

REPORT TO: Development Control Committee

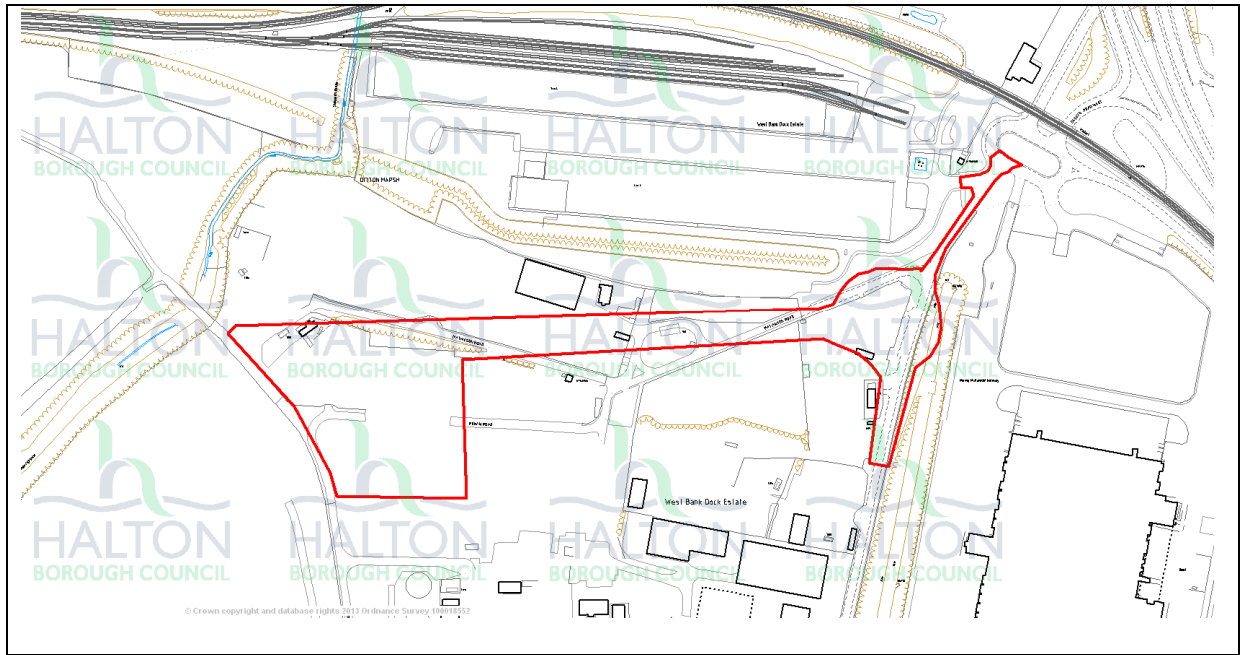
DATE: 7 October 2013

REPORTING OFFICER: Strategic Director, Policy & Resources

SUBJECT: Planning Applications to be determined by the Committee

WARD(S): Boroughwide

APPLICATION NO:	13/00229/FUL
LOCATION:	Stobart Park/ 3MG, Formerly West Bank Dock Comprising Land to the East of Desoto Road East and to the West of Foundry Lane, Widnes
PROPOSAL:	Proposed development and operation of a Timber Drying Facility.
WARD:	Riverside
PARISH:	N/A
CASE OFFICER:	Glen Henry
AGENT(S) / APPLICANT(S):	Stobart Developments Ltd
DEVELOPMENT PLAN ALLOCATION:	
Halton Unitary Development Plan (2005)/ Core Strategy	Regional Investment Site for the development of a Ditton Strategic Rail Freight Park in the Halton Unitary Development Plan. Falling within Site 255 within the designated Potential Extent of the Ditton Strategic Rail Freight Park. Part of the western side of the site is also within the Developed Coastal Zone to which Policy GE30 in the Halton UDP applies. Policy CS8 of Halton's Core Strategy identifies Stobart Park / 3MG as a Key Area of Change.
DEPARTURE	Yes
REPRESENTATIONS:	0
RECOMMENDATION:	Approve subject to Conditions.
SITE MAP	



APPLICATION SITE

The Site and Surroundings

Approximately 1.37 acres (excluding existing access road) forming part of the wider Stobart Park site. The wider site is currently largely vacant being approximately 33.03 Ha site and is in the process of being remediated and re-profiled for redevelopment as Stobart Park. Planning permission for that development specifically excluded the application site to allow the erection of a wood fuelled Biomass Combined Heat and Power Plant, including remediation of the site, to be progressed separately.

The site is bounded by Marsh Brook and Halebank industrial area and Foundry Lane to the west, Desoto Road to the east, the Granox/ PDM site and Mersey Estuary to the south and the northern boundary of the site is formed by the West Coast Mainline and the existing Stobart Ports trans-modal container port to the north.

Planning History

Permission was previously approved to Drawbridge Securities (Ditton) and AHC (Warehousing) Ltd for the proposed redevelopment of the majority of the wider site for a freight terminal to provide 78,308 sqm of new distribution warehousing with improved road and rail access. Planning permission was also approved (07/00815/FULEIA) for a proposed distribution centre and additional warehousing floorspace with associated access, vehicle parking, landscaping, and ancillary development including diversion of existing watercourse by Westlink Group Ltd.

Later permission (11/00266/OUTEIA) has been approved and forms the basis for the on-going remediation and re-profiling of the wider site. The current application site was specifically excluded from that application to allow the erection of a wood

fuelled Biomass Combined Heat and Power Plant, including remediation of the site, to be progressed separately and approved by planning permission 12/00458/FULEIA in April 2013. The proposed Timber Drying Facility will occupy land within that scheme previously identified as an open hard standing, an area for log storage and a wood chipping plant associated with the biomass plant.

THE APPLICATION

Proposal Description

The proposal is for a Timber Drying Plant receiving virgin roundwood logs, which are then debarked, shredded and dried to create wood shavings which are baled and sold as horse/cattle bedding. The facility will receive approximately 120,000 tonnes per annum of round logs delivered to the site by road. The logs will be received at the drying facility and placed on a conveyor and conveyed through a debarking machine and then a log shaving machine. The shavings will then be sent through a combi dryer (which will utilise heat from the adjacent Biomass CHP Facility) and dried. The shavings will then be screened and sent to a baler where they are made into bales and then palletised.

The process will produce 15t bales of wood shavings that will be sold for use for horse bedding and similar uses. The facility will have an output of approximately 62,500 tonnes of baled shavings per annum. All of the processing activity including the storage of wet and dry wood shavings will be enclosed within a building which will have a height of 15.1m to ridge and maximum 12.6 m to eaves. 4 stacks associated with the dryer will protrude 2.5m from the roof of the building (to a height of 15m).

To ensure a viable operation and allow for the storage of the larger quantities of timber that would be imported, a storage area for the roundwood logs and also for product is required close to the site and subject of separate planning application ref 13/00274/FUL.

The Timber Drying Facility will employ 19 staff (split over three shifts with 7 for the two peak shifts and 5 for the non-peak shift). The plant will operate 24 hours, 7 days a week

Documentation

The application is supported by a Design and Access Statement, Planning Supporting Statement, Flood Risk assessment, Transport Assessment and Noise Assessment.

POLICY CONTEXT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

The National Planning Policy Framework (2012) (NPPF) requires that local authorities support the transition to a low carbon future in a changing climate. Paragraph 97 seeks to increase the use and supply of renewable energy, recognising that the issue of climate change must be addressed.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

Halton Unitary Development Plan (UDP) (2005)

The site is identified as a within a Primarily Employment Area, Potential Extent of the Ditton Strategic Rail Freight Park and Developed Coastal Zone in the Halton Unitary Development Plan. The following policies within the adopted Unitary Development Plan are considered to be of particular relevance:

- BE1 General Requirements for Development;
- BE2 Quality of Design;
- BE6 Archaeological Evaluations;
- GE18 Protection of Sites of National Importance for Nature Conservation;
- GE21 Species Protection
- GE30 The Mersey Coastal Zone;
- PR1 Air Quality
- PR2 Noise Nuisance;
- PR3 Odour Nuisance;
- PR5 Water Quality;
- PR14 Contaminated Land;
- E5 New Industrial and Commercial Development

Halton Core Strategy (2012)

The following policies within the adopted Core Strategy are considered to be of particular relevance:

CS2: Presumption in Favour of Sustainable Development
CS8: 3MG

CS19: Sustainable Development and Climate Change
CS23: Managing Pollution and Risk

Relevant SPDs and Other Considerations

The Council's Design of New Industrial and Commercial Buildings Supplementary Planning Document and 3MG Mersey Multi-Modal Gateway: Supplementary Planning Document (2009) are also of relevance.

1. CONSULTATIONS

- Health and Safety Executive – Does not advise on safety grounds against the granting of planning permission in this case.
- Cheshire Shared Services (Archaeology) – No objection subject to condition.
- Network Rail – No Objection but identifies that the current rail facility is not capable of accommodating open sided wagons thereby limiting potential for receiving logs by rail.
- Natural England – No Objection.
- HBC Contaminated Land – No objection subject to conditions.
- HBC Environmental Health – No objection subject to conditions.
- Environment Agency – No objection subject to conditions.
- HBC Highways – No objection subject to conditions.
- Cheshire Wildlife Trust – No objection.
- Mersey Side Environmental Advisory Service -. Suggested condition relating to validation of Japanese Knotweed removal not considered necessary as information previously supplied. Suggested condition relating to breeding birds is covered by other legislation and will be attached as an informative. Confirmation is provided that, subject to conditions, the proposal does not warrant a detailed Habitats Regulations Assessment.

2. REPRESENTATIONS

No letters of representation have been received.

DISCUSSION AND ASSESSMENT

Policy Considerations/ Project Justification

The 3MG Mersey Multi-Modal Gateway Supplementary Planning Document (SPD) was published in 2009. The proposed development falls within site C (Site 255) allocated for industrial, warehousing and rail sidings. The Council developed a 3MG Supplementary Planning Document (SPD), which was adopted in August 2009. The SPD was by definition consequent upon and supplementary to UDP Policies S20 and E7. Both of these policies were revoked by the Core Strategy. All underlining assumptions within the SPD were based on these core and now revoked policies. A number of development control policies are mentioned within the SPD are dealt with independently in this report. Consequently no weight can be given to the SPD.

Policy CS8 (3MG) of the Halton Core Strategy sets out key elements for the future development of the 3MG site including improving ability for the movement of freight by rail, protecting residential amenity, conserving important visual, environmental and historic features. This demonstrates a clear policy requirement for B8 employment development at the 3MG site which will improve the local economy and bring jobs to Halton. The proposed development is not considered to accord directly with such policy requirements and has therefore been advertised as a departure. The development forms only a very small development area being approximately 1.37 acres (excluding the existing road access) of a wider site 33.03 Ha 3MG/Stobart Park site with permission for warehouse/distribution and associated uses.

Policy CS19 (Sustainable Development and Climate Change) of the Halton Core Strategy identifies the 3MG site as being within a “Key Area of Change” which is identified as an area with opportunities for local district heating. The proposed plant will utilise heat from the adjoining previously approved biomass plant thereby securing supply and utilising a renewable source of heat. This co-location of heat users and suppliers is supported by the NPPF, paragraph 97.

The plant will process around 120,000 tonnes of timber per annum. The applicant has indicated their intention to use local ports such as Runcorn, Birkenhead or Garston. The site is well located to receive timber by rail, although at present the rail terminal does not have the ability to handle open wagons, which would be used to transport timber. All supply and distribution associated with the site will therefore be transported by road.

The co-location of the Biomass CHP plant (the heat source) and the Timber Drying plant (as a large scale heat consumer) is argued by the applicant to be critical to the financial success of the biomass plant. Heat from the biomass plant is supplied in the form of hot water – the heat will be extracted in the timber drying plant and returned to the biomass plant at a greatly reduced temperature. The use of heat from the Biomass plant represents a sustainable alternative to heat supplied by conventional power generation. The amount of heat supplied will be c.7,000kW(th) – roughly the same amount of heat required (on average) by c.3,500 homes.

Benefits are also suggested from locating the Timber Dryer adjacent to the Biomass CHP Plant rather than an alternative site away from Stobart Park where installing heat pipes over some distance would be required. These include:

- the heat flow and return pipe lines can be mounted above ground – a comparatively cheap way of installing pipe lines. When separated the pipelines will have to be buried – this will increase the installation cost.
- Buried pipelines between separated sites will require way leaves across privately owned land. Not only will this require securing agreements with landowners but it also increases the cost of maintaining the pipelines.
- Longer buried heat pipe lines will be more expensive to install and maintain as they need to be lagged to reduce heat loss, have larger diameters and pumps to circulate water around the system, and require bleed points, expansion

loops/joints. Long distances of buried pipe lines are more prone to leakage which is expensive to operate and locate/repair

In addition co-location allows the Timber Dryer and Biomass to share their site access and egress reducing overall civil works costs. Sharing on-site construction services and support will also reduce costs.

The delivery of the Biomass CHP Plant has been identified as component of the Masterplan for Stobart Park and has now been granted planning permission. The applicant claims that the success of that project is dependent on co-location with the Timber Dryer providing a significant customer for the heat it produces. Delivering the Biomass Plant will mean there is a much greater potential to secure heat supply to other users or potential occupiers of the Stobart Park. The ability to secure cheaper heat/cooling is likely to be a significant attraction in relation to the expansion of Stobart Park.

The total area which would be occupied by the Timber Drying Plant and associated storage would be 1.37 acres which represents only a very small proportion of the total 103 Ha allocated for distribution uses under Policy CS8. Furthermore the Timber Drying Plant falls within the area already subject to Biomass CHP planning permission.

With this in mind it is considered that the development of this relatively small area would not prejudice the overall development of Stobart Park for regionally important logistics and distribution uses. Indeed, the applicant argues that, by helping to ensure the delivery of the Biomass CHP Plant this would increase the attractiveness of the site for potential occupiers who may have a demand for heat/cooling.

Potential for Rail Transport

The site is well located to receive timber by rail, at present the rail terminal does not have the ability to handle open wagons, which would be used to transport timber.

The applicant has indicated that, with limited changes the terminal could potentially be adapted to meet the offloading requirements for open wagons which are:

- a concrete/hardstanding set down area of 1/6th of an acre to accommodate a maximum train payload of 960 tonnes .
- Offloading equipment consisting of 1 standard 360 excavator with a log grab attachment.

The applicant has offered to sign a legal agreement by means of unilateral undertaking to make best endeavours to utilise rail where such use is practical and commercially viable. Members need to be aware however that, certainly in the short term, transport by rail does not form part of the proposals and all transport associated with the proposed use will be by road.

Visual and Character Impact

All of the processing activity including the storage of wet and dry wood shavings, with the exception of log loading to the conveyor, will be enclosed within a building which will have a height of 15.1m to ridge and maximum 12.6 m to eaves. 4 stacks associated with the dryer will protrude 2.5m from the roof of the building (to a height of 15m). The building design has been amended in accordance with officer advice to add colour and varied profile detailing to the building cladding similar to that proposed for the HBC Field Development. The proposal is considered to be of a scale and character suited to the existing site and buildings and the wider area having regard to the existing and future development aspirations for the park. Whilst the dryer stacks will inevitably be visible and result in steam plumes it is not considered that this will raise significant amenity or visual issues being viewed in the context of such a commercial area which includes the adjoining Granox/ PDM site and 59m stack of the adjoining approved biomass plant. As such it is considered that the proposals are acceptable.

Highways

The site will be accessed from a new private access road already constructed that also forms part of the planning permission for the expansion of Stobart Park/3MG development, which links with the roundabout to the north west from Desoto Road East and the A533 Queensway. The application site therefore includes part of the proposed access road and roundabout to the east.

The logs will be imported to site on either articulated vehicles or skip wagons, where the logs will be cut up and dried on site. The site is predicted to generate up to 64 two-way HGV movements between 0600 and 2000 Monday to Friday. There will be a maximum of seven staff on site at the timber drying facility at any one time. With the assumption that all staff drive in to work separately this would result in a worst case scenario of 38 two-way person movements per 24 hour weekday associated with the staff. The peak periods would therefore be between 0530 to 0630 and 1130 to 1230 when the shift changes occur. For the worst case scenario, these peak hours would result in 14 staff arrivals and departures, along with two HGV deliveries and subsequent departures. The potential peak trip rate would therefore be 16 two-way trips during an hourly period.

On that basis the proposals are not anticipated to result in significant HGV movements and it is considered that the development will have minimal impact on the local highway network. Whilst amendments are awaited to satisfy the Council's Highways Engineer with regards to manoeuvring and servicing within the site itself and to secure additional parking to cater for shift change demand it is considered that adequate provision can be made within the scheme for access, parking and servicing. As such the Council's Highways Engineer has confirmed that they raise no objections in principle. Members will be updated accordingly with respect to the required amendments.

Air Quality and Odour

The proposed development will not generate any emissions to air other than water vapour. As the facility will only be handling clean virgin wood and processing will take place within a building it is not anticipated that there will be any significant odour generated. A dust extraction system is provided within the Timber Drying Facility building to control dust and can be secured by planning condition.

In response to queries raised by the Council's Environmental Health Officer the applicant has responded that AW Jenkinson (linked to Stobart Group) operate a very similar Wood Shavings operation at a Penrith Depot, Cumbria and that the plant has been operating for 10 years with no odour complaints being received. The plant incorporates similar drying technology, linked to identical baling and processing plant. Given this experience and that clean wood does not produce significant or offensive odour it is not considered that the plant will give rise to any odour issues. The Council's Environmental Health Officer has advised that they do not consider that the scheme is likely to raise significant dust or odour issues and therefore raise no objections.

Noise and Vibration

The application is supported by a detailed assessment of likely noise and vibration effects. The results of the assessment indicate that no significant adverse noise and vibration effects are likely to occur during the construction or operation of the proposed Timber Drying Facility at residential properties in isolation or in combination with the consented CHP Plant and proposed wood storage area. The applicant advises that the construction of the facility will be undertaken in accordance with Best Practicable Means (as described in British Standard 5228-1). Similarly, the design and operation of facility will take account of the EA's requirements for Best Available Technology / Techniques. In this way, noise impacts will be minimised, which is commensurate with the requirements of the NPPF. Hours of construction can also be controlled by appropriate planning condition.

On this basis it is considered that there will be no significant effects from the construction and operation of the Timber Drying Facility and the Council's Environmental Health Officer therefore raise no objection in this regard.

Ground Conditions & Hydrogeology

A comprehensive assessment of ground conditions and hydrogeological impacts has been undertaken as part of the earlier planning applications for Stobart Park and Biomass CHP Plant. These found that the site has a significant amount of made ground and that this predominantly comprises gillig. Testing of the gillig has indicated that this is contaminated to varying degrees due to sulphur compounds, high pH, arsenic and lead predominantly.

The potential effects during operation of the plant associated with the exposure of site users to contamination and the potential for impacts on watercourses will be mitigated through the implementation of the Remediation Strategy developed by

Earth and Marine Environmental (EAME) Limited in 2012 which was developed to specifically address the historic contamination of the site. The strategy is based on capping the site with a layer of stabilised galligu material.

Site remediation forms part of the planning permission for Stobart Park granted in 2012 and the Biomass CHP plant granted in 2013. These works will be undertaken in advance of the development of the proposed Timber Drying Facility. The Environment Agency has requested a planning condition restricting the use of piling or foundation designs using penetrative methods to avoid breaching of the remediated ground to minimise risk to ground water. The Council's Contaminated Land Officer and the Environment Agency raise no objections subject to conditions.

Archaeology and Cultural Heritage

An assessment has been undertaken of the likely effect of the proposed development on the historic environment. This has indicated that the below ground archaeological remains are likely to have been largely or entirely removed by previous development. As a consequence there is low potential for the survival of significant below ground archaeological remains, with the possible exception of buried peat layers.

The assessment has concluded that effects on cultural heritage would be limited to those on the possible peat layers and that subject to appropriate mitigation these effects are not significant. Any deep ground works with 50m of Steward's Brook should be monitored as an archaeological watching brief.

With regards to the submitted archaeological desk based assessment the findings and recommendations have been accepted by the Council's retained archaeological advisor and it is considered that an appropriate scheme of investigation can be adequately secured by condition

Conclusions

The application seeks to provide a Timber Drying Plant receiving virgin roundwood logs, which are then debarked, shredded and dried to create wood shavings which are baled and sold as horse/cattle bedding.

The site will be remediated and re-profiled in accordance with an agreed strategy in a similar manner to the wider Stobart Park site. Agreement in principle has been secured in this regard by the Environment Agency and the Council's Contaminated Land Officers subject to conditions.

Policy CS8 (3MG) of the Halton Core Strategy identifies the site for B8 employment development which will improve the local economy and bring jobs to Halton. The proposed development is not considered to accord with such policy requirements in that it does not fall within such use class nor does it contribute directly to improving ability to move freight by sustainable transport, most notably rail. The development forms only a very small development area being approximately 1.37 acres of a wider site 33.03 Ha Stobart Park site with

permission for warehouse/distribution and associated uses. The proposal does offer potential to utilise a renewable heat source and provide a significant potential customer for the approved Biomass CHP Plant. It is also argued that securing the Biomass CHP Plant and the ability to provide cheaper heating/ cooling to potential tenants is likely to be a significant attraction to potential storage and distribution tenants at the park.

Co-location of heat users and suppliers is supported by the NPPF, paragraph 97 and in accordance with Core Strategy Policy CS19. Whilst all transport will be by road from the outset, the site is well located to utilise rail and potential exists for this, with limited alteration to the rail depot where it becomes viable to do so. The loss of such a relatively small area of the park is not considered to prejudice the wider aspirations for encouraging rail freight development. The benefits of colocation of heat users and suppliers, the potential for movement of fuel by rail and the environmental benefits of the scheme are considered to far outweigh the loss of such a small area for potential B8 uses.

The Council's Highways officer has confirmed that the proposal is likely to result in only minimal impact on the local highway network and, whilst amendments have been requested to the internal layout, they raise no objection in principle. The Council's Environmental Health Officers have confirmed that the proposals is not consider to raise significant likely issues as a result of ground contamination, odour or noise and therefore raise no objections.

RECOMMENDATIONS

Approve subject to conditions.

CONDITIONS

1. Standard time limit condition requiring that the permission be implemented within 3 years
2. Specifying approved/ amended plans
3. Materials condition, requiring the submission and approval of the materials to be used (BE2)
4. Construction Environmental Management Plan including wheel cleansing facilities to be submitted and approved in writing (BE1)
5. Submission and agreement of foundation/ piling design and risk assessment/ restricting use of penetrative piling or foundation methods (PR15)
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
7. Vehicle access, parking, servicing etc to be constructed prior to commencement of use. (BE1)
8. Requiring finished floor and site levels be carried out as approved. (BE1)
9. Restriction of external lighting (PR4)
10. Submission and agreement of a programme of archaeological work (BE6)
11. Securing maintenance of site entrance sight lines ((BE1)
12. Securing cycle parking in accordance with a scheme submitted to and agreed in writing ((TP6)
13. Securing over-spill/ shift change car parking (TP12)

14. Restricting external storage (E5)
15. Requiring debarking, shaving and drying plant to be installed and maintained in accordance with manufacturers details to be submitted and agreed (PR1/2/3)
16. Submission and agreement of scheme to manage surface water run-off (PR5/16)
17. Submission and agreement of scheme to risk of flooding from overland flow (PR16)
18. Submission and agreement of a scheme to dispose of foul and surface water (PR15)

SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.