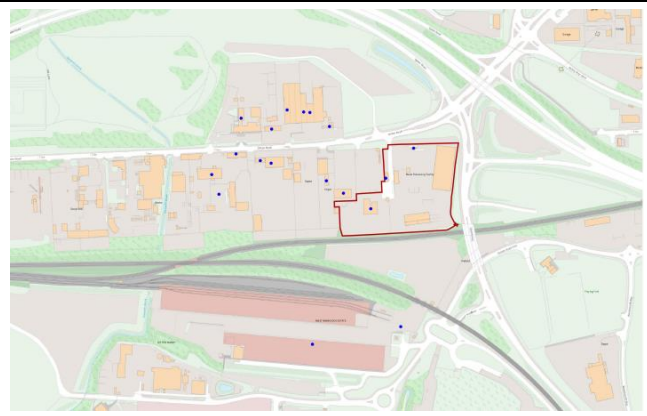


<b>APPLICATION NO:</b>	25/00262/FUL
<b>LOCATION:</b>	Widnes Skip And Reclaim, Ditton Road, Widnes
<b>PROPOSAL:</b>	Proposed demolition of existing workshop, lean to shed and picking line enclosure, and the erection of 2 no buildings to provide for the storage, sorting and processing of waste materials together with a new welfare block, weighbridge office and ancillary infrastructure including water tanks, weighbridges, revised vehicle parking, drainage improvements and odour control plant & equipment and stack
<b>WARD:</b>	Central and West Bank
<b>PARISH:</b>	None
<b>APPLICANT:</b>	Associated Waste Management Limited
<b>AGENT:</b>	AA Environmental Limited
<b>DEVELOPMENT PLAN:</b>  Halton Delivery and Allocations Local Plan (2022)  Joint Merseyside and Halton Waste Local Plan (2013)	<b>ALLOCATIONS:</b>  Primarily Employment ED2,ED3 Recreational Impact HRA Interim Mitigation Area CS(R)1, CS(R)20, HE1 WM7 Protecting Existing Waste Management Capacity WM8 Waste Prevention and Resource Management WM10 High Quality Design and Operation WM11 Sustainable Waste Transport WM12 Criteria for Waste Management Development
<b>DEPARTURE</b>	No
<b>REPRESENTATIONS:</b>	None
<b>KEY ISSUES:</b>	Principle of development, EIA conformity, regeneration and employment; waste policy; noise, dust, odour and other amenity issues; drainage; contaminated land and highway and traffic issues.
<b>RECOMMENDATION:</b>	Approval subject to conditions.



## **1. APPLICATION SITE**

### **1.1 The Site**

The application site will be familiar to members as an existing waste transfer station, located on the corner of Ditton Road and Queensway. It is accessed directly from Ditton Road and is located in an industrial and commercial area in the west of Widnes. The land to the south and west are well developed industrial areas. The land to the north has previously been granted planning permission for a lorry park and service area together with a hotel proposed in the north eastern area of this site. The predominant use in this area is industry. The nearest residential and sensitive land use to the site is the residential development, some 400 m to the north.

### **1.2 Planning History**

Planning History The site has an extensive planning history with the more recent relevant applications being as follows:

00/00422/WST- (Permitted 28/11/2000) - Proposed erection of waste transfer building, office building and use of site as waste recycling centre  
04/01072/COU- (Permitted 19/04/2005) -Retrospective application for continuation of use of land as waste recycling and transfer centre, erection of three storey office building, retention of waste reception and workshop buildings, car parking and landscaping

07/00845/ADV- (Permitted 28/12/2007) -Proposal for non-illuminated free standing pole mounted sign

11/00119/S73- (Permitted 19/07/2011) -Application to vary/remove conditions 9 &13 of planning permission 04/01072/COU to allow 24hour receipt, sorting and processing of waste and boundary noise limits

11/00386/FUL (Permitted 13/01/2012) Proposed installation of additional enclosed conveyors and sorting system

12/00387/FUL- (Permitted 27/02/2013) -Proposed construction of a new waste transfer station and materials recovery facility. Re-cladding of existing material recovery facility and transfer building. Use of area to

south west of site for the storage of waste in open bays. Associated plant and infrastructure including two new weighbridges and re-alignment of existing internal roads. Annual throughput of 200,000 tonnes

16/00124/FULEIA- (Permitted 01/07/2016) -Proposed amendments to existing Waste Transfer Station approved by permission 12/00387/FUL encompassing; the increase of tonnage accepted from 200,000tpa (tonnes per annum) to 300,000tpa; proposed construction of an inert crusher line in the South-West corner of the site, retrospective relocation of weighbridge in the North of the site, construction of a new weighbridge office and changes to external storage areas; and retrospective changes to the site boundary and associated change of use

16/00237/ADV- (Permitted 20/07/2016) -Proposed display of 1 no. non-illuminated fascia sign

18/00567/FULEIA- (Permitted 23/05/2019) -Proposed demolition of existing workshop, lean-to shed and picking line enclosure, and the erection of 2 no. buildings to provide for the storage and sorting of waste together with external storage bays and ancillary infrastructure including substation, water tanks and weighbridge to provide operational improvements, environmental control and an increase in waste accepted from an existing 300,000 tonnes to 450,000 tonnes per annum

21/00448/S73 – (Permitted 18/11/2021) - Application under Section 73 of the Town and Country Planning Act 1990 to vary condition 2 of permission 18/00567/FULEIA (Proposed demolition of existing workshop, lean-to shed and picking line enclosure, and the erection of 2 no. buildings to provide for the storage and sorting of waste together with external storage bays and ancillary infrastructure including substation, water tanks and weighbridge to provide operational improvements, environmental control and an increase in waste accepted from an existing 300,000 tonnes to 450,000 tonnes per annum) in order to make amendments to the location of the air management system and subsequent alterations to Drawings 183131/WTS/PL/004, 183131/WTS/PL/005A and 183131/WTS/PL/005B accommodating minor revision to site layout and elevations

22/00163/S73 – (Permitted 13/05/2022) - Application under Section 73 of the Town and Country Planning Act 1990 to vary conditions 7, 8 and 10 of permission 21/00448/S73 (Application under Section 73 of the Town and Country Planning Act 1990 to vary condition 2 of permission

18/00567/FULEIA (Proposed demolition of existing workshop, lean-to shed and picking line enclosure, and the erection of 2 no. buildings to provide for the storage and sorting of waste together with external storage bays and ancillary infrastructure including substation, water tanks and weighbridge to provide operational improvements, environmental control and an increase in waste accepted from an existing 300,000 tonnes to

450,000 tonnes per annum) in order to make amendments to the location of the air management system and subsequent alterations to Drawings

183131/WTS/PL/004, 183131/WTS/PL/005A and 183131/WTS/PL/005B accommodating minor revision to site layout and elevations) in order to amend the phasing of the submissions to discharge pre-commencement conditions to enable the construction of the fence lines to be progressed

22/00135/COND (Approved May 2022) - Application to discharge condition Nos. 4 (construction phasing plan), 9 (boundary treatments) and 12 (SuDS) of planning permission 22/00163/S73

22/00169/COND (Approved January 2023) - Application to discharge Condition Nos. 3 (CEMP), 6 (site waste management plan) and 11 (site levels and finished floor levels) of planning permission 22/00163/S73

## **2. THE APPLICATION**

### **2.1 The Proposal and Background**

In 2017, WSR Recycling Ltd was acquired by Beuparc Group, an international waste management company, and is now trading as AWM Ltd. This application follows a series of planning applications (in particular, reference 18/00567/FULEIA, 21/00448/S73 & 22/00163/S73) which provided for an increase in throughput as well as various improvements to built infrastructure on the site.

The Applicant provides waste processing services in Halton and the wider Merseyside and North Cheshire areas. Operations at the facility primarily involve the processing of mixed wastes to separate recyclable materials. The facility receives and treats household, commercial and industrial waste streams for processing. The residual waste that cannot be recovered is sent to landfill whilst recyclable materials are sent for further processing and/or treatment.

The application proposes redevelopment at the site to implement the following main elements – the principle of development for which has been, in the most part, previously established through previous planning permissions (albeit these have only been part implemented):

- Demolition of the existing waste storage enclosure (previously termed TFS1) and external storage bays;
- Demolition of the existing workshop and adjacent welfare block, and associated structures;
- Demolition of the existing maintenance building, existing wood storage bay and existing ancillary buildings;

- Demolition/removal of the existing weighbridge arrangements;
- Construction of a new building (MRF2) in place of the previously proposed building (TFS4);
- In the event of fugitive emissions of odour, the construction of an air management/odour control abatement system, including a filter and 20 m high stack.
- MRF2 will be connected to the existing MRF Building (MRF1 – previously referred to as TFS2 in the previous planning approval) with a canopy structure to allow transfer of materials between the buildings;
- Construction of a new welfare block to the south of the existing office building;
- Construction of a new building (MRF3) in place of the previously proposed building TFS1A. This new building would house processing plant for construction and demolition wastes as well as a workshop;
- Construction of a new weighbridge office;
- Construction of new weighbridges and bike shed;
- Construction of new external covered storage bays to the south of the site;
- Installation of water tanks for firefighting and to store rainwater;
- Improved HGV parking in the northern half of the site; and
- Upgraded skip and RORO Storage/Parking (to the west of the site behind MRF3) inclusive of improved access arrangements and landscaping.

The applicant states that the proposed development would not involve any change to the permitted waste types, quantities or the waste activities allowed by the existing Environmental Permit but will improve processing and enable the further processing of residual waste, thereby further reducing the amount of residual waste that is currently sent to landfill

### **Documentation**

The planning application is supported by the relevant planning application form, drawings, planning statement and Environmental Report and Statement of Conformity (ERSoC) with appendices.

### **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.

#### **THE DEVELOPMENT PLAN**

##### **3.1 Halton Delivery and Allocations Local Plan (2022)**

The following policies contained within the Halton Delivery and Allocations Local Plan are of relevance:

- CS(R)1 Halton's Spatial Strategy
- Policy CS(R)4 Employment Land Supply
- Policy CS(R)15 Sustainable Transport
- Policy CS(R)18 High Quality Design
- Policy CS(R)19 Sustainable Development and Climate Change
- Policy CS(R)20 Natural and Historic Environment
- Policy CS23 Managing Pollution and Risk
- Policy CS24 Waste
- Policy ED1 Employment Allocations
- Policy ED2 Employment Development
- Policy C1 Transport and Network Accessibility
- Policy C2 Parking Standards
- Policy HE1 Natural Environment and Nature Conservation
- Policy HE4 Greenspace and Green Infrastructure
- Policy HE7 Pollution and Nuisance
- Policy HE8 Land Contamination
- Policy HE9 Water Management and Flood Risk

- Policy GR1 Design of Development
- Policy GR2 Amenity
- Policy GR3 Boundary Fences and Walls

### **3.2 Joint Merseyside and Halton Waste Local Plan (2013)**

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

- WM7 Protecting Existing Waste Management Capacity
- WM8 Waste Prevention and Resource Management
- WM10 High Quality Design and Operation
- WM11 Sustainable Waste Transport
- WM12 Criteria for Waste Management Development

### **MATERIAL CONSIDERATIONS**

Below are material considerations relevant to the determination of this planning application.

### **3.3 Supplementary Planning Documents**

The following Supplementary Planning Documents are also of relevance:

- Design of New Industrial and Commercial Development SPD
- Planning for Risk SPD

### **MATERIAL CONSIDERATIONS**

Below are material considerations relevant to the determination of this planning application.

### **3.4 National Planning Policy Framework**

The National Planning Policy Framework (NPPF) (as amended) was published in 2024 to set out the Government's planning policies for England and how these should be applied.

Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as

meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 9 states that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Paragraph 10 states so that sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development.

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."

Paragraph 48 states that planning law requires that applications for planning permission 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.

Paragraphs 85-87 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.

Paragraph 187 states that planning policies and decisions should contribute to an enhance the natural and local environment, through protecting and enhancing valued landscapes, recognising the value of the countryside, minimising impacts on and providing net gains for biodiversity, and through preventing new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by soil, air, water and noise pollution or land instability.

### **3.5 National Planning Policy 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.

### **3.6 National Planning Policy for Waste**

The National Planning Policy for Waste sets ambitious aims to work towards a more sustainable and efficient approach to resource use and management through positive planning in delivering sustainable development and resource efficiency including through the provision of modern infrastructure and by driving waste management up the waste hierarchy and by securing the re-use, recovery or disposal of waste without endangering human health or harming the environment

### **Relevant Planning Legislation**

The primary legislation for decision making is s70(2) of the Town and Country Planning Act 1990 and s38(6) of the Planning and Compulsory Purchase Act 2004.

### **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.

### **3.8 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.

Other relevant material considerations are considered in the assessment section below.

## **4. CONSULTATIONS AND PUBLICITY SUMMARY.**

Neighbour consultation letters were sent to neighbouring properties, site notices were also posted close to the site and a press notice was issued. No letters of representation have been received in response to the consultation undertaken.

### **4.1 Consultee Responses Summary**

The following organisations have been consulted and, where relevant, any comments received have been summarised below and addressed through the assessment section of the report:

<b>Consultee</b>	<b>Comments</b>
Highways	No Objection
Environmental Health	No Comments Received
United Utilities	No objection subject to condition relating to drainage design/ SuDS. See Flood Risk and Drainage section of the report.
Contaminated Land	No objection subject to conditions
LLFA	No Comments Received
MEAS	No Objection subject to Conditions
Natural England	No Objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. The response directs to Natural England's generic advice on other natural environment issues which can be provided to the applicant by way of informative.
HSE	Do not advise against development
Environment Agency	No Objection – Advice to applicant which can be provided to the applicant by way of informative.
Trans Pennine Trail/ Sustrans	Neither organisation objects to this proposal

## 6. **ASSESSMENT**

S38 (6) of the Planning and Compulsory Purchase Act states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The Development Plan comprises the Halton Delivery and Allocations Local Plan (DALP) which was adopted on 2nd March 2022 and the Joint Merseyside and Halton Waste Local Plan which was adopted on 18th July 2013. The appraisal of the proposal against the detailed development management policies of the Development Plan follows later in this report.

### 6.1 **Principle of Development**

The application site includes the following land allocations as identified on the Delivery and Allocations Local Plan Policies Map:

- Primarily Employment ED2, ED3
- Recreational Impact HRA Interim Mitigation Area CS(R)1, CS(R)20, HE1

Policy ED2 of the Delivery and Allocations Local Plan states that:

1. Within Primarily Employment Areas development, for office, research and development, light industrial, factory or storage and distribution uses will normally be acceptable.
2. Redevelopment and regeneration within existing employment areas and Employment Renewal Areas will be supported where they make an improvement in the use of the site for employment purposes, having regard to:
  - a. The quality and type of employment floorspace provided;
  - b. The quality, type, number and density of jobs to be accommodated; and
  - c. The environmental quality of the site.

The proposal seeks to amend the approved site layout to reconfigure the buildings not yet constructed under the previous extant planning permissions. This planning application does not propose any changes to the approved throughput, types of waste being processed, processes being applied or the approved transport numbers at the site. The overall aim of the proposal is considered an improvement to the current situation at the site as a result of the modernisation of the built development and re-organisation of the waste operation within the existing and proposed buildings on the site. The applicant has previously installed a 5.2m high profiled sheet cladding screen to the front of the site with Ditton Road (secured by condition of previous planning permission) which substantially screens the operational activity from the main road.

The proposals are not considered to result in additional significant recreational pressure to warrant mitigation. The principle of the development has largely been accepted through the approval of previous planning permissions.

Based on the above assessment, it is considered that, subject to compliance with the Waste Local Plan which is dealt with elsewhere in this report, the principle of the proposed development is acceptable, having regard to policy ED2 of the adopted Halton Delivery and Allocations Local Plan together with the NPPF.

## 6.2 Joint Waste Local Plan

The site is an existing waste facility and therefore must comply with the relevant Merseyside Joint Waste Local Plan policies, specifically policies WM7, WM8, WM10, WM11 and WM12.

The applicant has submitted an Environment Report and Statement of Conformity to Environment Statement (AA Environmental Ltd Ref: 243287/EA/001 dated April 2025) and a Planning Statement (AA Environmental Ltd Ref: 243287 dated April 2025) along with other documents to support the application.

The Council's retained adviser on waste matters has confirmed as follows:

*Policy WM7 protects existing waste management facilities. The proposal does not seek to change volumes or waste types which were approved in an earlier application (18/00567/FULEIA) and subsequently partially implemented. There are no changes to the activities on site or the waste processing capacity but the purpose of the changes to the site are to increase the ability to process residual waste, improve environmental controls to comply with the EA Appropriate Measures and to reduce the amount of residual waste to landfill. These are all positive activities and move waste up the waste hierarchy. The proposal conforms with policy WM7.*

*The proposal is major development and involves excavation, demolition and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 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, 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.*

*Policy WM10 relates to environmental performance and sustainable design and reducing amenity impacts. This has been addressed in the Planning Statement, the new building are simple structures and do not fit the typical scope of BREEAM but have been designed to reflect the existing buildings and should significantly improve environmental performance. The proposed development has taken into account its industrial setting and enhancing the landscape and biodiversity where possible. Rainwater harvesting will be undertaken for cleaning and dust suppression purposes, LED energy efficient lighting will be used and there will be rooflights to maximise natural daylight. Although BREEAM excellent*

*rating has not been achieved, all other aspects of the policy have been met. Few waste applications have achieved BREEAM ratings, therefore, overall it is considered that the proposal complies with policy WM10.*

*With respect to Policy WM11, the proposal does not alter traffic volumes or movements to and from the site, although will address internal movements within the site. A new bike shed is to be constructed to promote sustainable transports for site workers. Subject to the views of Highways colleagues, this is sufficient to address the requirements of the policy.*

*The requirements of policy WM12 have been addressed within the Planning Statement supporting information in respect of policy WM12, this addresses the various requirements set out WM 12 Box 1 and covers, waste types, hours of operation, traffic movements, carbon, energy statement (moving from diesel towards more electric based, considering use of solar panels), jobs created, where waste comes from/goes to, along with noise, air quality, ecology, and drainage issues. Overall, the nature of the site does not change, moving operations into new building should improve site operations and increase environmental controls, as well as the ability to recycle more waste. Subject to Environmental Health and Drainage colleagues being satisfied, I consider the proposal complies with the requirements of policy WM12.*

Matters relating to highways, drainage and environmental health are addressed elsewhere in the report. The above advice is accepted and the proposals are considered to comply with the provisions of the Joint Waste Local Plan

### 6.3 EIA Conformity

The original 2018 application was EIA development. The current application is considered a subsequent application for the purposes of EIA regulations and itself therefore considered EIA development.

The proposal seeks to amend the approved site layout to reconfigure the buildings not yet constructed under the previous extant planning permissions. This planning application does not propose any changes to the approved throughput, types of waste being processed, processes being applied or the approved transport numbers at the site.

The submitted Environment Report and Statement of Conformity (ERSoC) seeks to demonstrate conformity with the original EIA by assessing any changes to environmental effects as a consequence of this application. The ERSoC considers whether the 2018 ES and other environmental information is adequate for decision making (i.e. remains valid) and whether the likely significant effects of the extant planning permission remain valid. It also provides further environmental information (where appropriate) for certain technical topics where further assessment work

has been undertaken to confirm whether any likely significant environmental effects would arise. Where significant environmental effects are new, or where effects differ from those presented in the 2018 ES, they are clearly presented within the subsequent sections and related appendices of the ERSoc.

In accordance with the submitted ERSoc, it is considered that this application remains in conformity with the original EIA and that the Council has adequate environmental information to assess the likely significant effects of the proposed development on the environment for purposes of the EIA Regulations.

#### 6.4 Design and Character

The scheme proposes re-development of an existing waste transfer and processing site involving removal of some existing older and dysfunctional buildings and their replacement with more appropriate and modern facilities and reconfiguration to allow for the redevelopment and better circulation and functionality.

Construction of the new storage/ process buildings generally comprise concrete push walls, retaining walls/ bays with a steel superstructure and metal cladding to be agreed with ridge height between 13 and 15m high. These will provide for handling and processing of Municipal Solid Waste and Construction and Demolition Wastes. Provision is also made for odour abatement plant comprising of a filtration system and 20m stack serving linked buildings MRF1 and MRF2 on the eastern side of the site. The proposals also include smaller scale provision of a new welfare block being a 2 storey modular building up to 6m high, weighbridges, associated offices, relocated bike shed, storage bays to the southern boundary, water tanks and a dedicated skip and RORO storage area. Site security measures will be maintained with a mixture of 2 m high galvanised steel palisade fence, concrete walls, brick walls and screen fencing. The boundary fence along Ditton Road is a 5.2 m high profiled sheet cladding screen (conditioned under Planning Permission Ref. 22/00163/S73) which, along with buildings existing and proposed largely screen activities from outside the site.

On this basis it is considered that the proposed alterations to the built form on the site and boundary treatments will represent a significant improvement on the existing site and are therefore wholly consistent with the provisions of Policies ED2, GR1 and GR3 of the Halton Delivery and Allocations Local Plan together with the NPPF.

## 6.5 Highways and Transport

The impacts of the proposed development on the local highway network have been assessed in full and reported within the Transport Assessment submitted alongside the 2018 Environmental Statement. The application does not propose any changes to the approved throughput, types of waste being processed, processes being applied or the approved transport numbers at the site.

The conclusions of that assessment are that the proposal would not result in a severe impact on operational or environmental conditions over the local highway network, and there is no requirement for off-site highway improvement / mitigation works.

Internal roads would be arranged to allow safe circulation of vehicles to and from the new waste processing buildings/enclosures. Inbound vehicles will access the site via the existing site entrance on Ditton Road, and pass over the weighbridges prior to being directed to the appropriate waste processing building. Outbound vehicles would utilise the existing site access point for egress – as per the current operation. Internal paths will be clearly identified to ensure safe walking routes are established within the site to ensure segregation from vehicles, plant and machinery. With exception of the landscaped areas, the sites existing surfacing will be retained and repaired to create / maintain an impermeable hardstanding. Provision is also to be made for HGV parking within the site not explicitly addressed through the earlier planning permissions.

The applicant states that although the proposal does not include for the use of sustainable transport (waste would be imported to the site by road), it would minimise the need for waste to be exported out of the site for treatment elsewhere or to landfill.

The Council's Highways Officer has confirmed that they raise no objection. It is therefore considered that the proposals demonstrate compliance with the Halton Waste Local Plan 2013 Policies WM5, WM7 and WM12 and Policy C1 and Policy C2 of the Halton Delivery and Allocations Local Plan together with the NPPF.

## 6.6 Flood Risk and Drainage

The majority of the application site is located within Flood Zone 1 (therefore having a low probability of flooding from rivers and the sea). A small strip of the site sits in flood zone 2 but outside of the area affected by the proposed development works. The application is accompanied by a Flood Risk Assessment as part of the 2018 Environmental Statement which has been subsequently updated and appended to the ERSoc. The FRA concludes



that given that the majority of the site is located within Flood Zone 1 the development would not give rise to any on or off-site flood risks.

The application states that the proposed development includes for improvements to the existing drainage system with new drainage pipes and two new attenuation tanks which will contain surface water runoff on site and will ultimately discharge into the wider drainage network. It states that surface water from the roofs of the new buildings will be conveyed towards two new rainwater harvesting tanks which will be used for dust suppression and washdown purposes. Notwithstanding the comments of United Utilities which request details of a sustainable surface water drainage scheme and a foul water drainage scheme by condition, the proposed drainage design is detailed within the submitted drawings. Comments from the Lead Local Flood Authority are awaited and Members will be updated accordingly. Subject to those comments it is considered that the proposals demonstrate compliance with the Halton Waste Local Plan 2013 and Policies CS23 and HE9 of the Halton Delivery and Allocations Local Plan together with the NPPF.

#### 6.7 Ecology and Nature Conservation

The application is supported by the following reports in accordance with Local Plan Policy CS(R)20:

- Preliminary Ecological Appraisal, Brindle & Green, April 2025, Ref: BG24.478.
- Landscape Plan, AA Environmental Ltd, March 2025, Dwg No. 243287/D/010.

The Council's retained adviser has confirmed the report states that no evidence of bat use or presence was found and that the Council does not therefore need to consider the proposals against the three tests (Habitats Regulations).

The report states that the flat roofs of the buildings to be demolished provide suitable nesting platforms for breeding gulls which are protected and Local Plan policy CS(R)20 applies. A condition is therefore recommended to protect nesting birds during the nesting season. Hedgehog is protected and, due to the transient nature of Hedgehog the report recommends the use of Reasonable Avoidance Measures to avoid harm to Hedgehog. It is considered that these can be secured through appropriately worded planning conditions.

Subject to those conditions, the proposed development can therefore demonstrate compliance with policies CS(R)20, CS(R)21, HE1, HE4 and HE5 of the Halton Delivery and Allocations Local Plan together with the NPPF.

## 6.8 Biodiversity Net Gain

Under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) will be required to deliver at least 10% biodiversity net gain from January 2024.

The submitted report states that the development is exempt from mandatory Biodiversity Net Gain under the de minimis exemption as there is no habitat present within the site. This is accepted. It is acknowledged that the site does not provide significant opportunities for biodiversity enhancement. However, the submitted landscape plan indicates an intention to provide some native planting. This, combined with the installation of two nest boxes in a suitable location is recommended. An enhancement plan to include details of the native species to be planted and the type and location of the proposed bird boxes, can be secured by a suitably worded planning condition.

Subject to those conditions, the proposed development can therefore demonstrate compliance with Policy CS(R)20, HE1 and HE4 of the Halton Delivery and Allocations Local Plan together with the NPPF.

## 6.9 Noise, Dust, Odour and Other Amenity Issues

The earlier applications were supported by surveys and reports including within the Environmental Statement (ES) to address noise, dust and odour and further information has been submitted in support of the current application. There is no proposed increase in the number of vehicles or the volumes and types of waste to be handled at the site and the proposals will result in better containment of waste.

The application is sited some 400m from the nearest residential dwellings and approximately 40m from a proposed hotel approved but not built. Issues arising relating to noise and dust are therefore considered to be limited and previously accepted through the approval of earlier planning permissions for the site.

With respect to construction impacts the application states that a Construction Environmental Management Plan (CEMP) to address construction phase impacts of the scheme will be in place. The National Planning Policy Framework makes clear that planning conditions should be kept to a minimum and only used where they satisfy 6 tests. Planning Practice Guidance also makes clear that conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning. It is considered that likely construction phase impacts are largely covered by other legislation. Experience has demonstrated that this requirement also raises unrealistic expectations about the enforceability of such conditions. This is considered an issue for the developer to manage, and it is considered reasonable to deal with this by way of an informative relating to the Considerate Contractors Scheme.

Notwithstanding comments made within the submission documents odour across the site boundary and gulls etc gathering at the site have been a problem at the site for many years. The applicant maintains that this is a result of the limited ability for the site to install additional controls at the site given the existing infrastructure. The applicant states that the main risk of odour emanating from the Site will be from the storage of Municipal Solid Waste deposited in buildings MRF1 and MRF2 or from a contaminated or non-conforming loads of waste entering the Site.

They state that the site has introduced a number of control measures to ensure that the risk of fugitive odours is minimised at the Site which include: identifying leakages from each structure (roof and walls) and undertaking the necessary repairs; ensuring all doors are closed when not in use; the potential use of internal fans propagating odorous emissions away from openings and deployment of neutraliser misting systems over the doors or managed openings. They state that these controls will be maintained and operational at all times in the MRF 1 and MRF2 buildings and whilst the facility is accepting and processing waste. Additionally, physical measures are proposed for MRF2 to include:

- an air tight building able to be operated under negative pressure;
- rapid opening and shutting doors;
- use of odour neutralisers over doors; and
- no accesses on the downwind eastern façade preventing escape of fugitive odours.

In the event of fugitive emissions migrating off site, the planning application includes for the construction and operation of an air extraction system with odour abatement equipment incorporated. The application states that the system would be capable of 3 air changes per hour (e.g. extracting the equivalent of the internal volume of the building 3 times per hour) within the building where malodorous waste is being treated. The system has been designed so extraction could occur from within either MRF 1 or MRF 2. They state that the inclusion of the extraction system in the planning application will permit the mitigation to be quickly deployed in the event of an ongoing loss of amenity.

It must be noted that the site is subject to an environmental permit issued by the Environment Agency, complete with conditions to control odour emissions, and as such the planning consent should not duplicate this role. Having said that the application clearly demonstrates that there will be no deterioration in odour emissions from the site and in fact should improve the environment around the site.

On this basis the proposal is considered to comply with Policies CS23, HE7, policies within the Joint Waste Local Plan and the NPPF.

## 6.10 Ground Conditions

The application is supported by a supplementary report which provides a review of previous ground investigation reports and remediation strategy consolidating information from all reports together with additional supplementary information. The report seeks to verify the findings of the 2022 site investigation and identify/address any residual data gaps.

The 2022 supplementary site investigation comprised of additional site boreholes with samples sent for soil analysis and asbestos screening and samples for water testing. Made ground was determined across site with elevated Poly Aromatic Hydrocarbons (PAHs) found to exceed a General Assessment Criteria for commercial land use in samples from a single borehole while metal exceedances for Arsenic, Copper & Nickel were consistent with those found in the previous reports. From the consolidated results the contaminants identified have been assessed and, with the inclusion of the additional elevated PAH levels, been determined to be low risk to final site users due to the low mobility of contaminants and the proposed site hardcover. Based on the supplementary results there have been no changes to the assigned risk level within the site conceptual site model with a medium risk to future site users (and controlled waters) from contaminants in made ground, medium risk from generation of ground gases and a high risk to construction workers from exposure from residual contaminants.

There are a number of residual gaps within the site investigation identified within the technical note these include testing of ground under structures scheduled for demolition, this is assumed to comprise of made ground most likely impacted with contaminants consistent with those already identified across site. A post demolition investigation is proposed in order to assess the risks posed from contaminants and gas/vapour potential within these areas. Pilings are proposed for new onsite structures and while previous findings indicate these are unlikely to pose a high risk an assessment shall be undertaken which should consider design and creation of preferential pathways (water & gases).

The report also includes reference to the previously submitted remediation strategy which assumes all made ground on site is impacted with chemical contaminants and asbestos and therefore, due to the volumes removal and/or treatment in situ is not feasible, recommends the site be entirely capped with hardstanding in order to sever the contaminant pathways.

Due to the lack of additional significant findings the Council's Contaminated Land Officer has confirmed that the remediation strategy remains valid and applicable. However, the additional investigation/assessment works outlined will need to be undertaken following demolition works and should findings pose an increased risk the risk assessment will need to be reviewed and any required changes to the remediation strategy must be prepared, submitted to and agreed in writing by the Local Planning Authority, before works re-commence in that area.

On that basis it is considered that appropriately worded conditions will ensure the development is completed to ensure compliance with Policy CS23, HE7 and HE8 of the Delivery and Allocations Local Plan.

#### 6.11 Risk

The proposed development site lies within the consultation distance of at least one major hazard site and/or major accident hazard pipeline and as such the HSE (Health and Safety Executive) need to be consulted on any development on this site.

A Padhi consultation was undertaken and the HSE's land use planning consultation responded that the HSE do not advise against development in this instance as a result of the adjoining gas pipeline.

On that basis it is considered that the proposal will comply with Policy CS23 of the Halton Delivery and Allocations Plan, Planning for Risk SPD and National Planning Policy Framework 2024.

## **7 CONCLUSIONS**

The proposal will result in considerable improvements to the existing waste site, emanating mainly from internalising the vast majority of the waste processing in new and modernised buildings and processes with additional environmental improvements resulting from improved boundary treatments, containment of malodorous wastes and better site operations. When assessed against the policies in the NPPF taken as a whole, the proposal is considered to be sustainable development for which the NPPF carries a presumption in favour. The proposal complies with policies within the Halton Delivery and Allocations Local Plan and Joint Waste Local Plan, it is recommended that the application be approved.

## **7 RECOMMENDATION**

That the application be APPROVED subject to the following:

- a) Schedule of conditions set out below

## **8 CONDITIONS**

1. Standard 3 year timescale for commencement of development  
Specifying approved plans
2. Condition requiring submission and agreement of a Construction Environmental Management Plan
3. Materials condition(s), requiring submission and agreement of building external finishing materials
4. Condition requiring submission and agreement of detailed landscaping scheme.
5. Condition relating to boundary treatments
6. Condition requiring vehicle access, parking, servicing etc to be constructed prior to occupation / commencement of use.
7. Condition securing relocation of cycle parking details
8. Condition restricting waste throughput to 450,000 tonnes per annum
9. Condition requiring surface water drainage to be carried out as approved Condition(s) requiring a site investigation, remediation and verification plan
10. Condition(s) restricting external storage locations, height, processing
11. Submission and agreement of a lighting
12. Condition requiring site and finished floor levels be carried out as approved
13. No materials, waste or otherwise shall be burnt on site
14. Requiring submission and agreement of provision for bird boxes
15. Landscape and Habitat management plan

## **9 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

## **10 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.