

FAO – SLR Consulting Ltd

Your Ref/Eich Cyf
Our Ref/Ein Cyf 063522
Date/Dyddiad 05/11/2021
Ask for/Gofynner am Mr D McVey
Direct Dial/Rhif Union 01352 703266

Dear Sir,

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017

Scoping Opinion for the EIA Request for Scoping Opinion in redevelopment and expansion of paper manufacturing and development of combined heat and power at Shotton Paper Mill at Shotton Mill, Weighbridge Road, Shotton, Deeside, CH5 2LL

Thank you for your email of the 10th of September 2021 requesting the Council's Scoping Opinion for the above proposal. Please find enclosed the Council's Scoping Opinion for the proposal described by the email (Your Ref. 410.10798.00002) and its accompanying plans received by the Local Planning Authority on 10/09/2021.

In adopting this Scoping Opinion, the County Council has taken into account the consultation responses received and considered the specific characteristics of the proposal, the type of development and the environmental features likely to be affected by the development. All "development" proposed in the application should be assessed and referred to within the Environmental Statement (ES) when the planning application is submitted. This Scoping Opinion seeks to ensure that any ES submitted with respect to a planning application for the development proposals described in the Scoping Request includes information reasonably required to assess the environmental effects and allow a determination to take place. Please note that further information may still be required once the ES has been submitted.

Any ES submitted must contain at least the information referred to in Schedule 4 of the above Regulations. You are reminded that the Statement must address the baseline conditions, likely significant impacts, the probability of effects and the proposed mitigation measures. The information provided should be that which is

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necessary to demonstrate the risks, likelihood of occurrence and likelihood of any significant impact. This should include an outline of the main alternatives studied by the applicant.

Description of the Proposal

Shotton Mill Ltd intends to submit a planning application for the redevelopment and expansion of the Shotton Mill Site. A detailed overview of the proposed development can be found within section 3.0 of the submitted scoping report. However, the main elements of the proposed development are as follows:

- Main Site (shown edged red on Drawing SM/SR/3-1 - Indicative Proposed Development); - construction of Cardboard Paper Machine Building, Corrugating Machine Building, Fibre Storage Tanks, Warehouse Buildings, Dispatch Building, Chemical Building, Truck loading building, Converting building, Admin Building, Auxiliary Facilities, Reel Storage Building, and Effluent Treatment Facility comprising Anaerobic Digestion (Note: the existing Recovered Fibre Warehouses RCF1, RCF 2 and RCF3 may be retained or may be replaced; this will be determined prior to submission of the planning application)
- Expansion Site (shown edged green on Drawing SM/SR/3-1)- Construction of three Tissue Machine Buildings, Reel Storage Building, Converting Building, Pulp Storage Building, Finished Goods Warehouse and Truck Loading Building; and
- Combined Heat and Power Site (shown edged magenta on Drawing SM/SR/3-1)- new gas-fired Combined Heat and Power (CHP) facility with 50MWe capacity (2 x 25MWe units), back-up diesel generators and associated electrical equipment located within the Main Site adjacent to the existing Biomass Plant.

Following receipt of the Scoping Request, we have been advised by the applicant that they wish to make certain changes to the primary paper machine, which will increase the production of cardboard products by approximately 20%. The key changes to plant design and process that would occur would be in proportion to the proposed 20% increase in cardboard production and are summarised below:

Paper Mill

- the dimensions (floorspace) of the 'cardboard paper machine' building would be increased to accommodate a machine of 10.1m width instead of the 8m width previously proposed
- traffic (20% increase in recycled paper deliveries and 20% increase in card exports)
- water consumption.

Effluent Treatment Plant

- effluent volumes processed and discharged from the plant.

CHP Plant

- energy production (c50MWe to c65MWe).

It is considered that the proposed changes would not affect the nature of the environmental effects nor have any impact on the proposed methodology for assessment.

It is proposed that the EIA will cover all three elements of the proposed development.

Description of Site and Surroundings

The Site comprises the operational Shotton Mill paper manufacturing facility, formerly owned and operated by UPM, plus adjoining vacant land. The Site falls within the Deeside industrial area and is constrained by the A548 to the north and west, Parc Adfer and Deeside Industrial Estate to the east, and the former Gaz de France (GDF) Suez Power Station to the south. There are other large scale developments within the area include the Toyota Engine Plant to the south-east, TATA Steel Works to the south-west and two further power stations to the west, these being Deeside Power Station and the EON's Connah's Quay Power station, the latter being on the opposite side of the Dee Estuary. The A548 generally constrains this industrial activity to the North and west, A494 to the east and Dee Estuary to the south, with some development being between the southern banks and railway line, which is set back circa 0.5km from the water's edge.

The Site is located within the Urban landscape character area (Garden City coastal and estuary urban area) of the Visual and Sensory Class 3 LANDMAP definition. The Site is also visible from various PROW in the locality and along sections of the All Wales Coastal Path. Residential receptors would generally be at a distance of over 2km from the Site at Garden City to the South East, Connah's Quay and Shotton to the South and South West, while there are more scattered residential receptors to the north in the areas of Burton and Puddington.

The development is also in close proximity to the following protected sites:

- Shotton Lagoons and Reedbeds Site of Special Scientific Interest (SSSI) (within 15m of the application site)
- Dee Estuary (Wales) Special Area of Conservation (SAC) / Special Protection Area (SPA) / Ramsar / SSSI (within 50m of the application site)
- River Dee and Bala Lake SAC / River Dee SSSI (within 900m of the application site)
- Inner Marsh Farm SSSI (within 900m of the application site)
- Deeside and Buckley Newt Sites SAC / Connah's Quay Ponds and Woodland SSSI (within 2.6km of the application site)
- Halkyn Mountain SAC (within 8.3km of the application site)
- Alyn Valley Woods SAC (within 11km of the application site)
- Locally Designated Wildlife Site – Shotton Steelworks (within 700m of the application site)

Scoping Opinion

The following section sets out the Scoping Opinion of the Local Planning Authority. The Scoping Opinion takes the form of an observations report which makes reference to the relevant chapters in the EIA Scoping Report, which the authority wishes to provide comment on. Please note, the Scoping Opinion is based on the information provided and on the responses received from the relevant consultation bodies. Should a planning application be progressed, you are advised that the Local Planning Authority reserves the right to request further information at the planning application stage, should it be reasonable and necessary to do so in order to consider the proposed development fully.

Introduction

The Council broadly agrees with the scope as set out in the submitted Scoping Report. The following outlines any matters which require modification, augmentation or clarification as part of any subsequent planning application and ES. Copies of the responses from consultees are attached to the email which has provided this Scoping Opinion, and should be referenced to expand upon the matters that the ES should cover.

Key Issues

The summary of key issues associated with the proposed development are listed in paragraph 1.5.3.7 of the Scoping Report and include: landscape and visual, land quality, hydrology and flood risk, ecology, noise and vibration, air quality, traffic and transport, cultural heritage, socio-economic, and other environmental issues.

Planning Policy and the adopted development plan

Compliance with the Welsh planning policy, guidance and legislation as well as Local Development Plan Policies and supplementary planning guidance should be considered within the Planning Statement. The submitted ES should have regard for Planning Policy Wales (PPW) (edition 11, 2021) and any relevant legislation that is in force in Wales. Also the application should have regard to the respective and relevant policies within the Flintshire Unitary Development Plan (UDP). The Flintshire deposit Local Development Plan (LDP) is currently under examination. However, by the time this application is submitted, the Flintshire LDP could be adopted, and therefore the applicant and its consultants should be made aware of the LDP policies and allocations which may be in place when the application is submitted and determined.

The Wellbeing of Future Generations Act 2015 puts in place seven well-being goals guiding sustainable development. One of which endeavours to achieve

Air Quality, Noise and Vibration

The Flintshire County Council Environmental Health Officer (EHO) has reviewed the Scoping Report. The FCC EHO is satisfied that the scoping has identified those aspects of the proposal that would be of most concern for air quality in relation to human health during both the construction and operational phases, and as a result,

the most appropriate mitigation measures can be incorporated into the project design as it progresses.

The project has the potential to affect air quality and have in-direct effects on protected sites (e.g. SSSIs, SACs, SPAs, Ramsar sites) during both the construction and operational phase (due to both air pollution and dust). NRW advise that the ES should fully assess the impacts of air pollution and dust on protected sites. They would expect the ES to include an assessment of the amount of predicted pollution from the proposal against the relevant critical loads and critical levels for any designated sites that may be affected. Section 11 of the Environmental Impact Assessment Request for Scoping Opinion Report does not identify adjacent habitat as a sensitive receptor (11.1.1 in particular). NRW would highlight saltmarsh (pioneer and higher marsh) as being a sensitive receptor.

Air Quality is considered in Section 11 of the Environmental Impact Assessment Request for Scoping Opinion. We note the following conclusion: 11.5 Matters To Be Scoped Out 11.5.1 Other than nitrogen dioxide (NO₂), from road vehicle emissions, on-site energy generation/combustion plant emissions and construction plant, any impacts associated with other air pollutants are expected to be negligible and can be scoped out.

In addition, we would highlight the following features of the Dee Estuary (Wales) SAC as being particularly sensitive to air quality impacts:

- Atlantic salt meadows
- Salicornia and other annuals colonising mud and sand
- Vegetated sea cliffs
- Shifting dunes with marram
- Petalwort
- Humid dune slacks
- Shifting dunes
- Dune Grassland

The old sessile oak woodland with Ilex and Blechnum at the Deeside and Buckley Newt Sites SAC is also a sensitive feature, which could potentially be affected by air quality impacts.

The ES should include an assessment of road traffic emissions for any designated sites with sensitive habitats. There is a need to assess the traffic emissions, relevant critical levels and critical loads for the relevant habitats and to do the same for any other roads that would have an increase in traffic of 1000 AADT due to the works/operations proposed. An assessment of the potential impacts from traffic emissions on the habitats within the designated sites will be required.

Landscape and Visual Impact

In relation to the development's potential impact on the landscape, it is considered that sufficient information has been provided to understand the development

parameters that are being assessed. A Landscape and Visual Impact Assessment (LVIA) is proposed, and the Council are in general agreement with the areas of assessment which is proposed to be scoped into and out of the forthcoming ES as detailed in section 6.4 of the scoping request.

Protected Species

Section 9.5.1.2. of the Environmental Impact Assessment Request for Scoping Opinion Report concludes: The absence of great crested newts has been confirmed from a water body within the A4 expansion site, and no other records of this species are known from within the Site. It is proposed to scope out further study or mitigation for great crested newts.

Both the Counties Ecologist and NRW agree with scoping out Great Crested Newt. However, no other protected species appear to have been considered, e.g. bats, water vole or otter. The Site should be subject to assessment to determine the likelihood of protected species and that targeted species surveys are undertaken for all species scoped in. These should comply with current best practice guidelines, and in the event that the surveys deviate or there are good reasons for deviation that full justification for this is included within the ES.

Should protected species be found during the surveys, information must be provided identifying the species-specific impacts in the short, medium and long term together with any mitigation and compensation measures proposed to offset the impacts identified. The ES should set out how the long-term site security of any mitigation or compensation will be assured, including management and monitoring information and long term financial, tenure, and management responsibility. Where the potential for significant impacts on protected species is identified, a Conservation Plan should be prepared for the relevant species and included as an Annex to the ES.

Where a European Protected Species is identified, and the development proposal is predicted to likely contravene the legal protection they are afforded, a licence should be sought from NRW. The ES must include consideration of the requirements for a licence and set out how the works will satisfy each of the three requirements as set out in the Conservation of Habitats and Species Regulations 2017 (as amended).

Land Quality

In terms of historic land contamination, the proposed development would require a land contamination assessment to be carried out, and it is expected; given the location of the proposed development site, historical potentially contaminative land uses, reasonable grounds to suspect that the Site may be affected land contamination. We are satisfied that this has been scoped in, and the proposed site investigation/risk assessment (in section 7.4 of the scoping report) will address this.

Paragraph 8.5.1. of the Environmental Impact Assessment Request for Scoping Opinion Report states: Given that the existing Site abstracts water from the River Dee (upgradient of the Site) and it is understood the proposed development will not increase this abstraction due to increased efficiency of the new machinery,

assessment of water abstraction will be scoped out. Should there be any changes to this position, the applicant should contact Natural Resources Wales.

The Council and NRW are in general agreement with the areas of assessment which is proposed to be scoped into and out of the forthcoming ES as detailed in Table 6.1 of the scoping request.

Water Resources and Flood Risk

Dŵr Cymru Welsh Water have no comments on the Scoping Report but would welcome early discussions with the Project Team regarding the impact that the scheme may have on their assets. Please contact Dŵr Cymru on 0800 917 2652 or via email at developer.services@dwrcymru.com

The majority of the existing Paper Mill site lies in Flood Zone 1 according to the Flood Map for Planning referred to in Technical Advice Note 15: Development, flooding and coastal erosion (2021), including the expansion area and CHP area. The only section of the main Site identified to be at risk is the south-east corner, which lies marginally within Flood Zone 2.

Section 8 of the Environmental Impact Assessment Request for Scoping Opinion Report outlines that Hydrology and Flood Risk will be 'scoped in' as part of the EIA process and also outlines that a Flood Consequences Assessment (FCA) will be prepared in support of the development proposal.

NRW are satisfied with this proposed approach for considering flood risk as part of the Site's redevelopment. The FCA should assess the flood risk posed to the Site over the lifetime of development, drawing upon a range of data sources. Any data we hold, including the Tidal Dee study (2020) can be requested by contacting our Data Distribution team. The technical requirements for the FCA can be found in Figure 9 of TAN15.

The Lead Local Flood Authority (LLFA), (the Sustainable Drainage Systems or SAB based within Flintshire County Council), are the lead authority on flood risk from surface water and flooding from ordinary watercourses. Comments have not been received from the LLFA on the consultation of this Scoping Report but should any be received, they will be passed to the applicant. Separate approvals will need to be obtained from the SAB to ensure that drainage proposals where the construction area is 100m² are designed and built in accordance with the national standards for sustainable drainage published by Welsh Ministers. More information: <https://www.flintshire.gov.uk/en/Resident/Planning/Sustainable-Drainage-Systems.aspx>

Traffic and Transport

The Highways Authority has been consulted and considers the proposal is unlikely to result in any significant environmental impact. The operational phase of development is unlikely to impact highway usage with any significant transport impact limited to

the construction phases. There is no objection to the methods proposed in the report for identifying the locations and degree of impact during these phases.

It is noted that the A548 is potentially the routing of the “Red Route” for the Welsh Government’s highway improvement to the A55 and A494 and whilst under review at the present time and placed on hold, the need for this improvement in the future cannot be discounted, and allowance must be made for the construction of a grade separated road junction with Weighbridge Road in the design layout.

It is noted that there is limited public access to the site, however Welsh Government request that a review of travel methods for personnel during the construction and operational phase consider the Sustainable Transport Hierarchy where appropriate. As outlined in Llwybr Newydd Wales Transport Strategy 2021, Welsh Government are promoting a ‘modal shift’ meaning the proportion of trips made by sustainable modes increases and fewer trips made by private cars. We have set a target of 45% of journeys to be made by public transport, walking and cycling by 2040.

The Council is also in general agreement that the highways impact will be scoped into the forthcoming ES as detailed in section 15 in relation to traffic and transportation and the proposed assessment methodology set out in Section 12.4 of the Scoping Report.

Rail infrastructure and network

Network Rail has provided comments on the Scoping Report and has stated that the EIA should fully assess the impact of the working proposals on the security of the railway infrastructure, both during the operation phase and post-operation. The EIA should also assess any impact these works will have on any level crossings that would be affected by the project, including Connors Quay No1 Sleeping Dog CNH3 188m 47cns and Pentre FP crossing CNH3 190m 67cns, and these should be included with any Transport Statement and/or Transport Chapter of any submitted ES. If an impact is anticipated, the assessment should include suggested mitigation.

Cultural heritage

The County's Conservation Officer has been consulted, and we consider the proposal is unlikely to result in any significant environmental impact. The Council, therefore, has no objection to this impact being scoped out of the ES.

Conclusion

The Council broadly agrees with the scope as set out in the submitted Scoping Report. The above outlines the matters which require modification, augmentation or clarification as part of any subsequent planning application and ES. The format of the ES should be presented using the same headings as presented within section 1.5.3.7. of the submitted EIA Scoping Report.

Should you wish to discuss the methodology, rationale and scope of any future Environmental Statement please do not hesitate to contact my officer Mr D McVey.

For your information I attach the list of those consulted in regards to the scoping Opinion.

For your information, we have consulted with the bodies considered to have an interest in the project by reason of their statutory responsibilities or remit. Responses have been received from the following bodies, and the opinions set out above are also informed by their comments. I attach the list of those consulted in regards to the Scoping Report.

Flintshire County Council Internal Consultees:-

Ecologist; Amanda Davies: - Amanda.a.davies@flintshire.gov.uk
Highways Authority: - HighwaysDevelopmentControl@flintshire.gov.uk
Contaminated Land Officer: - Rachael.davies@flintshire.gov.uk
Tree/landscape Officer: - stuart.body@flintshire.gov.uk (no response received)
Conservation Officer: - Chris.rees-jones@flintshire.gov.uk
Public Rights of Way Officer: - stuart.jones@flintshire.gov.uk

External Consultees

Natural Resources Wales; NorthPlanning@cyfoethnaturiolcymru.gov.uk
Dŵr Cymru Welsh Water; developer.services@dwrcymru.com
Wales and West Utilities; Dig2@wwutilities.co.uk
North and Mid Wales Truck Roads Agency; (no response received)
NorthandMidWalesDevelopmentControlMailbox@gov.wales
Network Rail; Grace.Lewis@networkrail.co.uk
Liverpool John Lennon Airport; planning@LiverpoolAirport.com
Airbus; warren.brown@airbus.com

Yours faithfully

A handwritten signature in black ink, appearing to be 'A. Jones' or similar, followed by a period.

Chief Officer (Planning, Environment & Economy)