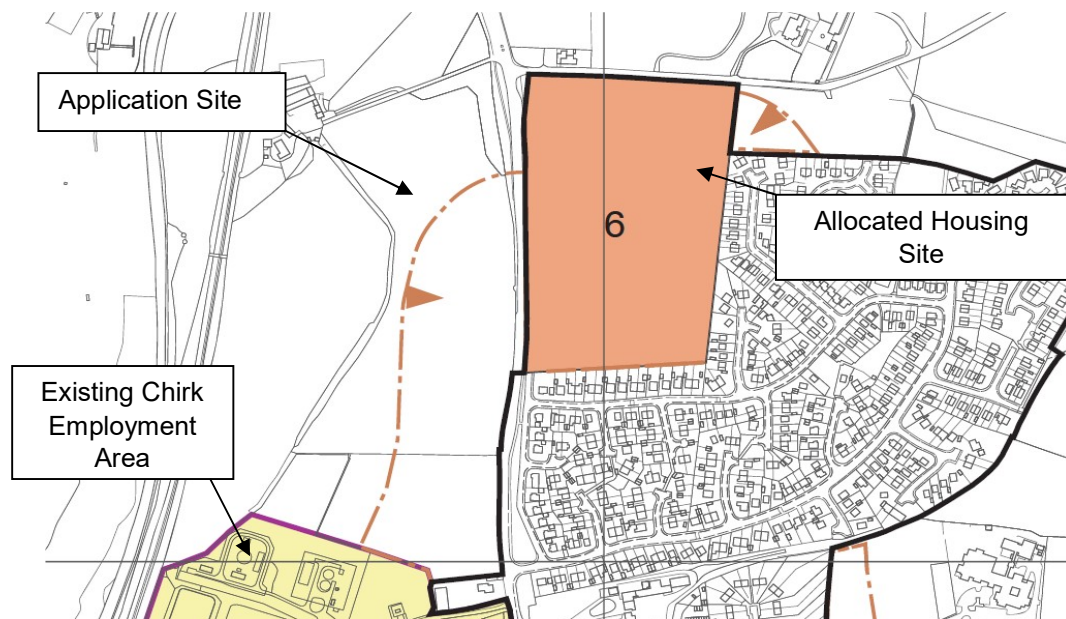
- iii. It involves the extension of an existing employment site. Where the existing employment site is located within a settlement limit or employment area and proposes to expand onto land outside the settlement limit/employment area, the following must be met:*
 - a) It must be demonstrated that there are no suitable sites located within a settlement limit/employment area for the extension to be located;*
 - b) The new development forms a logical extension to the settlement limit/employment area”.*

The existing Kronospan facility lies wholly within the Chirk Employment Area as per the LDP, whilst the application site lies adjacent to this area, wholly within the open countryside.

In terms of Criterion (a), it has been satisfactorily demonstrated that there are no other suitable sites adjacent to the existing facility which would be capable of accommodating the development. Indeed, the Kronospan site is heavily constrained by its surrounding land uses to the south, east and west. To the south lies several community facilities together with neighbouring employment sites. In addition, the development of the proposals to the south of the existing

facility would also not deliver the environmental and social benefits of removing a large proportion of HGV traffic from Chirk itself. To the east lies the B5070 public highway and large-scale residential development. To the west lies the Shrewsbury – Wrexham Railway Line and the Llangollen Canal. It is thus considered the siting of the development on the land to the north of the existing facility, within the open countryside, is the only feasible option for the delivery of the proposals.

Turning to Criterion (b), it is considered the development would form a logical extension to the Chirk employment area. Indeed, the application site directly abuts the existing Kronospan site, and would simply extend the existing site northwards. The proposed development would mirror existing residential development on the eastern side of the B5070 public highway, as well as mirroring the potential future residential development of land to the east of the B5070 public highway which is allocated for development within the LDP. The application site extends to the same northern extent as the allocated housing site, and therefore, when viewed within the wider landscape, the development would not be viewed as an illogical addition to the built development of Chirk. The below extract from the LDP Proposals Map illustrates this relationship.



In light of the above, and noting that there are no suitable alternative sites located within the employment area for the proposals to be located, and that the proposals represent a logical extension to the employment area, it is considered the requirements of LDP Policy EM4 are met. The principle of development in this location is consequently acceptable.

Visual/Landscape Impact: The application site currently comprises undeveloped agricultural grassland to the immediate north of the existing Kronospan facility, and to the west of the B5070 public highway. The proposed

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development would unquestionably result in a different visual impact to the existing situation on-site.

The development would include elements of cut and fill earthworks to create a development platform on the site; with there being an identified materials balance of approximately 11,200m³ fill. An earth bund is also proposed along part of the site's eastern boundary, to effectively extend the existing earth bund in this part of the site northwards. On the site itself, the largest visual changes would comprise the construction of the north access road, the lorry park area, the new weighbridges with gantries and weighbridge building, the creation of the roundwood storage areas and the construction of the 132kV substation.

Significant on-site and off-site landscape planting and enhancement planting is proposed in order to help reduce any landscape visual impact associated with the development, and several extensive areas of existing woodland are also proposed to be retained as part of the development proposals.

The submitted Environmental Statement includes a detailed Landscape Visual Impact Assessment (LVIA), which has been updated routinely during the course of the application to take account of any amendments made to the proposed scheme. The submitted assessment concludes that whilst some larger scale visual impacts would occur during the construction of the development and within the initial stages of the development, in the long-term there would be no significant visual or landscape visual impacts as a consequence of the proposals.

Indeed, it is considered that particularly when compared to the existing development at the existing Kronospan facility, the scale of each component element of development subject of the application is relatively minor and would be viewed as subservient additions to the existing facility. The tallest individual structure on the site would be the three-storey weighbridge building (measuring approximately 9 metres in height), which is noted to be considerably lower in height than many of the towers, stacks and flues at the existing site. Whilst the overall development, together with that already present on the existing site, would have a cumulative visual effect, it is nevertheless concluded that the proposals would be viewed within the context of the existing industrial site and would not cause any unacceptably significant landscape visual impact; particularly when considering the extent of landscape planting proposed.

Thus, whilst it is accepted the development would cause a visual impact and the impact may be significant at times from certain viewpoints during the construction phase, officers concur with the conclusions of the submitted LVIA, and consider that in the long-term there would not be a significant or unacceptable impact upon the landscape character of the surrounding area; particularly when considering the low-lying nature of the proposals within the wider landscape setting, and their assimilation into the wider existing Kronospan site.

Clwydian Range & Dee Valley AONB

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The application site is located approximately 600 metres to the east of the AONB boundary. Attention is drawn to LDP Policy NE4, which confirms that where proposals are outside of but closely interlinked with the AONB, they must not have an adverse impact upon the natural beauty of the AONB.

The submitted LVIA identifies that the character of the landscape within the AONB would not experience significant effects as a result of the proposed development; and that the presence of development in outwards views is an established part of the visual context of the landscape, and this would not appreciably change as a result of the proposals. Whilst it is noted that the external lighting could cause further impacts upon the AONB's landscape character, full details of external lighting would be secured by way of condition; with there being several measures that could be employed to reduce upward light spill.

Within its response, NRW raises no overall objections in terms of impacts upon the AONB subject to a several conditions being attached to any planning permission granted in relation to landscape planting. It is considered these requirements could be subject to conditions and planning obligations as part of any consent granted.

NRW does note that the development would be at least partially visible from important AONB viewpoints within the grounds of Chirk Castle, and that the development would replace agricultural fields that currently make a positive contribution to the character and visual amenity of the AONB. However, members should note that when viewed from Chirk Castle, views of the development, as amended, would be limited, and those that would be available would be viewed against the backdrop of existing built development within Chirk, and against the backdrop of an allocated housing site within the LDP. Given the land in question is allocated for residential development within the adopted LDP, it is considered reasonable to assume its development in the near future.

Further to the above, whilst time would be needed to allow planting to establish and provide screening benefits, as noted, a substantial on-site and off-site native species planting scheme would be secured by conditions and planning obligations, which would help to further screen the development from view from sensitive receptors.

Whilst the objections raised by the AONB Joint Committee are duly noted, on this occasion, and given that no objections have been raised by NRW in this regard, it is considered that there would be no long-term harmful impacts upon the landscape character, visual amenity and special qualities of the AONB on this instance.

In light of the above, officers consider the scheme as amended to be compliant with the requirements of LDP Policies DM1, NE4, SP12 and SP14.

Residential Amenity: The nearest residential properties to the application site lie on the opposite side of the B5070 public highway, approximately 25 metres from the site boundary.

Noting the proposed scale of the earth bund adjacent to the public highway and the separation distance, it is considered there would be no potential for the proposed bund to cause an unacceptable impact upon neighbouring residential amenity by way of overbearing impacts.

It is further considered there would be no adverse overlooking impacts associated with the proposals.

In terms of the potential for other impacts to occur in relation to noise, vibration, dust, pollution and lighting, the Council's Public Protection Officer has raised no objections subject to a number of appropriately worded conditions to secure adherence to mitigation measures contained within the submitted supporting information, to secure the submission of a Dust Management Scheme and a Construction Environmental Management Plan (CEMP). It is considered appropriate for the CEMP to include details of hours of construction work on the site, and therefore this requirement would be included within the wording of the condition.

As noted within the *Background* section of this report, it is considered that the proposed development would provide substantial improvements for the residents of Chirk, most notably due to the removal of high levels of HGV traffic from the town itself. In addition, with regards to noise, at present it is noted the existing lorry park serving the Kronospan facility requires HGVs to reverse into parking spaces, and this results in additional engine and reversing alarm noise. The proposed lorry park, which would be sited further out-of-town, is designed to avoid the need for any HGVs to reverse into and out of parking spaces, which would remove additional engine noise and noise from reversing alarms.

Noting the above, the proposals are in compliance with the requirements of Policies DM1 and SP14 of the Local Development Plan.

Highway safety: The application proposes the creation of a new north access road, with associated new access point and 4-arm roundabout on the B5070 public highway, for use primarily by HGV traffic visiting and leaving the Kronospan facility.

Whilst the development would clearly involve additional trip generation to/from the site within the local highway network during the construction phase, given that no new operational/manufacturing facilities are proposed as part of the application, it is not expected there would be any appreciable difference in traffic generation to/from the site as a consequence of the proposals in the future operational phase. Indeed, whilst new weighbridges are proposed, these would operationally replace the existing corresponding facilities at the southern end of the Kronospan facility at present. Similarly therefore, it is anticipated that the extent of operational HGV traffic using the local highway network would not increase as a result of the proposals; with HGVs simply using the new access

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point, access road and lorry park instead of the existing facilities at the site's existing southern access.

Thus, it is considered that operational traffic travelling to/from the Kronospan facility would not increase appreciably as a result of the proposals.

The submitted Transport Assessment Addendum identifies that approximately 224 daily two-way HGV movements would be associated with the construction phase of the development should planning permission be granted.

In terms of the proposed highway infrastructure design, a compact 4-arm roundabout design is proposed on the B5070 to provide access to the site via the new north access road. Existing footway and cycleway provision is proposed to be accommodated within the design.

The Council's Highway Officer raises no objections to the development subject to suitably worded conditions being attached to any permission granted in relation to the submission of a Construction Traffic Management Plan (CTMP), a Stage 1 Road Safety Audit and the submission of further details of the proposed works to the footway and cycleway in the area of the roundabout. It is noted that these works, together with the highways works more generally, would be subject to a S278 Highways Agreement under the Highways Act. For the purposes of the planning application, it is considered the submitted details are sufficient and clearly show the proposed arrangement. It is not, therefore, considered necessary to secure further details of the proposed active travel works, and these would be subject to a separate legislative process under the Highways Act.

The Highway Officer notes that the proposed compact roundabout design is acceptable, however would necessitate a speed limit reduction along this stretch of the B5070 from 50mph at present to 40mph, in the interests of highway and pedestrian safety. Whilst this alteration to the speed limit would require the completion of a Traffic Regulation Order, which is separate to the planning process, it is considered necessary to secure a scheme of speed limit changes by way of condition.

Given the proximity of the application site to the Trunk Road Network, the Welsh Government Highways Directorate has also been consulted, and has raised no objections to the development proceeding subject to a range of suitably worded conditions. These are incorporated into the recommendation.

In terms of on-site parking arrangements, it is noted the proposed lorry park contains less spaces than the existing lorry park. However, noting the improved design of the proposed lorry park, together with more waiting and storage space within the proposed site design over the existing situation, the Highway Officer has raised no concerns in terms of parking provision.

In-line with the requirements of Policy 12 of Future Wales, at least 10% of all new non-residential car parking spaces need to be served by EV charger

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infrastructure. Therefore, to secure the appropriate level of EV chargers within the weighbridge car park, a suitably worded condition is recommended.

The existing access to the site, off the B5070, is not proposed to be closed up as part of the development. Noting that one of the principal reasons for the development is to remove a large proportion of HGV traffic from roads within Chirk itself, it is therefore important that HGV drivers would use the proposed north access rather than the existing access point, in order for the environmental and social benefits associated with the scheme to be realised. The submitted Transport Assessment includes a range of mitigation measures that would be employed by the Applicant in order to ensure future HGV traffic does not use the existing access point, and it is considered these are appropriate. Further, given that the lorry park and new weighbridges could only be accessed via the proposed new access, it is considered that as drivers get used to the new access arrangements, use of the old access point would decline naturally. The existing access would be retained for use by car traffic, and for use during emergency situations, which is considered to be acceptable in highway safety terms.

Notwithstanding the above, to ensure that the future use of the existing access point onto Holyhead Road is acceptable, it is considered necessary to secure the submission of an Operational Traffic and Parking Management Plan to the Local Planning Authority by condition.

In light of the above, officers consider the proposals to be acceptable in highway safety terms, in compliance with Policies DM1 and T1 of the Local Development Plan.

Natural Environment:

Protected Species

The application has been accompanied by several ecological assessment reports and surveys, outlining the current situation on-site for protected and priority species. The submitted information identifies that there would be some impacts upon protected species, notably birds and bats, due to the proposed elements of hedgerow and tree removal from within the site. However, suitable mitigation measures are proposed, including the retention of specific trees with bat roost potential, the planting of replacement hedgerows and trees, not undertaking any site clearance works within the bird nesting season, and the implementation of a reduced scheme of low-level lighting along the north access road. In terms of the Great Crested Newt, the submitted information identifies that a pond within 500 metres of the application site is not suitable for use by newts due to its connection with the Llangollen Canal.

NRW has been consulted and raises no objections in terms of the potential impacts upon protected species, both on the application site itself and within its wider vicinity. Furthermore, the Ecology Officer has also not raised any objections subject to a number of appropriately worded conditions, which are reflected within the recommended condition list.

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In light of the submitted information and the responses received from NRW and the Ecology Officer, it is considered the development would not have unacceptable impact upon any protected species.

Protected Sites

The application site does not lie within any designated ecological sites, nor within the buffer zones of any designated sites. However, the application site lies approximately 1.1km north-east of the Chirk Castle and Parkland SSSI, and approximately 1.8km north of the River Dee and Bala Lake SAC.

In terms of pollution prevention and impacts upon groundwater, whilst NRW did initially raise several areas of concern, further to the Applicant submitting additional information concerning proposed arrangements for surface water drainage and hazardous substances, NRW have removed their previous objections, subject to a condition to secure further details of the storage of hazardous substances on the site.

Thus, in light of NRW's most recent consultation response, it is considered there would be no unacceptable impacts upon any nearby protected sites as a consequence of the proposals, subject to the condition as recommended by NRW in relation to hazardous substances. This condition is included within the recommendation accordingly.

Air Quality

The application has been accompanied by an Air Quality Assessment, as well as an Addendum Report, and having reviewed the submitted information, NRW has confirmed that it has no concerns to raise in terms of the development's potential impact upon air quality within the site's vicinity.

Trees

The submitted Arboricultural Impact Assessment identifies that a total of 88 trees, six complete tree groups, two part tree groups, six complete hedges and six part hedgerows would need to be removed to facilitate the development, and that five trees would require pruning and/or tree protection barriers.

The application also proposes the retention of several areas of trees, as well as significant additional native species and specimen tree planting within the application site.

The Arboricultural Officer, having reviewed the submitted documentation and plans, has confirmed no objection to the development on the basis that an Arboricultural Method Statement, on-site supervision of arboricultural works and an amended landscaping scheme are secured by way of conditions. Suitably worded conditions are included within the recommendation to reflect these requirements.

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In light of the above, the impact upon trees is considered to be acceptable in accordance with Policies SP14 and NE3 of the Local Development Plan.

Green Infrastructure & Net Biodiversity Benefit

Part 6.4.15 of Planning Policy (PPW) Wales advises that the first priority for planning authorities is to avoid damage to biodiversity in its widest sense (i.e. the variety of species and habitats and their abundance) and ecosystem functioning. Where there may be harmful environmental effects, planning authorities will need to be satisfied that any reasonable alternative sites (including alternative siting and design options) that would result in less harm, no harm or benefit have been fully considered. This is known as the 'step wise approach'. Part 6.2.12 of PPW outlines that all planning applications should be accompanied by a Green Infrastructure Statement, demonstrating how the step wise approach has been followed.

The application has been accompanied by a Green Infrastructure Statement, which outlines that where possible, existing green infrastructure on the site would be retained, and where unavoidable, the loss of existing features would be replaced with greater quantities of new native woodland, native hedgerow and specimen tree planting, with a net gain in all three vegetation types. It is further noted that new wetland areas are proposed within the north-western corner of the application site, which would introduce a new habitat to the site.

Having reviewed the submitted information, the Ecology Officer has not raised any objections, and it is noted that sufficient net benefit for biodiversity measures have been proposed to comply with the requirements of Chapter 6 of PPW.

Drainage & Phosphorous: In terms of foul drainage, the application proposes a new weighbridge building and infrastructure which would connect to the public sewerage network at Five Fords Wastewater Treatment Works. Correspondence received from Dwr Cymru Welsh Water confirms that:

- the Environmental Permit for Five Fords wastewater treatment works has been reviewed against revised conservation objectives for water quality;
- there is capacity in place to accommodate the additional wastewater in compliance with revised permit limits; and
- the sewer network and Five Fords wastewater treatment works has the hydraulic capacity for new connections without leading to an increase in the environmental impact of storm overflows.

Thus, in-line with NRW's published advice, it has been concluded that the development would not be likely to cause a significant effect upon the integrity of the River Dee and Bala Lake SAC by way of increased phosphate inputs from the site.

Dwr Cymru Welsh Water have raised an objection on the basis that the proposed development would be located within the easement of some of their

sewerage assets crossing the site. However, this would not constitute a sustainable reason to refuse planning permission on this occasion, with the matter ultimately being one to be resolved between the parties involved. It is noted there would be scope for the sewerage assets to be diverted under Section 185 of the Water Industry Act, 1991.

In terms of surface water drainage, the development would require separate SuDS approval from the SAB prior to the commencement of any works on the site. It is noted the submitted scheme takes surface water drainage considerations into account, with the provision of surface water attenuation features within the site design. However, given that separate approval is required on these matters, and that no comments have been received from the Council's SAB Team as part of the planning application, it is considered the development is acceptable in this regard.

Historic Environment:

Pontcysyllte Aqueduct & Canal World Heritage Site

The application site is located wholly within the buffer zone of the WHS, although outside of the WHS boundary itself. Part 3.3 of TAN 24 advises that the buffer zone itself is not of Outstanding Universal Value but can be used to highlight areas where potential impacts need to be given careful consideration by developers and decision makers. Part 3.6 of TAN 24 confirms that Local Planning Authorities must preserve the Outstanding Universal Value of World Heritage Sites by carefully managing development within and adjacent to them. It is noted that parts of the proposed development would be visible from the WHS boundary.

CADW has been consulted, and in light of the amendments made during the course of the application, has confirmed no objections to the development. The application has been accompanied by a Conservation Management Plan, which provides an outline of the measures that could be carried out on the Kronospan estate inside the boundaries of the World Heritage Site to offset the impact of the development on it and along with financial support for other heritage initiatives in the surrounding area. It demonstrates that offsetting measures can be included in the proposed development that will compensate for the scale of impact on the setting of the WHS. The submitted Conservation Management Plan demonstrates that appropriate compensatory measures can be produced to compensate/mitigate for impacts upon the setting of the WHS. However, as some details within the plan need to be refined and finalised, CADW considers that the final version of the document and the implementation of the measures contained in it, should be secured by a suitably worded Planning Obligation.

Indeed, given that the proposals subject of the Conservation Management Plan would not all be on land forming part of the application site and under the control of the Applicant, it is considered the final plan, together with its implementation and long-term maintenance should be secured through a Planning Obligation, rather than by condition.

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In light of the above, noting the comments provided by CADW, and subject to a Planning Obligation to secure the Conservation Management Plan, it is considered the impacts upon the WHS would be acceptable and would not cause long-term harm to the Outstanding Universal Value of the WHS.

Scheduled Monuments

Offa's Dyke: Caeau-Gwynion Section and Pontcysyllte Aqueduct and Canal Scheduled Monuments are both located within 1.1km of the application site. Both CADW and CPAT raise no objections with regards to the potential impacts of the development as amended upon the two Scheduled Monuments. It is therefore considered that the development would not cause any harmful impact upon the way in which the monuments are understood and appreciated on this occasion.

Archaeology

CPAT have been consulted, and note the presence of a former lime kiln on the application site, which is a non-designated heritage asset.

CPAT note the lime kiln is to be preserved as part of the development, but advise that specific details of how its preservation will be achieved should be secured by suitably worded conditions. Such conditions are included within the recommendation, and subject to these it is deemed sufficient protection for the non-designated heritage asset would be afforded as part of the proposals.

Whilst CPAT also raise issues in relation to the proposed 132kV cable route, Members are advised that this does not form part of the planning application, and cannot therefore be considered.

Listed Buildings

The Local Planning Authority is required have special regard to the desirability of preserving listed buildings or their settings under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

CADW identifies that the proposed development would impact on the setting of the Grade I Listed Chirk Castle. However, in light of the amendments made to the scale of the development, the latest CADW response confirms no objections to the development, and it is therefore considered there would be no harmful impacts upon the setting of the listed building.

In terms of the several Grade II Listed Buildings within the application site's environs, the Council's Conservation Officer has raised no overall objections, and considers the development as amended would have a limited impact on the significance of the listed buildings.

In light of the consultation responses received, it is considered that the development as amended would not cause a harmful impact upon the

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character, setting or appearance of nearby listed buildings, and therefore it is compliant with the requirements of LDP Policy SP15 and TAN 24.

Chirk Conservation Area

Chirk Conservation Area lies approximately 1km to the south of the application site. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Noting that the proposed development would be wholly to the north of the existing Kronospan facility, the Council's Conservation Officer considers that very little impact is expected on the significance of the conservation area and it is hoped that the new entrance to the site and the associated lorry park would significantly reduce the number of HGVs moving through the town; which would aid in the appreciation and understanding of the town's complex, multi-layered significance. Thus, it is considered that there would be no harmful impact upon the character and setting of Chirk Conservation Area as a consequence of the proposed development.

Land Contamination: The Contaminated Land Officer advises that the southern part of the application site is on land that was formerly a sewage works and a transport support and cargo handling business. Therefore, to ensure that any potential contamination issues are adequately dealt with, the Officer recommends that conditions to secure the submission of a Phased Site Investigation and a Verification Report, are attached to any planning permission granted.

Subject to the recommended conditions, the development would be compliant with the requirements of LDP Policy SP14.

Flood Risk: The application site is located partially within Zone C2 of the Development Advice Maps, and partially within Zones 2 and 3 of the updated Flood Map for Planning (for fluvial flooding). The proposals comprise less vulnerable development as defined within Technical Advice Note 15.

NRW has not raised any objections in terms of flood risk, and it is considered the development is justified in this location in accordance with the requirements of Part 6.2 of TAN 15.

NRW has, however, advised that the final design details for the re-grading of flood plain compensation areas should be secured by condition, and a condition is included within the recommendation accordingly.

Subject to the above, it is considered the risks from flooding are acceptable in accordance with the requirements of TAN 15 and LDP Policies DM1 and SP18.

Agricultural Land Classification: The application site is graded as 3b as per the Welsh Government Agricultural Land Classification Predictive Map, which

is not the best and most versatile land to be preserved for future agricultural use. Given that the proposal would not see the change of use of the best and most versatile agricultural land, the development is considered to be compliant with Paragraph 3.58 of PPW.

Renewable Energy: LDP Policy RE1 requires developers of the Key Strategic Sites and major sites (100 dwellings or more or development exceeding 1000m²) to incorporate schemes which generate energy from renewable and low carbon technologies unless it is demonstrated that it would not be financially or technically viable to do so.

On this occasion, less than 1000m² of new floor space is proposed, and therefore it is considered the requirements of Policy RE1 do not apply.

In any case, as contained within the submitted Planning Statement, it is noted the delivery of the proposed 132kV substation would allow further renewable energy development on the site in the future, which is considered to be a key positive aspect of the proposals, in order to meet the Welsh Government's renewable energy goals.

Minerals: The application site is located within a Mineral Extraction Exclusion Area as per the LDP. Therefore, it is considered the extraction of any mineral resources on the site would be unacceptable in policy terms.

Planning Obligations: As noted within the Historic Environment section above, the Applicant has produced a Conservation Management Plan (CMP) to help mitigate any impacts upon designated and non-designated heritage assets within the wider environs of the application site. CADW has, within their latest consultation response, confirmed no objections to the development subject to the final version of the CMP, and its long-term implementation, being secured by planning obligation. Indeed, given that the CMP includes works on land outside of the Applicant's direct control, together with a commuted sum paid to Friends of Whitehurst Gardens towards ongoing restoration and scoping works within Whitehurst Registered Historic Park and Garden, it is considered the delivery of the CMP would need to be secured by Planning Obligation.

Whilst the National Trust has raised concerns with the submitted CMP and has recommended that further commuted sums should be required, it is noted these views are not shared by CADW. It is therefore considered that the additional requirements outlined by the National Trust would be unreasonable and not directly linked to the proposed development.

In addition, the Applicant has produced a Woodland Management Plan (WMP) in consultation with Glandŵr Cymru, which relates to proposed tree works on land within Glandŵr Cymru's ownership consisting of:

- Selective removal of old/decaying tree cover along the canal cuttings;
- Replacement planting with new native species; and
- Management of the woodland (including any new planting) to maintain existing levels of visual screening, to enhance biodiversity, to ensure the

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safety of canal users, and to maintain the stability of the canal structures and earthworks.

Glandŵr Cymru has confirmed no objections to the principle of the WMP, and given that it proposes off-site works on land not under the control of the Applicant, it is considered necessary to also secure the WMP by way of a Planning Obligation under Section 106 of the Town and Country Planning Act 1990.

In terms of the proposed off-site landscape enhancements, it is noted that although these would be located outside of the application site, they would be sited on land under the control of the Applicant. It is therefore considered appropriate for these planting works to be secured and controlled by condition instead of a Planning Obligation.

CONCLUSION

It is acknowledged the proposal amounts to a major development on an area currently comprising agricultural land within the open countryside. However the development, as amended, is considered to be compliant with the requirements of both local and national planning policy; and would provide benefits to the living conditions of residents of Chirk in terms of reducing the volume of HGV movements within the town associated with the operations at the Kronospan facility. It is further noted that the delivery of a 132kV substation to the site would allow Kronospan to reduce its reliance on on-site fossil fuel energy generation and would constitute a step towards meeting the UK's net zero goals.

The development would have some impact upon both the Pontcysyllte Aqueduct & Canal WHS and the Clwydian Range & Dee Valley AONB. However, in light of the amendments made to the scheme and the responses received from statutory consultees, it is considered the impacts would not be significant in the long-term and would not, therefore, be unacceptable.

On balance, it is considered that the proposal is acceptable in planning terms and is in compliance with the provisions of the Development Plan.

Therefore, it is recommended that planning permission is granted, in-line with the below.

The information submitted within the Environmental Statement has been considered in full in reaching the recommendation made on this application.

RECOMMENDATION A

That the planning application be determined in accordance with Recommendations B, C and D below.

RECOMMENDATION B

That the following are secured by Planning Obligation under Section 106 of the Town and Country Planning Act, 1990:

- The submission of a final Conservation Management Plan;
- The implementation and long-term management of the measures contained within the final Conservation Management Plan;
- The submission of a final Woodland Management Plan; and
- The implementation and long-term management of the measures contained within the final Woodland Management Plan.

That the Chief Officer Economy & Planning be given delegated authority to approve the final form and content of the Planning Obligation.

RECOMMENDATION C

Upon completion of the Planning Obligation that planning permission be **GRANTED** subject to the following conditions:

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall be carried out in accordance with the following approved plans and documents:
 - Planning Figure 1.1 REV A – Statutory Plan
 - Planning Dwg 1 REV B – Proposed General Arrangement
 - Planning Dwg 2 REV B – Proposed Landform
 - Planning Dwg 3a REV C – Illustrative Landscape Masterplan
 - Planning Dwg 3b REV B – Proposed off-site Landscape Enhancements
 - Planning Dwg 4a REV C – Illustrative Landscape Cross-Sections Sheet 1
 - Planning Dwg 4b REV B – Illustrative Landscape Cross-Sections Sheet 2
 - Planning Dwg 4c REV A – Illustrative Landscape Cross-Sections Sheet 3
 - Planning Dwg 4d REV A – Illustrative Landscape Cross-Sections Sheet 4
 - Planning Dwg 5 – Proposed Weighbridge Building & Facilities Block Plan and Elevations
 - Planning Dwg 6 – Proposed 132kV Substation Layout
 - Planning Dwg 7 – Proposed 132kV Substation Equipment Elevations
 - Planning Dwg 8 – Proposed 132kV Substation Site Elevations
 - Planning Dwg 9 – Proposed 132kV Substation Building Elevations
 - Planning Dwg 10 REV A – Proposed Foul Drainage Connection
3. No part of the development shall commence until details of all earthworks, excavation, and land regrading and retaining structures have been submitted to and approved in writing by the Local Planning Authority. The plan shall include the existing and proposed levels and contours, cut and fill line, existing vegetation and site features of the development. Details of soil

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stripping, storage and replacement shall be included where appropriate. The development shall be carried out in strict accordance with the details as approved.

4. No development shall take place until further details of both hard and soft landscape works within the application site have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i) A statement setting out the design objectives and how these will be delivered;
 - ii) means of enclosure and retaining structures, including details of colours and materials of acoustic screens;
 - iii) other vehicle and pedestrian access and circulation areas;
 - iv) hard surfacing materials;
 - v) minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, etc.); and
 - vi) planting, seeding and management measures for the attenuation basins and any other water/wetland features.

Soft landscape works shall include detailed planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, plant supply sizes and proposed numbers/densities and an implementation programme.

5. The on-site landscaping works shall be carried out in accordance with the details approved under Condition 4 in-line with the approved implementation programme. The completed scheme shall thereafter be managed and maintained in accordance with a detailed scheme of management and maintenance which has first been submitted to and approved in writing by the Local Planning Authority.
6. No development shall commence until a detailed landscape scheme for off-site enhancements relating to items 1 - 4 as identified in Planning Dwg 3b REV B – Proposed off-site Landscape Enhancements, has been submitted to and approved in writing by the Local Planning Authority. The Landscaping Scheme shall include:
 - Earthworks plan showing existing and proposed landforms and retaining structures including contours and/or spot heights as appropriate;
 - Highway and utility plan, plotting the location of highway sight lines and existing and proposed utilities on the layout plan to ensure tree planting and hedgerows essential for landscape integration of the development are achievable;
 - Details of existing habitats / trees and hedgerows on the site to be retained and measures for their protection, remedial work and management;
 - Details of existing and proposed walls, fences, surfacing and structures, including historic features;
 - Details of treatment of site boundaries;

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- Details of the extent, distribution and type of new planting;
- Details of the extent, distribution and type of new habitat creation on the site;
- Specification of ground preparation and planting operations - including specification of topsoil quality and depth, remediation of compacted soils, planting season, plant protection, watering of newly planted stock, mulching etc;
- Details and timings of when the landscape scheme will be implemented including the phasing of any landscaping;
- Details of contingency measures should any trees or plants die, be removed or become seriously damaged within 5 years of planting;
- Maintenance schedule setting out annual operations, frequency and standard of workmanship during the establishment period; and
- Long term management plan, setting out management activities, frequency and standard of workmanship, responsibilities for management and monitoring.

The landscape scheme shall be carried out in accordance with the approved details, and thereafter be managed in accordance with the approved Long Term Management Plan.

7. No development shall commence until full details of an Ecological Clerk of Works for the duration of the construction works have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in strict accordance with the approved details.
8. Notwithstanding the submitted details, no development shall take place, including site clearance, until a long-term Wildlife and Habitat Protection and Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
 - i) Details of sensitive site clearance with respect to protected species and breeding birds;
 - ii) A plan showing wildlife and habitat protection zones;
 - iii) Details of development and construction methods within wildlife and habitat protection zones and measures to be taken to minimise the impact of any works;
 - iv) Details of the management of ecology features to maximise biodiversity;
 - v) Measures to be undertaken to enhance biodiversity on site;
 - vi) A minimum of 100mm gap at the bottom of all fencing/screening used on-site; and
 - vii) Timings for the implementation of the measures and maintenance thereafter in the long-term.

The protection and management plan shall be fully implemented in accordance with the approved details.

9. No development shall commence until details of proposed Amphibian Reasonable Avoidance Measures (RAMs) have been submitted to and

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approved in writing by the Local Planning Authority. The details shall include the following:

- Details of a tool box talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project;
- Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);
- Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;
- Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery.
- Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked each morning for any amphibians. Any amphibians located are to be moved to the artificial hibernacula.

The development shall be carried out in strict accordance with the RAMs as are approved.

10. Any vegetation clearance must be undertaken outside the nesting season, which is generally recognised to be from March to August inclusive, unless it can be first demonstrated that nesting birds are absent.

11. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with Method Statement as is approved. The Method Statement shall include the following:

- A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
- A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
- A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
- Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
- Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
- Method for protecting retained trees during demolition works; and

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- Details of all proposed tree works, including felling and pruning.
12. No part of the development shall commence until full details for the arboricultural supervision of tree protection measures and any ground works within retained tree(s) Root Protection Areas, as specified by BS5837:2012 or as shown on a Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The supervisory works shall be carried out in strict accordance with the details as approved.
13. Prior to its installation, further details of all external lighting shall be submitted to and agreed in writing by the Local Planning Authority in a Lighting Plan. The Lighting Plan shall include:
- Details of the siting and type of external lighting to be used;
 - Drawings setting out light spillage in key sensitive areas;
 - Light modelling images to present the night time effects of lighting on building elevations and ground surfaces from key viewpoints;
 - Measures to reduce light spillage onto foraging habitats for bats;
 - Details of lighting to be used both during construction and operation; and
 - Measures to monitor light spillage once development is operational.

All external lighting on-site shall be installed and operated in strict accordance with the approved Lighting Plan.

14. No development shall commence until a scheme for the reduction in the speed limit along the B5070 from 50mph to 40mph, so that the site access and new roundabout are located within the 40mph zone, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented as approved prior to the construction of the roundabout junction shown on Planning Dwg 1 REV B – Proposed General Arrangement.
15. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Welsh Government. The CTMP shall include details of the following:
- Haulage routes for construction vehicles;
 - Times of working/operation and restrictions on deliveries during peak hours;
 - Timings of construction traffic and means of defining and controlling such traffic routes and timings;
 - Parking of construction vehicles, and contractor parking, on site and not along the Trunk Road Network, the B5070, or within residential streets;
 - Areas for loading and unloading of plant and materials on site;
 - Measures to control mud and debris entering the highway;
 - Measures taking into account the strategic diversion route nature of the B5070, the potential disruption to the planned works, large vehicle sizes and high traffic flows associated with an emergency trunk road closure and diversion scenario; and

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- Measures taking into account constraints on vehicle movements such as traffic management embargo periods, route traffic sensitivity, temporary roadworks and other highway restrictions along the Trunk Road and local highway networks.

The development shall be carried out in accordance with the approved CTMP.

16. To ensure that traffic queuing towards the trunk road interface (A5) does not exceed 80% of the available space between any temporary signals and the trunk road, temporary traffic light signals must be manually overseen at peak times to prevent traffic backing up onto the trunk road network and impacting road safety.
17. The use of the lorry park hereby approved shall be limited for use of vehicles immediately associated with the operation of the Kronospan site only.
18. Prior to the first beneficial use of the development hereby approved, the new access, roundabout and alterations to the footway and cycle path shall be fully completed and laid out in accordance with the details shown in drawing no: Planning Dwg 1 REV B – Proposed General Arrangement, and retained thereafter for as long as the development remains in existence.
19. Prior to its first beneficial use, 10% of the car parking spaces within the new weighbridge car park, as shown on drawing no: Planning Dwg 1 REV B – Proposed General Arrangement, shall be submitted with EV chargers. The EV chargers shall be retained as such for the lifetime of the car park.
20. No development shall commence, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:
 - i) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - ii) wheel washing facilities;
 - iii) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
 - iv) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - v) hours of construction;
 - vi) construction phase site lighting;
 - vii) management, control and mitigation of noise and vibration, to include adherence to the measures outlined within Part 8.7.3 of Report 3046-01;
 - viii) odour management and mitigation;
 - ix) diesel and oil tank storage areas and bunds;
 - x) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk) during the course of the construction of the development; and
 - xi) a system for the management of complaints from local residents which will incorporate a reporting system.

The construction of the development shall be undertaken in accordance with the approved CEMP.

21. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the local planning authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.
22. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 21 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.
23. Prior to the commencement of development, design details for re-grading of flood plain compensation areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details prior to its first use.
24. In order to preserve important archaeological remains (sub-surface lime kiln) identified during archaeological assessment, the development hereby approved shall not begin until an appropriate fenced area, surrounding these remains, has been marked out in accordance with a specification first submitted to and approved in writing by the Local Planning Authority. Throughout the course of the development no construction works shall be undertaken within the area surrounded by fencing without the prior written consent of the Local Planning Authority.
25. No development shall take place until a detailed scheme showing the scope and arrangement of all landscaping groundworks above and around the lime kiln remains protected by the exclusion (Condition 24) has been submitted to and approved in writing by the Local Planning Authority and the Development Control Archaeologist (Clwyd-Powys Archaeological Trust, The Offices, Coed y Dinas, Welshpool, SY21 8RP Email: mark.walters@cpat.org.uk Tel: 01938 553670). Works shall thereafter be carried out in accordance with the approved details.
26. Prior to the first beneficial use of the approved development, an Operational Traffic and Parking Management Plan, to include arrangements for the future use of the existing vehicular access and Lorry Park, shall be

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submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented as approved for the lifetime of the development.

27. No development, or phase of development, shall commence until details regarding the storage and containment of hazardous substances relating to the electrical sub-station and compound have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and wider landscape, in accordance with Policy DM1 of the Wrexham Local Development Plan.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
6. To ensure the development conserves and enhances the character and visual amenity of designated landscapes in accordance with Policies SP14, SP15 and DM1 of the Wrexham Local Development Plan.
7. In order to ensure that no protected species are adversely affected by the development and in the interests of ecology, in compliance with Policy SP14 of the Local Development Plan.
8. In the interests of ecology and to ensure compliance with Policy SP14 of the Local Development Plan.
9. In order to ensure that no protected species are adversely affected by the development and in the interests of ecology, in compliance with Policy SP14 of the Local Development Plan.
10. In order to ensure that no protected species are adversely affected by the development and in the interests of ecology, in compliance with Policy SP14 of the Local Development Plan.

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11. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.
12. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.
13. In the interests of ecology and the wider landscape, in accordance with Policies SP14, SP15, DM1 and NE4 of the Local Development Plan.
14. In the interests of highway safety in accordance with Policies DM1 and T1 of the Local Development Plan.
15. To ensure that the parking provision and highway safety in the area are not adversely affected by the construction of the development and to meet the requirements of Policies DM1 and T1 of the Local Development Plan.
16. In the interests of highway safety in accordance with Policies DM1 and T1 of the Local Development Plan.
17. In the interests of highway safety in accordance with Policies DM1 and T1 of the Local Development Plan.
18. In the interests of highway safety in accordance with Policies DM1 and T1 of the Local Development Plan.
19. To comply with the requirements of Policy 12 of Future Wales: The National Plan 2040.
20. To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment in accordance with Policies SP14 and DM1 of the Local Development Plan.
21. In the interests of the amenities of the future users of the site in accordance with Policy DM1 of the Wrexham Local Development Plan.
22. In the interests of the amenities of the future users of the site in accordance with Policy DM1 of the Wrexham Local Development Plan.
23. In the interests of flood risk in accordance with TAN 15 and Policy SP18 of the Local Development Plan.
24. To secure preservation in-situ of recorded archaeological remains which may be vulnerable to damage during construction in accordance with TAN 24 and Policy SP15 of the Local Development Plan.
25. To ensure that important archaeological remains are not disturbed or damaged by landscaping or ground preparation groundwork and are preserved in situ by an agreed design, in accordance with TAN 24 and Policy SP15 of the Local Development Plan.

26. In the interests of highway safety in accordance with Policies DM1 and T1 of the Local Development Plan.
27. To ensure necessary measures are approved prior to commencement of development and implemented to prevent the deterioration of water quality within a sensitive site, in accordance with Policy NE1 of the Wrexham Local Development Plan.

RECOMMENDATION D

That if the Planning Obligation pursuant to Section 106 of the Town and Country Planning Act, 1990 is not completed within six months of the date of the Committee resolution, the Chief Officer Economy & Planning be given delegated authority to refuse the application for the following reason:

1. The application contains insufficient measures to protect the Outstanding Universal Value of the Pontcysyllte Aqueduct and Canal World Heritage Site from the adverse effects of the proposed development. The development therefore has the potential to cause a significant harmful impact upon the WHS's Outstanding Universal Value, contrary to the requirements of Policies SP15 and BE1 of the adopted Wrexham Local Development Plan and TAN 24.

NOTE(S) TO APPLICANT

You are advised to contact the Council's Chief Planning Officer prior to the preparation of detailed plans.

The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.

No notifiable hazards shall be introduced on any part of the application site at a later date until/unless a Hazardous Substance Consent has been obtained. The details required in connection with Condition 2 above should include precise size measurements of the window and bars, style of glazing bar(s), its position within the opening, sill dimensions etc, method of fixing the lights within the frame and painted colour scheme.

You are advised that any rain water goods should be cast iron, painted black.

APPENDIX 2.

Addendum to the Report of the Chief Officer Economy and Planning – 8 April 2024

Code Number

P/2022/1080

AONB JAC Comments

Expresses disappointment that the Officer report places undue weight upon the applicant's LVIA in appraising visual impact and does not relay or adequately address the concerns raised by the AONB Joint Committee during the consultation exercise. It is accepted that comments are summarised but the report does not accurately reflect the essence the JAC's responses.

Comments that there clearly will be an adverse impact upon the AONB both in terms of its setting and views out from the designated area. It is therefore contrary to LDP Policy NE4. That is not to say, of course, that other material considerations such as the environmental benefits to Chirk residents outweigh this matter on this occasion. However, it is incorrect and indeed misleading to state that it is "compliant with the requirements of LDP policy NE4, when it is not.

Comments that there is obviously an impact because central to the Officer's justification in recommending approval is the extent of the proposed mitigation. It is in this regard that the JAC recommend that further conditions be imposed to mitigate the impact in respect of the following:

- Permitted Development Rights under Part 8, Class A & B (Industrial & Warehouse) should be removed. The proposal is effectively an extension to the existing industrial curtilage and covers a large area. The absence of a condition removing permitted development rights could result in the applicants erecting buildings and hardstanding etc on this land without having to apply for planning permission. In fact, they could erect a building up to 1000 sq m in size and up to a height of 15 metres under their permitted development rights. This is of particular relevance when the Officer is justifying and accepting the visual impact here, on basis that the tallest structure will be the 3 storey weighbridge at 9 metres.
- Notwithstanding the proposed conditions on landscaping and tree protection measures, there does not appear to be any condition which specifically requires the retention of both existing and proposed woodland areas in perpetuity. Given the importance of screening in supporting this development, it seems remiss of the LPA not to make this more explicit, should you be minded to grant permission.
- In addition to the removal of Permitted Development rights, it may also be prudent and for the avoidance of doubt, to include a further condition restricting the both the uses and the areas specifically to those shown on the approved plan.