

<b>APPLICATION NO:</b>	22/00369/FUIEIA
<b>LOCATION:</b>	Unifrax Widnes Sullivan Road Widnes Cheshire WA8 0US
<b>PROPOSAL:</b>	Proposed installation of an additional production line, involving an extension to an existing building and the installation of associated plant and machinery
<b>WARD:</b>	Halton View
<b>PARISH:</b>	N/A
<b>APPLICANT:</b>	Saffil
<b>AGENT:</b>	Joel Jessup
<b>DEVELOPMENT PLAN ALLOCATION:</b>	National Planning Policy Framework (2021) Delivery and Allocations Local Plan ('DALP') (March 2022). Site allocation: Primarily employment land.
<b>DEPARTURE</b>	No
<b>REPRESENTATIONS:</b>	N/A
<b>KEY ISSUES:</b>	Principle of development, Visual impact, Highway impact, Access, Residential amenity, Air quality, Noise impact, Ground contamination, Ecology, Drainage.
<b>RECOMMENDATION:</b>	Approve Subject to Conditions

## **APPLICATION SITE**

### **The Site**

The site is located within the Tan House Lane Industrial estate, approximately 1.5km south east of Widnes town centre. The site is located to the north west of the St. Helens Canal and the Mersey Estuary. The location of the application site in the context of the wider surroundings is accurately depicted in the location map above.

The existing site covers an area of approximately 4.5 ha, which was formally part of the ICI Pilkington Sullivan Works, which has a long history of chemical processing from the mid-19<sup>th</sup> Century through to the end of the 20<sup>th</sup> Century.

Vehicular access is gained via an existing private road off Tanhouse Lane/Moss Bank Rd.

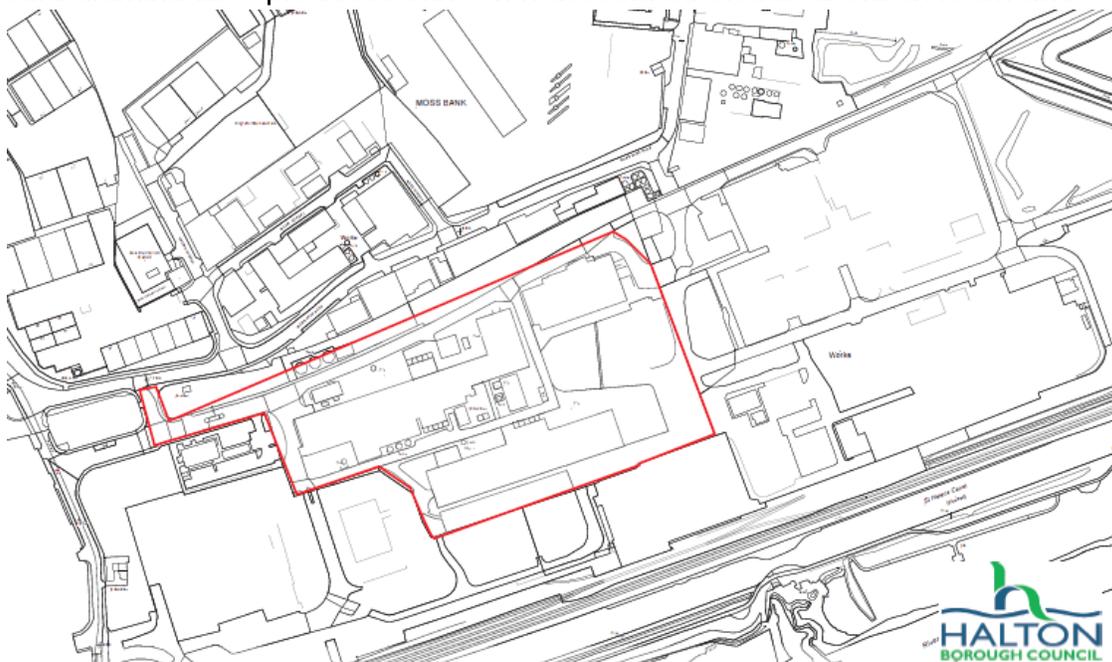
### **Planning History**

The following planning history details concern planning approvals on the proposed application site or earlier phase of development by the same Applicant.

**03/00185/EIA** - Proposed extension (2940sq.m.) to existing production building and associated external structures, including a 40m stack to proposed effluent treatment works and extension to existing substation

**11/00396/FULEIA** - Proposed new building to house a third alumina fibre production line, electrical switchroom and process plant

**17/00376/FULEIA** - Retrospective application for rebuilding of facility to house a third alumina fibre production line with associated electrical switch room and



process plant

## **THE APPLICATION**

### **The Proposal**

The planning application was submitted with the following description of development:

*Proposed installation of an additional production line, involving an extension to an existing building and the installation of associated plant and machinery.*

The proposed development will provide sufficient space to accommodate a fourth production line at the Safil factory site. This additional production line is required to produce a silica fibre product for export to use in the manufacture of lithium-ion batteries.

Once constructed it is envisaged that the fourth production line would operate 24 hours a day seven days per week as per the existing site operations. The development of a new production line would offer the creation of 38 direct full time jobs in addition to the 83 full time employees on site.

### **Documentation**

The application was submitted with the following supporting documentation:

- Application form
- Set of proposed plans
- Environmental Statement
- Ecological Assessment
- Transport Assessment
- Noise Impact Assessment
- Air Quality Assessment
- P1 Ground Investigations Report
- Flood Risk Assessment
- Design and Access Statement

## **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.

### Delivery and Allocations Local Plan ('DALP') (adopted March 2022)

CS(R)1	Halton's Spatial Strategy
CS(R)4	Employment Land Supply
CS(R)15	Sustainable Transport
CS(R)18	High Quality Design
CS(R)19	Sustainable Development and Climate Change
CS(R)23	Managing Pollution and Risk
CS(R)24	Waste
C1	Transport Network and Accessibility
C2	Parking standards
HE1	Natural Environment and Nature Conservation
HE2	Heritage Assets and the Historic Environment
HE7	Pollution and Nuisance
HE8	Land Contamination
HE9	Water Management and Flood Risk
GR1	Design of Development
GR2	Amenity

### 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 Commercial Development SPD
- Widnes Waterfront SPD

### National Planning Policy Framework ('NPPF')

The last iteration of the National Planning Policy Framework (NPPF) was

published in July 2021 and sets out the Government's planning policies for England and how these should be applied.

Paragraph 47 states that planning law requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 81 states that 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.

### National Planning Practice Guidance (NPPG)

Together, the National Planning Policy Framework and National Planning Practice Guidance set out what the Government expects of local authorities. The overall aim is to ensure the planning system allows land to be used for new homes and jobs, while protecting valuable natural and historic environments.

### 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.

### 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.

## **CONSULTATIONS**

The application was advertised via the following methods: Site notice posted near to the site, press notice, and Council website. Surrounding properties were notified by letter.

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

### **External Bodies**

#### Warrington Borough Council

No response.

#### St. Helens Borough Council

No comments received

#### Department for Levelling Up, Housing and Communities

No comments to make.

#### Environment Agency

No objection subject to condition regarding ground contamination.

#### Natural England

No objection.

#### Cheshire Police

No objection.

#### Cheshire Fire and Rescue

No objection.

### **Council Services**

#### HBC Contaminated Land

No objection subject to the use of a planning condition.

#### Environmental Health

No objection

### HBC Highways

No objection.

### Lead Local Flood Authority

No objection subject to conditions.

### MEAS – Ecology and Waste Advisor

No objection subject to conditions.

### Archaeology

No objection.

### Open Spaces

No comments received.

### Regeneration

No comments received.

### Emergency Risk

No comments received.

### Property Services

No comments received.

## **ASSESSMENT**

### Planning Policy

The application site is allocated as 'primarily employment land' by the Delivery and Allocation Plan (DALP) allocation map. It is therefore considered that the development proposal is consistent with this land use allocation.

The DALP planning policies identified above set out a framework of requirements for the consideration of development proposals on existing employment sites. These are considered further in the assessment section of the report below.

### Design, Appearance and Visual Impact

The proposal concerns an extension of the existing Saffil factory building to facilitate the accommodation of a new production line. The proposed plans demonstrate a continuity of the existing appearance of the existing building (approved 9<sup>th</sup> October 2017 ref: 17/00376/FULEIA).

The existing production line 3 building measures approximately 131 metres by 26metres, it height is 7.3m at its eaves and 12m at its apex and covers an area of 3290SQM. The proposed extension will measure 48m and maintain the height and depth of the existing building, thereby increasing the floor space by 1,224SQM.

The proposed lateral extension will be comprised of a steel frame construction with the main elevations finished predominantly in an insulated prefabricated steel external skin. This is consistent with the existing structure.

The proposed plans note a trailer loading cover on the northern and southern elevations of the extension. Additional plant equipment is noted to be constructed outside the main building on the southern elevation. This is consistent with the existing plant equipment on site that is associated with the Line 3 operations. The proposed plant includes a stack height of 40m as depicted on proposed plan ref: RAS-001-C-004 and RAS-001-C-005, this is consistent with the existing taller stacks height on site.

A dedicated Line 4 storage and preparation area is proposed to be installed in an area formerly associated with Line 1, and is shown on proposed plan RAS-001-C-006. This location is currently occupied by redundant pipework and equipment that will be removed as part of this proposed developments implementation.

The scale of the resulting proposed extension would only be noticeable when viewed from a position in relative close proximity such as from the Tran-Pennine Trail (TPT) on the opposite side of the St Helens Canal. Notwithstanding, the view of the Saffil site would be consistent with its surroundings and to be expected given the DALP employment site allocation. It is considered that the proposed development will not have a detrimental impact on the TPT or the wider setting of the St. Helens Canal.

In terms of scale and appearance, the proposed additions are considered to be consistent with the existing main production buildings and plant on site, and are therefore considered to be in character with the wider waterfront area.

### Air Quality

DALP Policy CS23 'Managing Pollution and Risk' sets out the local planning objectives in relation to pollution including air quality. It is incumbent upon the Applicant to demonstrate compliance with the Local Plan requirements and national guidance in relation to air quality, to ensure a minimum impact from the proposed development on the nearby residential area.

The environmental statement submitted with the application includes an air quality assessment (AQA). It provides background levels of pollutants at a number of locations in the local vicinity of the proposed development, including at 3 No. residential locations.

Environmental Health have considered the application in relation to air quality. The AQA has assessed NO<sub>2</sub> and PM<sub>10</sub> emissions from the proposed development. It indicates that in the reported locations the levels of pollutants in short-long terms scenarios are around 50% of the UK Air Quality Standards (AQS), increasing by less than 1% of the long term UK AQS and no more than 2.4% of the short term UK AQS in any residential location. This demonstrates that there is no need to consider further mitigation. Environmental Health has no objections to the air quality impact of this proposed development.

## Noise

DALP Policy CS23 'Managing Pollution and Risk' sets out the local planning objectives in relation to pollution including air quality. It is incumbent upon the Applicant to demonstrate compliance with the Local Plan requirements and national guidance in relation to noise.

The Applicant has provided a noise report that considers the application in the context of the NPPF and Noise Policy Statement for England (NPSE). The NPSE aims to ensure that the development avoids and mitigates against adverse impacts on the health and quality of life of neighbourhood noise.

The report uses the methodology outlined in BS4142@:2104+A2019 to assess the likely impact of the development on the nearby housing estate which is currently being constructed and will be the nearest noise sensitive area. BS4142 compares the existing noise environment with the predicted noise for the proposed development once in operation.

The report concludes that the contribution of noise from the proposed development will be below the existing noise levels at the nearby residential development and will therefore have no adverse impact on the development. No further mitigation is needed. Environmental Health has no objections to the noise and vibration impacts from the proposed development.

## Ground Contamination

DALP Policy CS23 'Managing Pollution and Risk' sets out the local planning objectives in relation to pollution including ground contamination. It is incumbent upon the Applicant to demonstrate compliance with the Local Plan requirements and national guidance in relation to ground contamination.

A phase 1 ground investigation study was submitted in support of the planning application. This report has been reviewed by the Council's contaminated land officer who has raised no objection to the development proposal subject to a condition being attached that secures additional testing and reporting prior to development taking place. The opinion of the Council's contaminated land officer is summarized below.

The site is a former chemical works and has a long industrial history. The expected ground condition reflect that history with varying thickness of made ground comprising relict foundations, demolition materials and wastes from manufacturing processes. There is a potential of a range of contaminants that pose a risk to built structures, human health and controlled waters. The reporting makes recommendations for further site investigation to characterize the ground conditions and to determine the level of risk posed by contamination.

An outline scope for the investigation is included as part of the submission. However, the desk study does not have much detail on the nature of the former processes and potential contaminants, which could guide the investigation and sampling.

It is recommended that a sampling program be secured by way of a planning condition to include:

- Testing waters in the existing surface water drainage system. There is evidence of a continued input of contaminated waste into the surface water drains.
- Proposed borehole testing is likely to encounter a significant sand unit which should be targeted for ground water sampling.
- Given the site history, a study undertaking specific CHC monitoring as well as standard ground cases.

The above survey work will be secured by a planning condition.

The Environment Agency (EA) has responded to the consultation exercise raising no objection subject to the use of planning conditions to deal with concerns of existing site contamination and the potential impact on watercourses.

The Applicant has agreed to the planning conditions recommended by the Council's contaminated land officer and the EA.

### Drainage and Flood Risk

The Flood Risk Assessment (FRA) submitted in support of the application has been assessed by the Lead Local Flood Authority (LLFA). No objection has been raised subject to the use of an appropriately worded conditions.

The conditions will implement a drainage scheme to ensure the site is safe from fluvial and tidal flooding. Such a scheme will ensure that the site is appropriately drained so as not to cause runoff rates that are detrimental to local drainage systems that are downstream of the application site. A suitable drainage scheme will also ensure that the potential pollution risk associated with surface water runoff is addressed.

The LLFA have also recommended the use of a verification reporting condition to ensure that the a surface water drainage scheme is implemented in accordance with approved details.

The Applicant has agreed to the use of these conditions.

### Transport and Highways

The development is a modest extension to an existing manufacturing site. The proposal seeks to utilize existing access and car parking facilities to accommodate the increase in employees. The Council's Highways Officer has assessed the proposal and raises no objection in principle.

A request has been made for additional details to ensure that the proposal has adequate parking provision for the forecasted uplift in employees as a result of the planned investment. An update will be presented orally at committee.

### Ecology and Nature Conservation

The development proposal has been screened as an EIA form of development pursuant to the Environmental Impact Assessment Regulations 2017. The planning application was accompanied by an Environmental Statement (ES) and an Ecology Report (ER).

The ES comprised information on the following information, the nature of the development, consideration of alternatives, relevant aspects of the environment, likely environmental impacts arising, proposed mitigation measures, an indication of any difficulties in compiling the information needed and a non technical summary.

The development proposal and supporting environmental statement have been assessed by the Council's retained ecology advisor who has raised no objection subject to the use of planning conditions. The Applicant has submitted an ecology report in accordance with DALP policy CS20. It identifies ten protected sites that are located near to the application site. The Council's retained ecology advisor has used this as a basis to undertake a Habitat Regulation Assessment that concludes there are no likely significant effects.

Natural England have assessed the undertaken HRA and confirmed that they have no objection to the proposed development.

### Climate Change

The proposal will result in the development of a new line of manufacturing for the production of a new silica fibre. This will make a positive contribution to the SiFAB process ultimately resulting in the increased efficiency of Li-ion batteries benefiting global reduction in carbon emissions.

The proposed development is a modest extension of 3092SQM to an existing site facility. It is considered that the climate impacts of building and operating a new production line are considered to be relatively small. It would be disproportionate to require a full qualitative climate change impact assessment, particularly when considering that the production line is to be used to improve the efficiency of battery technologies that will be used to combat climate change.

### Residential Amenity

The site is located within the former Widnes Waterfront Regeneration Area. The former regeneration policy associated with the historic land use designation resulted in the residential redevelopment of a derelict industrial site (ref: 19/00235/FUL). That redevelopment has brought a residential development boundary nearer to the application site than was the case when a planning application was last considered for the application site boundary. As a result it is important to give due consideration to the impact on residential amenity for nearby residents of existing residential dwellings and those that are in the process of being delivered.

The potential negative impacts on residential amenity concern air quality, noise, traffic movements and outlook. Noise and air quality impacts have been assessed by the Council's Environmental Health Officer (EHO). No objection was raised by the EHO. Traffic movements to the site are expected to increase. However, these additional movements are anticipated to be low. As such the Council's Highways Officer has raised no objection in principle to the scheme.

Residential outlook over the application site will increase as planning permission 19/00235/FUL is implemented. However, the existing Saffil factory site existed prior to the residential scheme being granted planning permission. There is an expectation as a result of this that a degree of residential outlook will include views of an industrial estate. It is therefore considered that the proposed development is consistent with the existing industrial landscape and would not be considered detrimental to future residents of planning approval 19/00235/FUL.

### Conclusion

The development proposal is considered to comply with national planning policy NPPF and Local Plan policies CSR1, CSR4, CSR15, CSR18, CSR19, CSR23, CSR24, C1, C2, HE1, HE2, HE7, HE8, HE9, GR1, GR2, WM8 and WM9.

The supporting documents submitted with the planning application including the Environmental Statement and the undertaken Habitats Regulations Assessment demonstrate that the development would be acceptable in terms of potential flood risk, ecology, ground contamination, noise, air quality and landscape and visual impact.

The proposed development would facilitate the retention and expansion of an existing business in the Borough. It is therefore recommended for approval.

### **RECOMMENDATION**

That the application be approved subject to conditions:

### **CONDITIONS**

1. Time Limit – Full permission.

2. Approved plans (GR1).
3. Contaminated land identification, remediation strategy, verification. (Policy CS23)
4. External facing Materials (Policy GR1)
5. SUDS (Policies HE9, CS7, CS23)
6. SUDS verification and validation (Policies HE9, CS7, CS23)
7. Construction management plan. (Policies GR2, CS23)
8. Construction waste audit (Policies WM8)
9. Submission and agreement of landscaping to be implemented

### **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

### **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.