Report of the Chief Officer Economy and Planning

Application Reference
P/2026/0438

Applicant
Mr T Harper

Agent
Mr Tim Bridle

Site Address
UNIT 7 AND 9, QUEENSWAY INDUSTRIAL ESTATE, WREXHAM, LL13 8YR

Description of Development
GOSOD SIOP DANWYDD A CORN SIMNAI AR GYFER BOELER BIOMAS / INSTALLATION OF FUEL STORE AND FLUE FOR BIOMASS BOILER

Ward
Whitegate/Whitegate

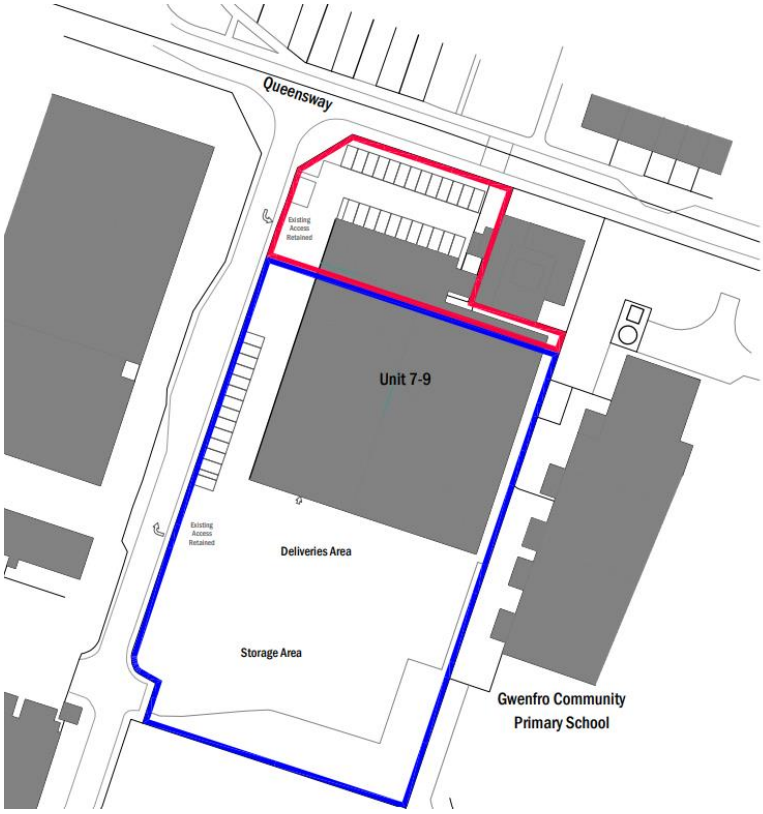
Community
Caia Park/Parc Caia

Recommendation
The Chief Officer Economy & Planning be given delegated authority to GRANT planning permission subject to Welsh Ministers confirming that they do not intend to call in the application for their own determination.

Officer Report

Site Description
The application site is located on the south side of Queensway and within the Queensway Industrial Estate. Gwenfro Community Primary School lies to the east of the site, a self storage area lies to the south and an unnamed road serving the industrial estate adjoins the western boundary of the site.

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Proposal
The application seeks planning permission for the erection of a biomass boiler fuel store and associated flue at Unit 7-9 Queensway Industrial Estate, Wrexham, LL13 8YR.

The proposed fuel store would measure approximately 7.46m in length, 5.49m in width and 5.30m in height, finished with concrete panel walls and mesh screening together with a vertical flue serving the biomass heating system. Associated biodiversity enhancements are also proposed, including the installation of additional bat and bird boxes, increasing the total provision on site to five bat boxes and five bird boxes. The development forms part of the site's ongoing operation and is intended to provide renewable energy infrastructure to serve the existing industrial premises.

Reason for Committee Determination
The Local Member requested the application be determined by committee.

Site History
P/2001/0482 - Erection of security boundary fence and construction of new vehicular access. Granted 20/6/2001

P/2023/0745 - Change of use of building from Class B2 (Industrial Warehouse) to Class A1 (Retail Warehouse) and B8 (Storage and Distribution). Granted 7/10/2023

P/2025/0202 - ERECTION OF A FUEL CHIP HOPPER BUILDING AND INSTALLATION OF BIOMASS BOILER AND FLUE. Refused 5/1/2026

Development Plan
Wrexham Unitary Development Plan 1996 - 2011
PS1 - Broad Location of Development
PS2 - Broad Location of Development
PS8 - Transport
PS11 - Biodiversity
GDP1 - General Development Objectives
EC14 - Protection of Controlled Waters
T8 – Parking

Local Planning Guidance Notes:
LPGN16 - Parking Standards
LPGN30 - Design
LPGN32 - Biodiversity and Development

Relevant National Policy
Planning Policy Wales
Future Wales

Technical Advice Notes (TAN):
TAN 5 – Nature conservation and planning
TAN12 – Design
TAN 18 – Transport
TAN 23 – Economic development

Consultation Responses
Community Council:
No response

Local Member:
Objects on the grounds of safety to the environment and air quality. Also expresses concern about the potential impact of the development on the children of the adjacent Gwenfro Primary School.

Natural Resources Wales:
Raises no objection

Dwr Cymru Welsh Water:
Raises no objection. Recommends planning conditions and Advisory Notes advised in relation to surface water drainage and asset protection.

Highway Officer:
Raises no objection. Comments that parking and turning provision within the site is adequate and that the number of deliveries to the site is considered to be insignificant.

Contaminated Land Officer:
No comments to make.

Public Protection Officer:
Raises no objection. Advises the submitted report 'Acoustic emissions from pellet and woodchip boilers' has provided details to demonstrated that noise will be adequately contained on site.

Comments that following the initial application an officer from Public Protection visited a with a similar installation was satisfied that the operation of the pellet store was inaudible.

Advises that the Technical note: Biomass Boiler Screening Report has demonstrated that the emission rates for Particulate matter and Oxides of Nitrogen do not exceed the annual objective limit. Also advises that the Nitrogen Dioxide levels are screened as negligible.

Confirms that supporting evidence has been provided to confirm that the proposal is an exempt appliance for the purposes of Smoke Control Area's and is therefore permitted for use within such as area. An Officer visit (see above) also confirmed there was no evidence of smoke odour as a result of the biomass boiler use.

Publicity Undertaken:
Site Notice
Notification Letters

Responses to Publicity:
1 representation received objecting to the application raising the following concerns:
- A significant and unacceptable risk to health and wellbeing of pupils of the adjacent school;
- Decline in air quality, increase in dust or odour, rise in noise pollution; and
- Safeguarding concerns due to the proximity of the unit to the school.

Background
The application proposes a very similar development to the one proposed by application Ref: P/2025/0202, which was considered by the Planning Committee on 5 January 2026. The application was refused for the following reason:

Insufficient information has been submitted to demonstrate that the development would not give rise to unacceptable pollution. The proposed development is therefore contrary to policy GDP1(f) of the Wrexham Unitary Development Plan.

At the time of the decision, in accordance with the provisions of Article 18(1) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, the Welsh Government had directed the Council not to grant planning permission without prior authorisation of the Welsh Ministers whilst they considered a request to call in the application for their own determination. The Direction had been issued to enable further consideration to be given to whether or not the application should be referred to the Welsh Ministers for their determination. Because the Council refused planning permission, the Welsh Government did not need to give any further consideration to whether to call in the application.

The previous Direction not only applied to the previous application, but also to any development of the same kind as proposed by that application. The Direction therefore also applies to this planning application.

The Direction only prevents the Council from granting planning permission. It does not prevent the Council from continuing to process the application and resolving to grant planning permission subject to the Welsh Ministers confirming they do not intend to call the application in, nor does it prevent the Council from refusing planning permission.

A Committee Report is a major consideration for Welsh Ministers in reaching their decision whether to call the application in or not.

Should the Council resolve to grant planning permission for the proposed development, the Council will be notified of the Welsh Ministers' decision on whether to call the application in as soon as possible.

Principle of Development
The site is within a defined settlement limit of the UDP. Policy PS1 directs new development to sites within defined settlement limits.

Planning Policy Wales (Edition 12) and Future Wales: The National Plan 2040 encourages energy and low carbon energy generation as well as local energy sources in the commitment to secure sustainable development as well as to tackle the threats of climate change.

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

Design
The proposed development differs from the one previously considered by Committee by replacing the previously proposed fuel chip hopper building with a fuel store enclosure comprising concrete panels, steel supports and mesh screening. The biomass boiler and external flue remain substantially unchanged from the previously approved scheme. The proposed development would reflect the industrial character of the site and other surrounding buildings, which are of a similar design and faced with similar materials.

Having regard to the above, the proposed development would not have an adverse impact on the character and appearance of the site or the surrounding area. It therefore accords with Policy GDP1 of the UDP.

Impact on Neighbouring Amenity
Objectors have raised concerns about noise, air quality, and potential pollution.

Because it would be installed in an existing building, the boiler, by itself, would not require planning permission. The only external alteration to the existing building would be the installation of a flue. The flue would not materially alter the appearance of the building and would not exceed 15 metres above ground level. It

would therefore be ‘permitted development’ under Class B, Part 8 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). The proposed development requires planning permission because a new building is required to house the fuel chip hopper.

Notwithstanding the above, the site is within a Smoke Control Area. The applicant would therefore need to ensure the development accords with the requirements of the Clean Air Act 1993. The proposed biomass boiler is a Defra exempt appliance, which is a requirement when this type on equipment is to be installed in a Smoke Control Area. The proposed boiler to burn fuel in a cleaner manner that standard appliances.

Under Section 20 of the Clean Air Act 1993 it is an offence to emit smoke from a chimney of any building in a Smoke Control Area, subject to an allowable ‘lighting up period’. As such, there are appropriate controls under other legalisation should there be continuous smoke emissions from the proposed boiler.

The Council's Public Protection Officer raises no objection to the proposal. Submitted acoustic and air quality assessments demonstrate that noise and emissions from the biomass boiler and pellet store would remain within acceptable limits, with observations undertaken at a similar existing installation confirming the pellet store operation is inaudible from surrounding areas. The biomass boiler is also confirmed as an exempt appliance for Smoke Control Areas in Wales. No evidence of smoke or odour was observed during the site inspection of the similar existing installation, and the proposal is therefore considered acceptable in terms of noise, air quality and residential amenity. Any future statutory nuisance would remain subject to control under the Environmental Protection Act 1990.

Having regard to the above, there are adequate controls in place under other legislation to ensure that the proposed development does not have an unacceptable impact upon air quality in the locality and noise arising from the operation of the boiler. The applicant has demonstrated that the operation of any mechanism to move fuel from the storage building to the boiler would not give rise to noise nuisance concerns.

It therefore accords with UDP policy GDP1.

Natural Environment

The application has been accompanied by a Green Infrastructure Statement which includes proposals for net benefit to biodiversity (NBB). The proposed NBB measures consist of a bird nest box to be located on the front elevation of the existing building and 1 bat box to be located on the eastern elevation of the existing building. The NBB measures are considered to be acceptable and commensurate to the scale of development. The implementation of the proposed measures could be secured by way of a suitably worded condition.

Subject to the implementation of the proposed NBB measures, the development accords with PPW12.

Drainage

The proposed development is situated within the catchment of the River Dee and Bala Lake Special Area of Conservation.

All new development, will only be permitted where this is no adverse effect on the integrity of the River Dee and Bala Lake Special Area of Conservation (SAC) in particular through the treatment of waste water.

Owing to the nature of the proposals, the erection of a fuel store enclosure and associated equipment and machinery, it is considered unlikely that the proposal will rise to additional phosphorous and in turn would not have any adverse impact upon the SAC.

Having regard to the above, the proposed development is considered to be in compliance with Policy EC14 of the UDP

Conclusion
The proposed development would not give rise to visual amenity, noise, pollution or highway safety concerns. It therefore accords with the relevant UDP policies.

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 strict accordance with the details shown on the following plan(s) and document(s):

   Site Location Plan - 2604-SLP REVISION AR2 - 02-07-26
   Proposed Elevations - 2604-04 REVISION AR2 -02-07-26
   Proposed Floor Plan - 2604-03 REVISION AR2 -02-07-26

3. The development hereby permitted shall not be brought into beneficial use until the measures to deliver net benefit for biodiversity (NBB) shown on 2604-03 REVISION AR2 02-07-26 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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 the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.