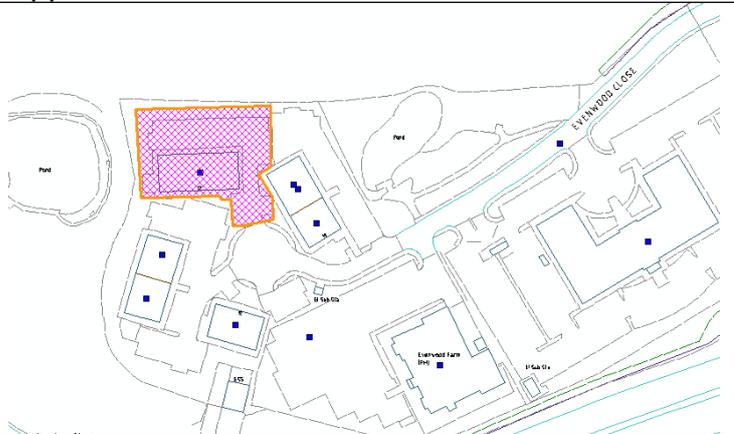


<b>APPLICATION NO:</b>	21/00316/FUL
<b>LOCATION:</b>	Metrohm UK Limited, Metrohm House, Evenwood Close, Runcorn, WA7 1LZ
<b>PROPOSAL:</b>	Proposed installation of a fume hood and four extraction arms in the applications laboratory together with external extraction ducting
<b>WARD:</b>	Daresbury, Moore & Sandymoor
<b>PARISH:</b>	Sandymoor Parish Council
<b>AGENT(S)/APPLICANT(S)</b>	Mr Andrew McCreav, Fumetec Ltd/Dr Victoria Black, Metrohm UK Limited
<b>DEVELOPMENT PLAN:</b> National Planning Policy Framework (2019) Halton Unitary Development Plan (2005) Halton Core Strategy (2013) Joint Merseyside and Halton Waste Local Plan (2013)	Primarily Employment
<b>DEPARTURE:</b>	No
<b>REPRESENTATIONS:</b>	Two representations have been received from the publicity given to the application.
<b>KEY ISSUES:</b>	Pollution, Noise, Odour
<b>RECOMMENDATIONS:</b>	Approve
<b>SITE MAP:</b>	

## 1. APPLICATION SITE

### 1.1 The Site

The site subject of the application is Metrohm House, located on Evenwood Close in Runcorn. The site forms part of Daresbury Court which comprises a development of two storey office units. Metrohm Ltd are manufacturers of high-precision, analytical testing instruments for chemical analysis. The Evenwood Close site is the headquarters of Metrohm UK Ltd, from which the main UK and Ireland operations are carried out. The two storey application

building contains offices, a training room, warehouse, applications laboratory, kitchen and toilet facilities.

The immediate surrounding area is characterised by office buildings with a public house located 80m away to the south east. Green Wood is located directly behind the application site to the north and west of the site. The nearest residential properties are located 110m to the south west of the site, with further residential dwellings located beyond the Daresbury Expressway

The application site is designated as a Primarily Employment Area on both the Halton Unitary Development Plan Proposals Map and the emerging Delivery and Allocations Local Plan Policies Map.

## 1.2 Planning History

There is no relevant planning history associated with this site.

## **2. THE APPLICATION**

### 2.1 The Proposal

The application seeks permission for the installation of a fume hood and four extraction arms in the Applications Laboratory together with external extraction ducting.

### 2.2 Documentation

The application is accompanied by the necessary plans and written statement outlining the scope of the development. Given the nature of the application, no further information has been submitted.

## **3. POLICY CONTEXT**

Members are reminded that planning law requires for development proposals to be determined in accordance with the development plan, unless material considerations indicate otherwise.

### 3.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in July 2021 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.

Paragraphs 81 states planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

### 3.2 Halton Unitary Development Plan (UDP) (2005)

The following Unitary Development Plan policies and policy documents are relevant to this application:

BE1 General Requirements for Development  
BE2 Quality of Design  
PR1 Air Quality  
PR2 Noise Nuisance  
PR3 Odour Nuisance

### 3.3 Halton Core Strategy (2013)

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

CS2 Presumption in Favour of Sustainable Development  
CS23 Managing Pollution and Risk

### 3.4 Supplementary Planning Documents (SPD)

None of direct relevance

### 3.5 DALP

The policies relevant to the determination of this application are CS ( R) 18 – High Quality design, HE7 Pollution and Nuisance, GR1 Design of Development and GR2 Amenity. The modification to some of the policies are not considered to reduce the weight given to the policies at this stage of the plan process. Therefore, these policies should be given significant weight.

The policies within the DALP are considered to result in the same assessment as those set out below in relation to the UDP and Core Strategy Policies.

### 3.6 Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same

Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

### 3.7 Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

## 4. MATERIAL CONSIDERATIONS

The material considerations are identified and have been addressed in the assessment section of this report.

## 5. CONSULTATIONS

- **HBC Environmental Protection**  
No objection subject to conditions
- **Shell UK Ltd.**  
No effect to the Shell pipeline
- **Sandymoor Parish Council**

*02/06/2021 - As a parish council we do want more information on this application and wish to make comment Our next meeting is 17th June and I will send in a comment as soon after as I can, We are concerned about the fumes being released into the area.*

*15/06/2021 - We have reviewed the application for the installation of a fumehood and extraction arms at Metrohm UK in Sandymoor. Our primary concern is with the amount of fumes that will be released as a result of the*

*proposed development, and the nature of these fumes. We understand that the development is being put in place for safe extraction of fumes and that the written statement that supports the application is clearly implying that the development be releasing only small amounts of fumes to the atmosphere. However, how confident can we be that the fumes released by the development won't vastly exceed those that are estimated in the written statement? If the Metrohm extraction system started belching out clouds of toxic smog, we doubt that the residents of Sandymoor would be happy about it.*

*To ensure that Metrohm don't suddenly decide to ramp up their emissions once the development is complete, could we request that the development control committee at HBC obtain more specific statements (or preferably commitments) from Metrohm regarding:*

- 1. How often they expect 'infrequent heavy usage' days to occur (being more specific than 'infrequent').*
- 2. What quantities of gas and particles they expect the system to be releasing during 'normal' usage.*
- 3. The substances which they anticipate the extraction system to be releasing to the air, perhaps listing: i) The 5 substances which they expect to be released in largest volume; ii) The 5 substances being released that they consider most hazardous.*
- 4. What form of scrubbing or pre-treatment of the fumes will occur between the fumehood/extraction point in the lab and the final release to the environment.*
- 5. A commitment that they will not drastically increase their hazardous emissions in the future. If they state that they will only release a maximum of 10 mL methanol per day in 2021, that alone doesn't guarantee they won't end up releasing 1000 gallons of something more hazardous per day in 2022. Perhaps you could seek a commitment that the maximum fumes released per day will not increase by 2030.*

*In an ideal situation, we would have zero industrial emissions polluting the Sandymoor landscape but failing that we think a more realistic goal would be to ensure that an analytical lab that tells us it will be releasing tiny amounts of hazardous materials is not secretly expecting to release large amounts of hazardous materials. We think a reasonable approach will be to get them to make specific statements about what they expect to release and then either:*

- 1. Their statements will turn out to be accurate, or;*
- 2. Their statements will turn out to be inaccurate and HBC/SPC will be left in a better position to take action against them for any damages that result.*

*Note: This response was not agreed by full council, as the June 2021 Sandymoor Parish Council meeting does not take place until 17<sup>th</sup> June and replies to the development control committee regarding 21/00316/FUL were requested to be sent before this.*

18/06/2021 - *What kind of filters or scrubbers (if any) will they be installing in the extraction system to minimise the potential of high levels of solvent vapour being vented to the air in case of a spill of a hazardous and/or volatile chemical?*

- *Will they be using any substances with hazard statements in the H4XX category as environmental hazards, and if so, what measures are they taking to mitigate the risk of environmental damage by these substances?*
- *Will the noise levels potentially adversely affect any residences in the immediate area, and have they assessed the potential impact on noise-sensitive wildlife in Green Wood or Lodge Plantation?*

27/01/2022 - *The Parish Council has reviewed the application and has concerns as follows*

1) *There is still no evidence of any type of scrubbers or filtration system. Although emissions are claimed to be minimal this is not a scientific approach. For example in the case of an accident what measures will be in place to protect, people, animals etc?*

2) *Given the wide nature of potential clients this company will be seeking contracts from, the scope of the application is too narrow and the planners should review the back up systems that need to be in place cope in the event of a spill and mistakes happening.*

3) *The Council and residents have concerns that the close proximity to an established food and beverage business could allow the public house to be compromised in the event of the release of unknown substances into the atmosphere to the adjacent Evenwood farm which could result in people including children being affected to a greater or lesser degree.*

*Previously comments that were made have so far remained unanswered. Why is this? For clarity these were. - What kind of filters or scrubbers (if any) will they be installing in the extraction system to minimise the potential of high levels of solvent vapour being vented to the air in case of a spill of a hazardous and/or volatile chemical? - Will they be using any substances with hazard statements in the H4XX category as environmental hazards, and if so, what measures are they taking to mitigate the risk of environmental damage by these substances? - Will the noise levels potentially adversely affect any residences in the immediate area, and have they assessed the potential impact on noise-sensitive wildlife in Green Wood or Lodge Plantation?*

## **6. REPRESENTATIONS**

The application has been advertised by way of a site notice and neighbour notification letters sent on 27<sup>th</sup> May 2021.

Two representations have been received, echoing the concerns raised by Sandymoor Parish Council.

## **7. ASSESSMENT**

### **7.1 Principle of Development**

The application site is designated as a Primarily Employment Area on both the Halton Unitary Development Plan Proposals Map and the emerging Delivery and Allocations Local Plan Policies Map. There is no change of use proposed as part of the application.

Policy E3 of the Halton Unitary Development Plan states that industries that have the potential to cause noise, smell, dust, noxious omissions, nuisance or unacceptable loss of amenity to surrounding uses are unlikely to be unacceptable within or adjacent residential areas or within business parks or near recreational areas.

The application seeks permission for the installation of a fume hood and four extraction arms in the Applications Laboratory together with external extraction ducting.

Based on the consultee responses and advice given from the Council's Environmental Protection Officers, it is not considered that the proposed development would result in pollution caused by noise, odour or air pollution resulting in a detrimental impact on the immediate surrounding area or the wider context. This is discussed further in the sections below.

### **7.2 Appearance**

The proposed fume hood and four extraction arms would be located internally and would not be visible from the street scene. This would be linked to a uPVC extraction system and vented externally through a small stack, projecting above the roof level by 1m as per guidelines. Externally the fan motor and ductwork will be located on the gable elevation which forms the rear of the building. This would result in minimal visual impact. The external elements of the proposed development would be dark grey in colour which is considered to be acceptable.

The proposed development is considered to have an acceptable appearance in accordance with Policies BE1 and BE2 of the Halton Unitary Development Plan.

### **7.3 Noise**

This application follows on from the pre-application enquiry and discussions undertaken by the applicant. Halton Borough Council's Environmental Health Officer had previously requested that the application supplied information in

relation to the expected noise levels of the extraction unit. The applicant has subsequently provided this information. In terms of noise, the applicant has indicated that the noise level from the extraction unit is expected to be 53Db.

The Council's Environmental Protection Officer has reviewed the application and has provided the following comments:

*There are a small number of domestic properties on Warrington Road, the closest being approximately 110m meters away. I would not expect the extraction unit to be audible over existing background noise at this distance.*

In terms of noise, it is not considered that the proposed development would result in significant noise pollution that would cause a detrimental impact on residential amenity and the development is considered to be acceptable in accordance with Policy PR2 of the Halton Unitary Development Plan.

#### 7.4 Environmental Protection

The Applicant's Laboratory at Metrohm UK performs critical development work for customers looking to analyse challenging samples. As per the submitted written statement, occasionally the applications require chemicals that are labelled as hazardous, and need to be used in well ventilated spaces. To assist with this, protect staff, and comply with Health and Safety regulations, planning permission is sought for the ventilation/extraction system to the ground floor Applications Laboratory.

It is intended for the equipment to extract any chemical fumes, vapours and dust out of the laboratory atmosphere whilst making a minimal impact on the environment/aesthetics of the area.

The submitted written statement states: As the nature of our work is developmental, i.e. small volume, low sample numbers, high technical skilled work, an extremely low level of volatiles will be ventilated from the laboratory, relative to an industrial laboratory. On an infrequent "heavy usage" day, it is estimated that less than 10ml per hour of a solvent like methanol would be extracted into nearly 2800m<sup>3</sup> of air, which will leave nearly undetectable levels of volatiles being released (parts per trillion levels).

Concerns have been raised by Sandymoor Parish Council and Councillor Bradshaw as detailed above. A meeting was offered up by the applicant to discuss some of these concerns, either in person or virtually given the pandemic, which was put forward to the Parish Council and Councillor Bradshaw on the 6<sup>th</sup> December 2021 but this offer was not taken up.

The applicant has advised that the purpose of the extraction system is because there is currently no extraction system in place and staff are

occasionally performing work that releases some solvent vapours. To clarify, this is also a staff wellbeing measure as well as a health and safety measure.

The Council's Environmental Protection Officer has reviewed the application and has provided the following comments:

*In terms possible emissions from the extraction system, the applicant has indicated these will be solvents such as methanol at very low levels, and so would not require any form of further control from the Environmental Health Department.*

In terms of air pollution and odour, it is not considered that the proposed development would result in significant pollution that would cause a detrimental impact on residential amenity and the development is considered to be acceptable in accordance with Policy PR1 and PR3 of the Halton Unitary Development Plan.

## **8. CONCLUSIONS**

In conclusion, the proposed development would assist the function and operations of an existing business. The proposed development would have a minimal visual impact on the immediate area. The Council's Environmental Protection Officer has no objection to the proposed development and has assessed the submitted plans and information in terms of noise and emission pollution.

The proposal is considered to accord with the Development Plan and would contribute to the achievement of sustainable development in Halton.

## **9. RECOMMENDATION**

Approve subject to conditions

## **10. CONDITIONS**

1. Standard 3 year permission
2. Condition specifying plans
3. Environmental Protection suggested condition

## **11. BACKGROUND PAPERS**

The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972.

## **12. SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2021);
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

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.