

APPLICATION NO:	13/00274/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 external storage area for roundwood logs and palletised baled wood shavings.
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	
<p>The site map displays a plan view of the development area. A prominent red outline defines the site boundary, which is situated between Foundry Lane to the west and Desoto Road East to the east. The map shows existing buildings, roads, and green spaces. A large 'W' shaped area is outlined in red, indicating the proposed development site. The map is overlaid with a grid and contains multiple 'HALTON BOROUGH COUNCIL' watermarks. A copyright notice at the bottom reads: '© Crown copyright and database rights 2013 Ordnance Survey 100015532'.</p>	

APPLICATION SITE

The Site and Surroundings

Approximately 3 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.

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 open storage area is specifically linked to a parallel application for a Timber Drying Facility (ref 13/00229/FUL).

THE APPLICATION

Proposal Description

The proposal is for a wood and product storage yard associated with a parallel application for an adjoining proposed Timber Drying Plant. The Timber Drying Plant will receive 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 by road and have an output of approximately 62,500 tonnes of baled shavings per annum.

To ensure a viable operation and allow for the storage of the larger quantities of timber, a storage area for the roundwood logs and also for baled product is required close to the site. Earlier proposals to include open waste wood storage and a waste wood processing plant at the site have been withdrawn from the scheme on Officer

advice. Amended plans are awaited in this regard and a process of consultation on the amendments will need to be undertaken. Agreement in principle has however been secured and the application is being reported to Committee at this stage in order to avoid unnecessary delay to the scheme.

The maximum height of stockpiles of logs and baled product will be 5m. Associated with the external storage will be provision of two weighbridges, and associated weighbridge office/ cabin and staff parking along with landscaping to the north and east boundaries to break any views into the site. The plant will operate 24 hours, 7 days a week.

The applicant claims that the proposed storage is required to ensure the viable operation of the proposed adjoining Timber Drying Facility (being considered per application ref: 13/00229/FUL) allowing for storage of the large quantities of timber that would need to be imported and also for palletised product.

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
- 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
- United Utilities – No Objection
- Natural England – No Objection
- HBC Contaminated Land – No objection subject to conditions

- HBC Environmental Health – No objection
- 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 is not considered necessary as this information has been previously supplied. Suggested condition relating to breeding birds is covered by other legislation and will be attached as an informative. Confirmation, subject to conditions, is provided that the proposal does not warrant a detailed Habitats Regulations Assessment.

2. REPRESENTATIONS

No letters of representation have been received.

DISCUSSION AND ASSESSMENT

Policy Considerations

The 3MG Mersey Multi-Modal Gateway Supplementary Planning Document (SPD) was published in 2009. 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.

The proposed development falls within site C (Site 255) allocated for industrial, warehousing and rail sidings. 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 3 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 storage area will provide feedstock and product storage for a facility which will utilise heat from the adjoining previously approved biomass plant. 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. The proposed external storage is directly associated with the proposed Timber Drying Facility aimed at securing supply of the large numbers of logs required and product distribution.

The total area which would be occupied by the external storage area and associated development would be approximately 3 acres which represents only a very small proportion of the total 103 Ha allocated for distribution uses under Policy CS8.

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 1/6 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

The visual impact and potential impact on the future development of the Stobart Park are important concerns with respect to this proposal. The removal of the external waste wood storage and associated processing from the scheme has gone a significant way to relieving initial concerns in this regard. The external storage of neatly piled round wood logs and palletised bales is considered to be far less harmful in terms of its visual impact. This storage will be viewed in a much wider industrial and commercial context adjoining Granox/ PDM site to the south and Hutchinson Hill

to the west. The storage is also anticipated, following completion of the remaining Stobart Park, to be screened by future warehouse development and the proposed Biomass CHP Plant and Timber Drying Facility. The applicant has also agreed to implement structural landscaping along the currently open north and east boundaries to break views of the open storage area. Whilst the open storage will be located adjoining the principle spine road, with intervening structural it is not considered that this could be argued to prejudice the future development of Stobart Park.

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. The site is predicted to generate up to 64 two-way HGV movements per day. There is also predicted a further 40 internal trips associated with moving logs and palletised wood shaving product between the storage yard (south of the link road) and the proposed Timber Drying Plant (north of the link road). These trips will be from vehicles stationed on the site with self-loading skeleton trailer for logs and curtain sided trailer for palletised product.

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 amended plans are awaited together with further clarification of the management of traffic 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

Given that the proposed materials for storage consist of clean virgin wood logs and sealed, dried wood shavings it is not considered that the proposed development and use will give rise to any significant odour or dust issues. Earlier proposals for the external stockpiling and processing within a building of waste wood have been withdrawn from the scheme.

The Council's Environmental Health Officer has therefore advised that they 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 external storage area in isolation or in combination with the consented CHP Plant and proposed Timber Drying Facility. Hours of construction can also be controlled by appropriate planning condition.

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 gillig material.

Site remediation formed part of the planning permission for Stobart Park granted in 2012 and these works have been completed for this part of the site. Environment Agency comments on this scheme are awaited and members will be update accordingly. The Council's Contaminated Land Officer raises no objections.

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.

With regards to the submitted archaeological desk based assessment the Council's retained archaeological advisor has advised that, whilst an archaeological watching brief has been maintained for other areas of the site, the present development is unlikely to provide similar opportunities to sample deposits and no further archaeological mitigation is advised.

Conclusions

The proposal is for a wood and product storage yard associated with a parallel application for an adjoining proposed Timber Drying Plant. To ensure a viable operation and allow for the storage of the larger quantities of timber, a storage area for the roundwood logs and also for baled product is required close to the site. Earlier proposals to include open waste wood storage and a waste wood processing plant have been withdrawn from the scheme. The maximum height of stockpiles of logs and baled product will be 5m. Amended plans are awaited and members will be updated with regards to a further process of consultation.

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 3 acres of a wider site 33.03 Ha Stobart Park site with permission for warehouse/distribution and associated uses.

The proposal does offer potential for a significant customer for the approved Biomass CHP Plant. The proposals are argued to contribute to securing the previously approved Biomass CHP Plant and that 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.

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 withdrawal of the waste wood storage and processing element of the scheme is considered to significantly address visual impact concerns and the proposed landscaping to the north and east boundaries of the site will break views into the site substantially mitigating any remaining harm.

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 and clarification have been requested to the internal layout and operation, 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. Landscaping condition, requiring the submission and approval of the screen/ structural landscaping/ tree planting to be used (E5)
4. Construction Environmental Management Plan including wheel cleansing facilities to be submitted and approved in writing (BE1)
5. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
6. Vehicle access, parking, servicing etc to be constructed prior to commencement of use. (BE1)
7. Requiring submission and agreement of finished site levels/ to be carried out as approved. (BE1)
8. Restriction of external lighting (PR4)
9. Securing maintenance of site entrance sight lines ((BE1)

10. Securing cycle parking in accordance with a scheme submitted to and agreed in writing ((TP6)
11. Restricting maximum height, locations and types of materials to be externally stored (E5)
12. Requiring storage and circulation areas to be hard surfaced with brushed concrete or other agreed material prior to use (BE1/ PR14)

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.