



Glandŵr Cymru
Canal & River Trust in Wales

Axis PED Ltd
Well House Barns
Chester Road
Bretton
Flintshire
CH4 0DG

Your Ref N/a

Our Ref CRTR-PLAN-2022-37360

Friday 11 November 2022

Email: consultations@axisped.co.uk

Proposal: Pre-application for the construction of a north access road, lorry park, roundwood storage areas and associated structures, 132kV substation and ancillary works on land immediately adjacent Kronospan Ltd, Chirk.

Location: Land adjacent to Kronospan Ltd, Chirk

Waterway: Llangollen Canal

Thank you for your pre-application consultation.

We are the charity who look after and bring to life 109 miles of canals in Wales. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of Wales. The Trust is known as Glandŵr Cymru, the Canal & River Trust in Wales and we are a statutory consultee in the Development Management process.

We have reviewed the pre-application consultation and based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended)) is that the Trust has **concerns** relating to the proposals in terms of the potential wider impact on the setting of the Pontcysyllte Aqueduct and Canal World Heritage Site (WHS) and its Outstanding Universal Value.

We advise that **additional information** should be sought **prior to the submission** of the application to address these matters including:

- An updated Heritage Impact Assessment which considers and assess the Outstanding Universal Value of the World Heritage Site and in accordance with the updated UNESCO Guidance and Toolkit for Impact Assessments;
- A bat survey to show no impact on bat population using the canal and application site;
- Lighting contour plans to demonstrate no light spill to the canal corridor;
- An updated noise assessment which considers boaters as a receptor;

Glandŵr Cymru

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk

- A draft Woodland Management Plan.

Our advice and comments follow:

The Trust own and manage the Llangollen Canal and associated infrastructure which passes to the west of the site where the development is proposed. The canal corridor is within the Pontcysyllte Aqueduct and Canal World Heritage Site (WHS) which was inscribed in 2009. The site the subject of this pre-application enquiry is within the buffer zone to the WHS. The canal is also a Scheduled Ancient Monument (SAM). The majority of the WHS and its buffer zone are also within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB). There is a railway line and tree/hedgerow lined fields on the intervening land between the canal and site of the proposed lorry park and associated development. The canal is within a treelined cutting for a large part of the wider site boundary with Kronospan, towards where the development is proposed there are however some filtered views through the vegetation towards the site from the canal corridor.

Our following comments are split between the potential impact on the canal corridor adjacent to the site and the impacts on the wider World Heritage Site. The Trust are the principal landowner and custodian of the WHS and the body with responsibility for the canal and the majority of its structures and assets.

Potential impacts on the Llangollen canal adjacent to the site

The proposed lorry park and associated works would be set approximately 70m from the canal corridor and as such would not have any direct impact on the structural integrity of the canal infrastructure or its operation. As part of the mitigation planting an area of woodland would be planted within a field next to the canal as shown on the Illustrative Landscape Masterplan, it is unlikely that the roots from the planted trees would have any long-term impact on the stability of the canal. It may however be appropriate for the trees planted closest to the canal corridor to include some form of root guard to prevent them penetrating the clay lining of the canal and cause associated seepage and potential stability issues.

It is understood that the tallest structure on site would be the 9m high weighbridge (as shown on the elevations) and light columns which would be 8m high. A Landscape and Visual Impact Assessment (LVIA) is included in the pre-application package and shows that viewpoints from the canal corridor have been considered and assessed. Indeed, this includes viewpoint K, J, M, N and T of these only minor views from J and T near the marina are possible towards the site. These viewpoints demonstrate that only minor filtered views would be possible in the winter months when trees are not in leaf. The LVIA chapter in the Environmental Statement concludes the development would have a short term visual impact (albeit minor and filtered from around Chirk Marina). It is proposed that this impact will be all but mitigated by the landscape planting when established.

In terms of lighting only a brief assessment seems to have been provided within the planning statement. Based on this it would appear that there would be no impact on the canal given the separation distance and given the existing and proposed tree cover. It would be useful to review a lighting contour plan to confirm this and to review the potential for light spill outside of the site. Given the distance to the canal corridor the impact of lighting is likely to be minimal. That said, bats are very susceptible to lighting and protected bat species are known to be present along the canal corridor. It is noted that the package of assessments does not include the completion of any bat surveys. The baseline report states no bat records were known for the site, so the assessment and mitigation proposals are purely based on assumption. It would be important to understand whether any species that use the canal are also present within the application site and may be affected and mitigated accordingly. We consider that the application ought to be informed by a bat survey given the known bat populations along the canal corridor.

The noise chapter of the Environmental Statement and studies appear comprehensive however we note that based on the noise mapping results there does appear to be the potential for some noise disturbance towards [Glandŵr Cymru](#)

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

[T 0303 040 4040](tel:03030404040) [E canalrivertrust.org.uk/contact-us](mailto:canalrivertrust.org.uk/contact-us) [W canalrivertrust.org.uk](http://canalrivertrust.org.uk)

the canal. We note that within the noise assessment that there is no reference to live aboard boaters, especially related to Chirk marina (although not owned or managed by us) or boaters in general. We consider that the noise assessment ought to have considered and assessed boaters as a receptor to noise especially during construction and operation, as the site will be operational 24/7.

In terms of flooding and drainage, it is understood that drainage would be attenuated on site and discharged to the existing brook/stream which passes thorough the site. Subject to that being the final drainage strategy this would be acceptable to the Trust as it would have no impact on the canal. We note that the flood risk assessment concludes that the canal is 70m from the site and at a lower level than the site and as such not a flood risk and we would concur with this assessment.

Finally, it would be useful to be able to review the biodiversity net gain calculations, as there is some discrepancy between the amount of hedgerow to be planted (sometimes 1.3km, sometimes 1.8km) and as biodiversity net gain is claimed by the proposals, but not evidenced.

In conclusion, in terms of the direct impact on the Llangollen canal, it is unlikely that the proposed development would have a demonstrable direct adverse impact, we would however welcome clarification in terms of a bat survey, lighting contour plans and for the noise assessment to consider boaters as a receptor.

Wider world heritage site impacts and concerns

As set out above the canal corridor is within the Pontcysyllte Aqueduct and Canal World Heritage Site (WHS) which was inscribed in 2009. The application site is within the buffer zone of the WHS and as such within its setting. To be included on the World Heritage List, sites must have Outstanding Universal Value (OUV), the site needs to be carefully managed over the long-term to maintain this status. Development within the WHS and its buffer zone therefore also needs to be carefully managed to retain what is important about protecting the OUV of the World Heritage Site and its setting.

We note that the updated UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context document 2022, does not appear to have been considered. The Heritage Impact Assessment and development proposals should be updated and carried out and assessed in full accordance with this guidance and methodology.

The Cadw 'Managing Change in World Heritage Sites in Wales' document May 2017 supplements the relevant sections of Planning Policy Wales and Technical Advice Note 24: The Historic Environment and provides guidance for considering and assessing proposals that might impact World Heritage Sites.

Furthermore, paragraph 5.7 of Managing Change in World Heritage Sites in Wales document May 2017 sets out that *"When an EIA is required for development that impacts upon the Outstanding Universal Value and attributes of a World Heritage Site, it should include an assessment of the significant impacts. These impacts could be considered through a heritage impact assessment. A heritage impact assessment is a methodology that focuses on the Outstanding Universal Value and the attributes which contribute to it. Guidance on the heritage impact assessment process is provided by ICOMOS. ICOMOS advises that there should be a chapter specific to World Heritage in the EIA and that the heritage impact assessment itself should be attached as a technical appendix."*

The heritage impact assessment submitted with this pre-application enquiry notes that the assessment has been informed by the ICOMOS Guidance (para 2.3.1), however the submitted document does not appear to offer such an assessment in terms of the potential impact of the development on the Outstanding Universal Value of the WHS and the attributes that contribute to it. This ought to be addressed within an updated heritage impact assessment and should be used to inform the design of the development and mitigation. Due regard also needs to be given to the updated UNESCO guidance, toolkit and methodology as outlined above.

Glandŵr Cymru

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 **E** canalrivertrust.org.uk/contact-us **W** canalrivertrust.org.uk

The buffer zone to the WHS has a value in its own right as it creates a sense of arrival and requires protection relating to its setting and to significant views. Setting includes *‘the surroundings in which a historic asset is understood, experienced and appreciated, embracing past and present relationships to the surrounding landscape’* ([Best-practice guidance | Cadw \(gov.wales\)](#)). Importantly for the Pontcysyllte Aqueduct and Canal World Heritage Site, setting relates to how a site was intended to fit into the landscape, the views from it, and how the site is seen from the surrounding area.

We consider further consideration needs to be given to this point, especially given the conclusion of the Heritage Impact Assessment at paragraph 7.1.3 which confirms that the development would change the character of the landscape in this area. *“The proposed development site sits within the WHS Buffer Zone and would directly impact c. 10 ha of this area. It will not directly impact any specific heritage asset, but it would change the character of the landscape in this area.”*

We consider that the Heritage Impact Assessment should be updated to include an assessment and consideration of the Outstanding Universal Value of the WHS as set out within the updated UNESCO Guidance and Toolkit for Impact Assessments in a World Heritage Context document 2022 and in particular how the site fits into the wider historic landscape and setting of the WHS, its intrinsic OUV and the views from it, and how the site is seen from the surrounding area.

Woodland Management

The Trust own and manage a narrow corridor of woodland associated with the canal cutting adjacent to the site which forms part of the buffer/screen of the development site (and existing complex of buildings/structures within the Kronospan site). At pre-application meetings we have discussed the potential for woodland management within the area to supplement the woodland planting which has already been undertaken by Kronospan. In principle we would support our woodland along the canal corridor being included in such a management plan. However, as trees die/are removed on the canal cutting this would need to be carefully managed as the tree roots might be providing support to the stability of the cutting. We would need to ensure that tree roots are treated appropriately. Fortunately, at this stage there are no signs of old/decaying trees causing instability along the cutting. We would need to ensure a suitable woodland management plan is formed specifying the locations of tree planting and removal on and in close proximity to the canal cutting.

As part of the proposal to mitigate the visual impact of the development it is proposed to plant a field next to the canal with woodland. This is shown on the illustrate landscape masterplan with the light green shading showing new woodland planting. That plan also shows the previous planting undertaken along the canal corridor. We consider that prior to the planning of the field next to the canal, regard should be given to whether it should be the subject to some form of archaeological assessment prior to planting given proximity to the canal SAM. The woodland planting alongside the canal is welcomed however we would request a Landscape and Ecology Management Plan/Tree Management Plan (or similar) to be submitted to understand how this would be managed in the long term.

Given the success of the landscape planting is integral to minimising the potential impact of the development, it is critical that the woodland is managed in the long term. This would include the existing tree stock and the proposed new planting. It is likely that such a woodland management plan would be required to be secured via a s106 agreement. Any such woodland management ought to be carried out for the lifetime of the development, however we consider that it would be more reasonable for the management plan to cover an initial 20-25 year period, this would ensure that the new woodland planting establishes and matures. This should all be funded by the applicant. The management plan ought to also include a mechanism within it to be periodically reviewed and updated to take into account new development proposals and matters that may have arisen. A new management

Glandŵr Cymru

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 **E** canalrivertrust.org.uk/contact-us **W** canalrivertrust.org.uk

plan would likely be required after the 20-25 year period. We consider that a draft woodland management plan should be submitted with the application.

The above comments are given as advice based on the consultation material. The above comments do not prejudice any further comments or matters that may be raised by the Trust at a later stage.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

Tim Bettany-Simmons MRTPI
Area Planner & Special Projects

Tim.Bettany-Simmons@canalrivertrust.org.uk
07342 057926
<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

Glandŵr Cymru

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN
T 0303 040 4040 **E** canalrivertrust.org.uk/contact-us **W** canalrivertrust.org.uk