

**APPLICATION FOR A DEVELOPMENT CONSENT ORDER (“DCO”)  
BY WREXHAM POWER LIMITED TO AUTHORISE THE  
CONSTRUCTION, OPERATION AND MAINTENANCE OF 4 NEW  
COMBINED CYCLE GAS TURBINE ELECTRICITY GENERATING STATION WITH  
A RATED ELECTRICAL OUTPUT OF UP TO 299 MWe  
 (“PROPOSED DEVELOPMENT”)**

**LOCATION – KINGMOOR PARK SOUTH, TO THE EAST OF BRYN LANE ON  
THE WREXHAM INDUSTRIAL ESTATE, WREXHAM**

**LOCAL IMPACT REPORT AND COMMENTS BY WREXHAM COUNTY  
BOROUGH COUNCIL – ENVIRONMENT AND PLANNING  
(Council Reference P/2012/0837)**

## **1. POLICY CONTEXT Chapter 2 of the E.S**

### **1.1 UDP and relevant policies:**

Chapter 2 of the ES provides the legislative and policy context for the proposal. The UDP policies identified in the ES are relevant and remain material planning considerations despite the UDP having expired in 2011. It is still the most up to date development plan for the County Borough for the purposes of making planning decisions in line with more up to date national planning policy.

I mention policy E3 specifically as it relevant to the DCO site in that this forms the southern section of the E3 allocation. This UDP policy allocates land outside of the WIE for a large single user as an exception to policies in the UDP relating to employment use. Material planning considerations in the form of appeal decisions have however overridden the initial intention and purpose of this policy to retain the site as an exception in terms of both location outside of established settlement limits and restricting the use to a large single user. This is covered further in the planning history section below.

### **1.2 Planning History:**

2 appeal decisions of relevance to the policy position:

APP/H6955/A/09/2113258: Land at Bryn Lane, Wrexham Industrial Estate issued a split decision for the site, granting permission for development on the southern part of the site (the subject of the DCO) thus establishing the need for quality sites to accommodate large scale development. This permission also conditioned that the user of the site must be a single user (condition no 5), although the appeal narrative (para 61) does state that this does not necessarily have to be restricted to the user identified during that appeal process;

APP/H6955/A/12/2188910: Land at Bryn Lane, Wrexham Industrial Estate, this appeal decision albeit restricted to the northern part of the E3 allocation further dilutes the intention of policy E3 in that the site now has permission for a separate user to that identified on the southern part.

Given the history in respect of the policy position, it is already established that it is in principle acceptable for the E3 site to be occupied by two separate entities and as such there are no policy objections to the proposal subject to all other material considerations being satisfied.

### **1.3 LDP –weight to be given to emerging policy and supporting LDP evidence base:**

Work on a revised LDP begun in 2012 when the initial version was withdrawn following a number of concerns from the Planning Inspectorate. Subsequently, the Council are now in the process of preparing a revised LDP and have recently completed consultation on the Preferred Strategy stage. The deposit plan is due for consultation at the end of 2016 / early 2017 therefore limited material weight can be afforded to the LDP until it is adopted. The strategy does however set out the Council's intention in relation to growth including the economy, housing and job creation which provides useful context at this time.

The LDP is advocating a growth strategy for the period 2013 – 2028 and is currently proposing the development of 10,560 new homes, 7750 new jobs and 53 ha of employment land. The focus for the employment development is on the Wrexham Industrial Estate, the County's strategic employment area which is also recognised for its wider regional role in north Wales and the Mersey – dee area. The Joint Wrexham and Flintshire Employment Land Review (October 2015) identifies a need for an extension on the WIE of between 20 -30 ha in order to meet anticipated levels of demand which is reflective of the strategic location of the estate.

## **1.4 National Planning Policy – PPW(ed 8, January 2016), TAN’s and ministerial letters:**

Chapter 12 – Infrastructure and Services of PPW is relevant, particularly section 12.8. Whilst not falling within the remit of renewable energy as such, the proposal does offer opportunities for combined heat and power (CHP) and or district heating (DH) in an area which would benefit from the development of the power station in this location. The supporting documentation for the proposal does mention that the building will be CHP ready however there is an opportunity here in the context of sustainability in ensuring that the benefits of CHP and DH are realised as an actual benefit to the scheme to ensure compliance with the aims of PPW, as reiterated in the most recent ministerial letter (MA-P/CS/1303/16, <http://gov.wales/docs/desh/publications/160316-renewable-energy-projects-en.pdf>)

## **2. TRANSPORT Chapter 7 of the E.S**

### **2.1 Access**

The proposed development site is located on Bryn Lane a classified road subject to a 40 mph speed limit. The site has access to the recently completed Wrexham Industrial Estate Access Road which provides an improved link to the industrial estate to the north and improved access to the A525 to the south. The proposed development site will be served via the existing TDG access off Bryn Lane. This section of Bryn Lane has recently been improved including the provision of a right hand turning facility serving this existing access.

The access in this location would normally be required to provide visibility splays of 2.4 x 120 m in both directions measured to the nearside edge of the adjoining highway in accordance with TAN 18. Visibility from the existing TDG access is inadequate in both directions providing splays of approximately 2.4 x 100m to the south and 2.4 x 95 m to the north measured to the nearside edge of the adjoining

highway. Visibility is currently impeded in both directions by the existing hedgerows / vegetation fronting the site.

The applicant would be required to provide a suitably scaled plan indicating how the required splays will be provided from the existing access onto Bryn Lane for further approval.

## **2.2 Transport Statement**

### **2.3 Construction Phase**

The applicant has indicated that around 300 construction / contractor related vehicles will be on site during the construction phase. A construction Phase travel Plan will be implemented to encourage car sharing with 600 construction staff on site per day. The applicant has assumed 300 arrivals and 300 departures per day based on the assumption that 2 members of staff will occupy each vehicle. Due to site operating times, staff are able to stagger their start and finish times which will reduce the impact on vehicle movements during peak times.

It is intended to restrict material deliveries / HGV movements to between 9.00 and 16.30 each day which will assist in avoiding normal peak hours. The peak volume of HGV trips is estimated to be approximately 65 arrivals and 65 departures per day. There may be a potential increase in peak movements of HGVs during a period of 2 – 3 days during the pouring of concrete. If all concrete is delivered from off site, up to 300 HGC movements (150 arrivals and 150 departures) may be generated per day.

The proposed additional traffic movements during the construction phase are not considered likely to have any significant effect on highway safety.

## **2.4 Abnormal Loads**

It is understood that a number of abnormal loads will be required to construct the proposed Energy Centre. Advance notification will be required to the Highway Authority to approve such movements.

## **2.5 Operational Vehicle Movements**

The Power Station Complex once operational will operate two shift patterns – 06:00 – 18:00 and 18:00 – 06:00. The night shift will comprise two operational staff and 10 support staff. A maximum of 30 staff are expected to work at the site. I understand that approximately 1 HGV will visit the site each day for routine maintenance and repairs.

The proposed additional traffic once the site is operational is not considered likely to have any significant detrimental effect on the highway network.

## **2.6 PARKING AND TURNING PROVISION**

### **2.7 Construction Phase**

The applicant has indicated that around 300 construction / contractor related vehicles will be on site during the construction phase. The applicant will need to provide a suitably scaled layout plan indicating details of proposed parking facilities for further approval. Parking spaces would need to comply with the Local Planning Guidance Note 16 requirements.

Details of maximum size of HGVs likely to be visiting the site would need to be provided, including details of where vehicles will park / turn within the curtilage of the site during the construction period. Details should include swept path details of such vehicles (e.g. 16.5m long HGV) entering and existing the internal site access and turning within the curtilage of the site.

## **2.8 Operational Phase**

The submitted layout plan (Drg. No. 5105324-WRX-DRG-L-420 Rev 0) indicates the provision of 20 No. spaces for operational staff. Given the proposed shift patterns, the proposed level of parking provision is considered adequate.

## **2.9 Accident Data**

The proposed additional construction traffic associated with the development site is not anticipated to result in any increase in the likelihood of accidents.

## **2.10 Infrastructure Improvements**

There is no footway provision along the existing access leading to the development site. I would therefore suggest that the applicant considered the benefit of providing appropriate footways (i.e. 2.0m wide) along the internal access road between the development site and Bryn lane.

## **2.11 Construction Traffic Management Plan and Provision for Contractor Parking**

The submitted Draft Construction Traffic Management Plan appears adequate. However, further details of contractor parking details & swept path details of larger HGVs visiting the site as detailed above will be required.

I understand that a Construction Travel Plan (CTP) will be produced by the appointed contractor and implemented throughout the construction phase of the scheme. The CTP will aim to further reduce the impact of construction traffic / construction worker trips, by providing measures and strategies to alter travel behaviour. The Final CTP should be included in the Final CTMP for further approval.

**The applicant will be required to submit a Final Construction Management Plan (CTMP) prior to commencement of works.**

For advice on Traffic Management issues please advise the applicant to contact our Traffic / Streetworks Section (Contract Darren Green on Tel: 01978 729643). For any advice on Abnormal Load issues please advise the applicant to contact Matthew Ricketts on Tel: 01978 729723.

### **Supplementary Notes**

The applicant's attention should be drawn to item nos. 1, 2, 3, 4 & 5 of the supplementary notes.

### **3. HERITAGE Chapter 12 of the E.S**

3.1 The Senior Conservation Officer agrees with the conclusions of the Environmental Statement in so far as impacts are known and designated heritage assets have been assessed. Both the physical impacts and the impact upon the setting of a small number of heritage assets are not considered to be significant. However, the comments made by Clwyd Powys Archaeological Trust are noted in relation to potential buried / undiscovered archaeological remains and the requirements for further investigation in this regard.

### **4. THE WATER ENVIRONMENT Chapter 14 of the E.S**

4.1 The Senior Flood Management Officer has reviewed both the (5.4) Level 2 Flood Consequence Assessment and 6.4.9 Volume 4: Environmental Statement Appendix 14.3: Drainage Strategy and would like to make the following comments:

4.2 The submitted FCA does appear to consider the main sources of flood risk to the site. It clearly highlights the development site lies within Zone A as defined within TAN15, and that there are areas identified as being at risk of surface water flooding within the development boundary. A portion of the gas connection route does fall within zone C2 as the route crosses the Afon Clywedog. There may be areas of flood risk associated with the numerous smaller "ordinary watercourses" that the pipe

route intersects, although no modelled flood outlines are currently available. In addition, no detail is provided as to how these “ordinary Watercourses” will be crossed or appreciation of the consents that may be required from the LLFA to carry out these works.

4.3 With regards to the surface water drainage strategy for the development, the submitted document does clearly outline the proposed approach to be applied. The strategy proposes to attenuate surface water flows leaving the site to the average annual greenfield runoff rate (3.71 l/s/ha). This will result in an attenuated discharge for the 3.3ha development of 12.2 l/s, requiring 2085m<sup>3</sup> of storage to manage the 1 in 100 year rainfall event including a 20% allowance for climate change. Discharge is proposed into an existing ordinary watercourse within the northern portion of the site. Infiltration techniques have been generally discounted as site infiltration rates are low. This strategy does satisfy our normal requirements, and I would expect to see detailed drainage design included as a condition if permission were to be granted.

## **5. AIR QUALITY Chapter 8 of the E.S**

5.1 The findings of the Air Quality report 6.2.8 Volume 2: Environmental Statements Chapter 8: Air Quality are considered acceptable. It is considered, both separately and in combination, the direct and indirect effects of air pollutants associated with the scheme during the construction, operation and decommissioning phases. The operator will be required to apply for an All Environmental Permit from Natural Resources Wales prior to operation – this will place emission standards on the Process.

## **6. NOISE AND VIBRATION Chapter 9 of the E.S**

6.1 The officer considered that the noise and vibration assessments and proposed mitigation measures are acceptable. The proposed hours of construction works, however, details in chapter 9.47 of the Environmental Statement, are not consistent with planning permissions recommended hours of construction works, i.e. Monday to Friday – 07.30 hours to 18.00 hours, Saturdays – 08.30 hours to 14.00

hours and at no times on Sundays or Bank Holidays, which are considered appropriate to protect residential amenity.

## **7. ECOLOGY Chapter 11 of the E.S**

7.1 The following planning conditions are recommended:-

1. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP:Biodiversity) has been submitted and approved in writing. The CEMP shall include the following.
  - a) Risk assessment of potentially damaging construction activities.
  - b) Identification of biodiversity protection zones.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on the site to oversee works.
  - f) Responsible lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works.
  - h) Use of protective fences, exclusion barriers and warning signs.The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed.
  
2. Prior to the commencement of development a biosecurity method statement and risk assessment should be produced for the development throughout construction, operation and decommissioning.

3. A detailed lighting design strategy should be provided which outlines how ecologically sensitive areas will be protected from artificial light during construction and operation.
4. A ecological management plan (EMP) shall be submitted and approved in writing. The content of the EMP shall include the following.
  - a) Aims and objectives of management\*.
  - b) Prescriptions for management options.
  - c) Details of the body or organisation responsible for implementation of the plan.
  - d) Reporting and implementation of remedial measures.
    - The management plan should include prescriptions for all species and habitats of local or national importance identified as being present or possibly present on the site to include; native trees, hedgerows, ponds, great crested newt, bats, grizzled and dingy skipper.
5. No development shall take place including ground works and vegetation clearance until a biodiversity monitoring strategy has been submitted, and approved in writing. The purpose of the Strategy shall be to ensure the long-term functionality of populations of bats and great crested newt within and in the immediate vicinity of the development site. The content of the Strategy shall include the following.
  - a) Aims and objectives of monitoring to match the stated purpose.
  - b) Identification of adequate baseline conditions prior to the start of development.
  - c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
  - d) Methods for data gathering and analysis
  - e) Location of monitoring,
  - f) Timing and duration of monitoring
  - g) Responsible persons and lines of communication
  - h) Review, publication of results and outcomes.

7.2 A report describing the results of the monitoring shall be submitted to NRW and the LPA at 12 monthly intervals. The report shall also set out (where the results from the monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with LPA and NRW and the implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The monitoring strategy will be implemented in accordance with the approved details.

7.3 The Ecological Assessment incorporates inherent mitigation integral to the design of the scheme. It has taken into consideration the effects of the impact and identifies measures required to mitigate adverse impact. Ecological features and further biodiversity enhancement measures have been identified in the landscape design Mitigation has been agreed with Wrexham Power Limited, Natural Resources Wales and Wrexham County Borough Council.

7.4 The Landscaping and Ecological Masterplan (Doc. Ref: 2.9.1 to 2.9.7) illustrates the mitigation that has been incorporated into the landscape design.

## **8. Landscape and Visual Impact Assessment Chapter 10 of the E.S**

8.1 A Landscape and Visual Impact Assessment has informed the design process and focuses on likely significant effects on the landscape resource and visual receptors and photomontages agreed with Wrexham County Borough Council and neighbouring Cheshire West and Chester.

8.2 The combination of the retention of existing landscape, proposed new planting and the location in the context of nearby existing industrial development, including the Kellogg's factory will help mitigate the visual impact to some extent. Due to the openness of views from the east the proposed planting will reduce the visual impact. The layering of existing trees and hedges to the east will also contribute to reducing the impact though the higher elements of the building and stacks will be visible over the top of the tree line.

8.3 The Joint Committee, following consultation with the AONB Partnership Landscape Character and Built Environment Working Group and the Chair of the Committee have made the following comments:-.

The proposed site is located approximately 11 km outside the AONB but given its scale will be viewed from distant views from the higher ground of the AONB to the west. It will however, be seen in the context of the larger industrial estate. At the Preliminary Environmental Information Report consultation stage, the AONB raised concerns about the potential visual impact of plumes from the two 50m stacks and the condenser / cooling system and the Committee welcomes clarification in the current application that there will be no visible plume. The Joint Committee has no observations to make on the project.

## **9. Tree Removal / Retention and Additional Tree Planting**

9.1 The only real area of concern and basis for objection would be the proposed removal of individual trees located within the footprint of the energy centre complex and forming a significant linear feature within the landscape running from north to south within the red line boundary.

9.2 This valued landscape feature consists predominantly of mature hedgerow oak trees, identified within the submitted arboricultural impact assessment as T47, 48, 49, 50, 51, 52, 57 and T59. The trees themselves appear to be mature hedgerow trees and due to their age and naturally developing features and defects (cavities, fissured bark, deadwood etc) are contributing significant habitat and biodiversity values within the site. The loss such trees would be contrary to UDP policy EC04 'Hedgerows, Trees & Woodland' and LPG Note 17. Such tree loss would be objectionable within any major development proposal within the Borough Council and attempts should be made here to retain and protect these trees within the scheme where they may provide further additional benefits such as shading and reduced local temperatures (to compensate the 'urban heat island effect'), recreational open-space features for employees and further screening and softening of proposed 'built features'.

9.3 Retention of existing trees located to the boundaries of the site is appropriate and additional planting within these areas to improve planting density, age range and species diversity should be considered within any landscape mitigation proposal. The proposed woodland area to the eastern boundary should be increased in width from approximately 22m to 35 – 40m in order to provide a more denser feature and effective screening from vehicular traffic on the B1530 and beyond across the flat but slightly elevated views from the adjacent countryside.

9.4 All trees retained should be protected during and post development by both the submission of an Arboricultural Method Statement (AMS) and accompanying on-site arboricultural supervision and monitoring. A detailed landscaping scheme should also be submitted identifying quantities of trees, sizes, species, planting locations, planting pit specifications, management and establishment procedures. Such a landscaping scheme, Method Statement and arboricultural supervision should be the subject of the following planning conditions:

- Arboricultural Method Statement
- Arboricultural Supervision
- Pre commencement landscape and ecological enhancement scheme.

## **10. Land to the North of the Approved Site**

10.1 Land to the north of the proposed poser station currently benefits from an outline planning permission (P/2011/0891) (Allowed on Appeal 06.08.2013). Layout and access were approved at outline stage. Access to the site is off Bryn Lane. The outline planning permission makes provision for a 37,000 sq.m warehouse with indicative elevation plans suggesting the building could be up to 19 metres high. The three year date for submission of reserved matters expires on 06.08.2016. Wrexham County Borough Council are currently dealing with an application to vary the time limit conditions (P/2016/0327) to extend the timescales for submission of reserved matters and commencement.