


<b>APPLICATION NO:</b>	18/00578/FUL
<b>LOCATION:</b>	Inovyn Chlor Vinyls Ltd
<b>PROPOSAL:</b>	Proposed demolition of existing buildings and structures and erection of new office building, ancillary buildings and Well-Being Centre with associated landscaping, access improvements and engineering operations
<b>WARD:</b>	Heath
<b>PARISH:</b>	N/A
<b>AGENT(S) / APPLICANT(S):</b>	Inovyn Chlor Vinyls Ltd
<b>DEVELOPMENT PLAN ALLOCATION:</b> National Planning Policy Framework (2018) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	Primarily Employment Area
<b>DEPARTURE</b>	No
<b>REPRESENTATIONS:</b>	Two letters of representation (one author)
<b>KEY ISSUES:</b>	Principle of development; waste policy; design and character; flood risk and drainage; contaminated land; ecology and trees; sustainability; highways; crime and security; planning for risk.
<b>RECOMMENDATION:</b>	Approve Subject to Conditions
<b>SITE MAP</b>	
 <p>The site map displays a detailed plan of an industrial or commercial area. A specific plot, outlined in red, is the focus of the application. This plot is situated near a major road and is surrounded by other industrial buildings and structures. A large, semi-transparent watermark for 'HALTON COUNCIL' is overlaid on the map.</p>	

## **THE APPLICATION SITE**

### The Site

Site of existing offices at Bankes Lane, Runcorn. The site also includes existing car park(s) and a redundant reservoir. Weston Point Expressway runs to the east of the site on raised embankment. The wider Inovyn plant runs to the south and Weaver Navigation, Manchester Ship Canal and River Mersey beyond. The site is constrained by a number of pipelines and associated exclusion zones.

### Planning History

None directly relevant.

## **THE APPLICATION**

### Background

INOVYN is an INEOS Company and a multi-national chemical establishment operator. INOVYN owns and operates a large scale chemical complex at Runcorn on the banks of the Mersey estuary. The site was formerly operated by ICI and has been in operation for over 100 years. The entire complex has a range of manufacturing operations and a number of businesses in operation. These include Air Liquide, Packed Chlorine Limited, BOC, Mexichem, VYNOVA, Runcorn MCP Limited, SABIC and Industrial Chemicals. The site is therefore a key manufacturing complex for many established businesses and provides products found in almost every aspect of modern life with of range of operators and production platforms. The products are used in industry sectors as diverse as automotive, building and construction, paints and adhesives, food, healthcare and medical, personal care, pulp and paper, textiles and water treatment.

INOVYN has more than 4,300 employees in 10 countries across Europe involved in manufacturing and sales and marketing operations. The Runcorn complex is a key component of the company's European network of businesses and industries.

In order to improve efficiencies, employee communications and working practices across the site it is now proposed to erect a new office building at Bankes Lane with an associated Ancillary and Well-being Centre which will provide employees with state of the art working accommodation and the new Ancillary and Well-being Centre will include a gymnasium, fitness studio, changing/shower and drying facilities including an extensive locker room. The new office complex is designed to house existing site based INOVYN employees who would be redeployed from a variety of offices and buildings spread throughout the existing complex.

### Documentation

The planning application includes the relevant forms and plans and the following:

- Supporting Statement
- Design and Access Statement
- Drainage Impact Assessment
- Flood Risk Assessment
- Sustainability Statement
- Arboricultural Impact Assessment

- Geo Environmental Report
- Transport Statement
- Ecological Assessment

## **POLICY CONTEXT**

### National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in July 2018 to set out the Government's planning policies for England and how these should be applied. Paragraph 47 states that planning law requires for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on application should be made as quickly as possible and within statutory timescale unless a longer period has been agreed by the applicant in writing. Paragraph 11 and paragraph 38 state that plans and decisions should apply a presumption in favour of sustainable development and that local planning authorities should work in a positive and creative way, working pro-actively with applicants to secure developments that will improve economic, social and environmental conditions of their areas."

Paragraphs 80-82 states the need for planning policies and decisions to be made to create conditions in which business can invest, expand and adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area.

### 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;  
 GE21 Species Protection  
 GE25 Protection of Ponds  
 GE27 Protection of Trees and Woodlands  
 PR12 Development on Land Surrounding COMAH Sites  
 PR14 Contaminated Land;  
 PR16 Development and Flood Risk  
 T1 Public Transport Provision as Part of New Development  
 TP6 Cycle Provision as Part of New Development  
 TP7 Pedestrian Provision as Part of New Development  
 TP12 Car Parking  
 TP16 Green Travel Plans  
 TP17 Safe travel For All  
 E3 Primarily Employment Area  
 E5 New Industrial and Commercial Development

### Halton Core Strategy Local Plan (2013)

The following policies, contained within the Core Strategy are of relevance:

CS2: Presumption in Favour of Sustainable Development  
CS15 Sustainable Transport  
CS18 High Quality Design  
CS19 Sustainable Development and Climate Change  
CS20 Natural and Historic Environment  
CS23 Managing Pollution and Risk

#### Joint Waste Local Plan 2013

WM8 Waste Prevention and Resource Management  
WM9 Sustainable Waste Management Design and Layout for New Development

#### Supplementary Planning Documents (SPD)

Design of New Industrial and Commercial Development SPD  
Planning For Risk SPD

### **CONSULTATIONS**

The application has been advertised via the following methods: site notices posted near to the site, press notice, and Council website. A wide range of surrounding properties have been notified by letter.

The following organisations have been consulted and any comments received have been summarised below in the assessment section of the report where appropriate:

Network Rail – Confirmed No Comments  
Cadent Gas - No Objection  
Natural England – Confirmed No Comments  
Cheshire Police – No Objection  
Environment Agency – No Objection  
United Utilities – No Objection Subject to Conditions  
HBC Contaminated Land – Formal Comments Awaited  
Merseyside Environmental Advisory Service – No Objection in Principle  
HSE – No Objection subject to condition

### **REPRESENTATIONS**

Two letters of representation have been received from the same author stating the following:

- The proposal has office space for 512 persons and with ancillary staff of say 20, there will be a need of about 530 car parking places, only 450 car parking places are proposed.
- The restaurant/bar is too small to service over 500 persons.

### **ASSESSMENT**

#### The Proposal

It is proposed to redevelop the land and buildings at Bankes Lane for a new four storey office, car parking, and ancillary facilities and well-being centre all within a landscaped setting. The new office complex is designed to house existing site based INOVYN

employees who would be redeployed from a variety of offices and buildings spread throughout the existing complex.

The main new office building extends to 6706sqm. The ancillary facilities and well-being centre would extend to 1078sqm. It is anticipated that the complex would accommodate around 450 staff. The existing scattered buildings elsewhere in the complex lead to employees having to access different locations to undertake day to day non-operational work which would be more efficiently undertaken in a single office building located outside the main chemical works. The proposed site location and land has been assessed and considered by the applicant to be appropriate with respect to the redevelopment capabilities of the site given the established pipelines and existing site constraints, topography and infrastructure. The new office complex will be located in a similar position to the existing building but using the site contours to provide a tiered, landscaped setting with surrounding car parking. The proposed building has been designed to sit within a high quality landscaped environment.

The office building will be situated roughly on a north south axis with the main area of active open space situated to the east of the building with a series of landscaped steps with the building dug-in to the site. This will reduce the visual impact of the rear elevation and allows tiers of landscaping and amenity space for employees. The proposed ancillary facilities and Well-being Centre will be located to the south of the main office. The eastern edge of the site will not be developed due to pipeline wayleave requirements and topography but the existing redundant reservoir situated in the north eastern portion of the site will be removed and included within the site and the land reconfigured to be included within the overall landscape plan.

Existing vehicular accesses will be retained in their current positions. Car parking will be maintained on site but relocated and reconfigured. Car parking will be positioned behind the building frontages to allow the site frontage to be fully landscaped providing a high quality 'green' setting for the buildings. The existing peripheral car parking in the northern section of the site will be upgraded and set within a new landscaped setting. Electric charging points, enhanced bus stop facilities and cycle access is also proposed to aid access from this neighbourhood to the office and works complex beyond.

### Principle, Design and Character

The proposals provides for the erection of a modern 4 storey office building together with a detached ancillary plant/ bin building and 2 storey Wellbeing building shown to include gym and staff facilities, plant and archive storage. The buildings are of modern design and propose a mix of rain screen cladding in varying colours of grey, metal composite in dark grey, vision and non-vision glazing panels with brie solei as required. The site is designated as within a Primarily Employment Area in the Halton Unitary Development Plan and the redevelopment of the site for employment and ancillary uses is considered acceptable in principle.

The site is situated at a lower level than the adjoining Western Point Expressway which runs immediately to the east of the site. The proposed buildings and wider development of the site has been configured to make best of topography. The buildings and wider development are considered to be of a particularly high quality of design set within a quality, useable landscaping and open space especially

considering the wider industrial setting. The redevelopment will replace a number of existing dated and low quality buildings on the site and areas of hard surfacing and opportunity to significantly enhance the site with a building of high quality design set within an attractive landscaped setting. The new building will represent significant new investment in the area and the business which is considered welcome.

Exact details of the external finishing and hard landscaping materials can be controlled and secured through appropriate conditions.

### The Health and Safety Executive and Risk

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. The proposed development site proposal lies wholly within the inner land use planning zone of the INOVYN Runcorn complex.

As the proposed building capacity for the new HQ is for more than 100 occupants (circa 450) and will be over 2 occupied storeys (4 in total), based on their standard methodology the Health and Safety Executive (HSE) would normally advise against the granting of planning permission.

The HSE has confirmed that, based on discussions with the applicant, they acknowledge that the proposed HQ building is for office accommodation integral to the INOVYN Runcorn chemicals complex and is considered a COMAH on-site occupied building. HSE advises that, they could not support a general planning permission such that the building could be sold, let or leased to other occupiers. They have however agreed that *“a suitably worded planning condition would ensure future use was by employees and those associated with the operations of the major hazard operators (e.g. INOVYN). The purpose of such a planning condition is to cement the understanding of all parties on the purpose of the new office block and its integral relationship with the major hazard establishments on the Runcorn site”*.

They advise that the wording of the recommended condition agreed with the applicant is as follows:

*“The new office building is an integral part of the Runcorn Chemicals Complex Major Hazards Establishment(s) activities subject to The Planning (Hazardous Substances) Act 1990 and can only be occupied by INEOS companies and associated companies and any future owners or tenants at the Runcorn site on that sole basis. For complete clarity, the building cannot be occupied by any other companies, tenants or persons as long as there remains extant Hazardous Substances Consent(s) for the Runcorn site and establishments therein.”*

On that basis, that advise that subject to the agreed planning condition, HSE does not advise, on safety grounds, against the granting of planning permission in this case. Such an approach is considered to accord with UDP Policy PR12 and adopted Planning for Risk SPD.

## Crime and Security

Cheshire Police has provided the following comments on the scheme:

- *There is good natural surveillance of the car parking area from the buildings but this should be backed up with a well signed CCTV system*
- *The proposed shrubbery and trees needs to be well defined to ensure a clear line of sight*
- *The open nature of the site doesn't provide any defensible space for the buildings and makes them easily accessible.*
- *Are there any proposed restrictions planned to the proposed outside seating area, if no physical barrier would recommend knee rail fencing or low level planting to define the space as belonging to the company*
- *Lighting will need to comply with BS5489 – 1 :2003*
- *The Design and Access Statement mentions that 'publicly accessible landscaped frontage on the site will provide a welcoming first impression' – this does however need to be balanced with security*
- *Access is not restricted at the rear of the site which may make this a potential target for offenders*
- *I would recommend some access control / cameras be fitted on to the entrance and exit points of the car park*
- *Access control to UL293 also needs to be installed on the access points to the building and also into any restricted areas.*
- *The recessed areas at the front of the building could potentially limit surveillance and consideration should be given to the positioning of lighting and CCTV to reduce any blind spots.*
- *There is easy access round the ancillary building which could potentially attract offenders. The area indicated by the arrow where the levels change could create dark areas or potential climbing aids*
- *It is difficult to gage how much the level changes between the road and the front of the building. The level would need to be sufficiently different to reduce the opportunity for vehicle borne threats.*
- *Compartmentalisation of the interior of the building is strongly recommended so that people can only access the areas that they need to*

The applicant has responded that the response of the police is welcomed and the comments will be taken into account in the detailed design of the security measures which will be an integral and very important aspect of the proposed development and operation of the new office building. The local crime statistics are also noted and the suggestions relating to ensuring that lighting and CCTV will deter potential offenders from entering the site or the surroundings. It does not appear that the police are suggesting any adjustments to the building design but there could be some adjustments to landscaping and perhaps installation of bollards or other deterrents. The applicant considers that such measures would be most appropriately discussed when the final landscaping and car parking areas are being installed. We would therefore suggest a condition which would require liaison with the police to agree security measures to be installed on the application site to ensure the security of occupants and reducing accessibility to none authorised people. We can assure the council that CCTV in particular will be installed to the highest possible standards. It is not considered that planning conditions are justified in this regard.

## Highway Considerations

The application is supported by a Transport Statement. The Council's Highways Officer advises that the report is considered to be robust in content and demonstrates that the site is sustainable with good links to the expressways and wider highway network. Trip generation has been predicted using existing staffing levels and this is advised to be a suitable approach. It is however noted that this is linked to the decommissioning of other sites within the applicants control. An assumption has been made that these sites will not generate future trips. Improvements are also proposed to sustainable modes of travel as part of development including new footway/ cycle links to the East, widened footway to the frontage of the site and enhanced bus stop provision. Discussions are ongoing as to whether and/ or how these may be properly secured. Members will be updated in this regard.

The Council's Highways Engineer advises that:

- The proposal provides 450 spaces which although is above current UDP maximum standard it is considered appropriate given the applicants knowledge of their specific parking demand through years of operation in the area.
- There appears to be ample provision of accessible and marked disabled bays.
- Car parking spaces have been shown for the use of EV charging although more detail is required as to what provision will be made. This detail can be secured by planning condition.
- Accessible, covered secure and overlooked cycle parking should to be provided to a suitable standard (1 space per 350 sq.m). This detail can be secured by planning condition.
- Access, egress and servicing appear to function although during detailed design a signage strategy will be required to direct various users into and through the development. This detail can be secured by planning condition.
- The site is acceptable with regards accessibility to bus routes and is served by suitable pedestrian links. Pedestrians, cyclists and bus users have been considered and proposals made to improve the offering for these sustainable modes of travel.
- Some formal stopping of existing highway will be required via a suitable process.
- Level information has been provided which demonstrates that it will be possible to tie into the adjacent highway and although there are some steeper sections of roadway/ footway within the site the applicant has demonstrated that accessible routes will be provided.

Conditions are recommended relating to submission of a green travel plan, Construction Phase Management Plan, securing access, parking etc and off site highway, cycle and footway works, provision of EV charge points, detailing of boundary treatments, surface finishes and landscaping and provision of cycle parking.

## Flood Risk and Drainage

The proposed development lies in flood zone 1 but is over 1 Ha in area. The application is therefore supported by a flood risk assessment. This identifies the site as low



probability of flooding, that finished floor levels will be set no lower than existing and that the residual risk of the development flooding from all sources is negligible.

The application is supported by a Drainage Impact Assessment and detailed drainage design. Detailed comments from the Council's Drainage Engineer acting as Lead Local Flood Authority (LLFA) are awaited. It is however considered that a technical solution will be available to ensure that the site can be appropriately drained including appropriate attenuation as required.

The Environment Agency raises no objection. United Utilities raise no objection in principle but suggest conditions that foul and surface water are drained on separate systems and a detailed drainage design based on the adopted hierarchy of drainage options. Subject to LLFA approval it is considered that sufficient information has been received in this regard and that such conditions cannot be justified. Members will be updated orally.

### Contaminated Land

The site is known to be contaminated and a Site Investigation Report has been submitted to support the application. Whilst the Councils Environmental Health Officers have confirmed that additional investigation and analysis is required, no objection is raised in principle and it is considered that this can be adequately secured by condition. The Environment Agency raises no objection in principle subject to comments which can be attached by means of informative to any planning permission.

### Ecology and Trees

The applicant has submitted an Ecological Assessment report in accordance with Local Plan policy CS20. The Councils Retained Adviser on Ecology matters has advised that the survey report is acceptable with a limitation as detailed below. They further advise that impact on European Sites could be screened out due to separation distance, nature of development and a lack of pathways to the estuary.

The Councils retained adviser has queried the submission insofar as it relates to the habitat value of parts of the existing site, the ecological value of the replacement landscape scheme as submitted and the absence of a replacement pond within the scheme. Discussions are ongoing with the developer and the Council's advisers and Members will be updated orally in this regard.

eDNA survey sampling of the reservoir has returned a negative result and Great Crested Newt are therefore confirmed as absent. The report states that no evidence of roosting bat use, or presence was found in buildings or trees on-site. As such, it is advised that The Council does not need to consider the proposals against the three tests (Habitats Regulations) or consult Natural England. Lighting for the development may affect the use of areas by foraging bats. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats in line with NPPF (paragraph 180). This can be secured by a suitably worded planning condition.

Vegetation on site is identified as providing potential nesting opportunities for breeding birds, which are protected. Protection of nesting birds is covered by the Wildlife and Countryside Act. An informative can be attached to any planning permission reminding the applicant of the responsibilities in this regard. Whilst trees on site do provide an amenity value and the loss of trees is regrettable these are not considered to be of a particularly high quality. A number will also be required to be removed in any case to facilitate the removal of Japanese Knotweed from the site. The loss of such trees must also be balanced against the wider benefits of the scheme which are considered significant in this case. Provision exists within the scheme for replacement tree planting.

Japanese knotweed is present within the site boundary. The applicant will need to prepare a method statement including the extent of the plant(s); method(s) to prevent the plant/s spreading further; method(s) of control and monitoring; and method(s) for how the plants will be disposed of after treatment/removal. A validation report is then required confirming the remediation treatment. It is considered that this can be secured by suitably worded planning condition.

Natural England has been consulted and confirm that they have no comments to make.

### Waste

The proposal is major development and involves excavation, demolition and construction activities which are likely to generate significant volumes of waste. The Council's Retained Adviser on waste advises that that Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste paragraph 8, bullet point 3 and Planning Practice Guidance 49 apply. These policies require the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal. In accordance with policy WM8, it is advised that evidence through a waste audit or a similar mechanism (e.g. a site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition. This could be incorporated into any CEMP produced for the development or as a standalone document but can be secured by a suitably worded planning condition.

### Sustainability

The application is supported by a Sustainability Statement. This includes details of a number of significant sustainable measures to be incorporated into the design. Electric Vehicle charging points are also proposed adjacent to the building together with a network of ducting to allow future expansion. The Council's Retained Adviser on environmental matters confirms that the statement contains sufficient information to demonstrate compliance with Core Strategy policy CS19.

### Conclusions

The proposals provides for the erection of a modern 4 storey office building together with a detached ancillary plant/ bin building and 2 storey Wellbeing building. The site

is designated as within a Primarily Employment Area in the Halton Unitary Development Plan and the redevelopment of the site for employment and ancillary uses is considered acceptable in principle.

The buildings and wider development are considered to be of a particularly high quality of design set within a quality, useable landscaping and open space especially considering the wider industrial setting. The redevelopment will replace a number of existing dated and low quality buildings on the site and areas of hard surfacing and opportunity to significantly enhance the site with a building of high quality design set within an attractive landscaped setting. The new building will represent significant new investment in the area and the business which is considered welcome.

A number of issues remain in discussion at the time writing. It is considered that these can be satisfactorily resolved and Members will be updated accordingly.

The objectives of Supplementary Planning Guidance, the Halton Unitary Development Plan, the Core Strategy and other policy guidance are considered to be met within the proposed submission. The proposals are considered to accord with the National Planning Policy Framework and as such are recommended for approval.

## **RECOMMENDATION**

That the application is approved subject to conditions relating to the following:

1. Specifying approved plans
2. Materials condition, requiring submission and agreement of external materials (BE2)
3. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
4. Vehicle access, parking, servicing etc to be constructed prior to commencement of use. (BE1)
5. Requiring finished floor and site levels be carried out as approved. (BE1)
6. Site investigation, including mitigation to be submitted and approved in writing. (PR14)
7. Restriction of external lighting (PR4)
8. Submission and agreement of Site Waste Management Plan (WM8)
9. Submission and agreement of a Construction Management Plan (BE1)
10. Submission and agreement of a Green Travel Plan (TP16)
11. Submission and agreement of boundary treatments (BE2)
12. Submission and agreement of hard surfacing materials (BE2)
13. Submission and agreement of cycle storage details (TP6)
14. Conditions securing off site highway, cycle and footway works,
15. Requiring submission and agreement of EV charge points
16. Condition as requested by Health and Safety Executive
17. Conditions relating to site investigation, remediation and validation (PR14)
18. Conditions relating to methodology and validation of Japanese Knotweed removal (PR14)

## SUSTAINABILITY STATEMENT

As required by:

- 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.