

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **4<sup>TH</sup> DECEMBER 2019**

**REPORT BY:** **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

**SUBJECT:** **FULL APPLICATION – EXTENSION OF AN EXISTING CHEMICAL PLANT STRUCTURE 9THE AED PLANT) TO CONTAIN NEW PROCESSING EQUIPMENT AT WARWICK INTERNATIONAL LTD., COAST ROAD, MOSTYN.**

**APPLICATION NUMBER:** **060478**

**APPLICANT:** **WARWICK INTERNATIONAL GROUP LTD**

**SITE:** **WARWICK INTERNATIONAL LTD., COAST ROAD, MOSTYN.**

**APPLICATION VALID DATE:** **18<sup>th</sup> SEPTEMBER 2019**

**LOCAL MEMBERS:** **COUNCILLOR P HEESOM**

**TOWN/COMMUNITY COUNCIL:** **MOSTYN COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **HEIGHT OF THE PROPOSED DEVELOPMENT IS OUTSIDE THE SCOPE OF DELEGATED POWERS**

**SITE VISIT:** **NO**

**1.00 SUMMARY**

1.01 This application forms a full planning application seeking permission for the extension of the existing Chemical Plant Structure to contain new processing equipment at its site there site on the Coast Road, Mostyn, Flintshire, CH8 9HE. The extension proposed will increase the height of the existing structure from its current level of 25m to 27m and create new elevated floor area of approximately 40m<sup>2</sup>. The current plant on site is located 25m from the coastal boundary fence

to the north-east of the site and 100m from the site's boundary fence on Dock Road to the south-west.

**2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-**

2.01 Conditions

1. Time limit on commencement.
2. To be undertaken as per the approved plans.

**3.00 CONSULTATIONS**

3.01 Local Member

Councillor P Heesom

No response at time of writing

Town/Community Council

Mostyn Community Council have no comments or objections to the application.

Community and Business Protection

No adverse comments to make regarding the proposal.

Health and Safety Executive

Do not advise on safety grounds against granting of planning permission in this case.

Natural Resources Wales

Have no objection to the proposed development as submitted and provide advice on protected species.

**4.00 PUBLICITY**

4.01 Press Notice, Site Notice

No letters of objection have been received with respect to this proposal.

**5.00 SITE HISTORY**

5.01 045609

Hazardous Substance Consent – Approved 19.05.11

051924

Combined Heat and Power Biomass Plant – Approved 13.08.14

056838

Application for a Lawful Development Certificate for the proposed extension of existing anti-spillage containment bund – Refused 13.06.17

057137

Extension to existing anti-spillage bund – Approved 03.08.17

059118

Extension of an existing high voltage substation.

## **6.00 PLANNING POLICIES**

### 6.01 Flintshire Unitary Development Plan

STR1 - New Development

STR3 - Employment

STR7 - Natural Environment

GEN1 - General Requirements for Development

WB2 - Sites of International Importance

WB3 - Statutory Sites of National Importance

EM1 - General Employment Land Allocations.

EM3 - Development Zones and Principal Employment Areas.

EM5 - Expansion of Existing Concerns

EWP7 - Managing Waste Sustainably

EWP12 - Pollution

EWP17 - Flood Risk

GEN 1 - General Requirements for Development

Planning Policy Wales Edition 10 (December 2018)

## **7.00 PLANNING APPRAISAL**

### 7.01 General

This application forms a full planning application seeking permission for the extension of the existing Chemical Plant Structure to contain new processing equipment at its site there site on the Coast Road, Mostyn, Flintshire, CH8 9HE. The extension proposed will increase the height of the existing structure from its current level of 25m to 27m and create new elevated floor area of approximately 40m<sup>2</sup>. The current plant on site is located 25m from the coastal boundary fence to the north-east of the site and 100m from the site's boundary fence on Dock Road to the south-west

### 7.02

7.03 The Mostyn site occupies an area of 20 hectares on the south west side of the Dee estuary, employing 160 permanent employees and up to 130 contractors. The site is one of the main global

manufacturers, which forms an additive used in detergent and biocide products.

7.04 The site the subject has been a chemical processing facility for over 40 years. Over the years the site has been in operation various modifications, extensions and changes have occurred as business has developed, new technologies emerged and increased legislative requirements having to be incorporated.

7.05 Main Issues

The main issues relating to the proposal relate to the change in height in the plant from 25 metres to 27 metres and the impact on protected species given the sites location adjacent to the following protected sites:-

- Dee Estuary / Aber Dyfrdwy Special Area of Conservation (SAC)
- The Dee Estuary Special Protection Area (SPA)
- The Dee Estuary Ramsar site
- Dee Estuary / Aber Afon Dyfrdwy Site of Special Scientific Interest (SSSI)

7.06 Proposed Development

The majority of modifications relating to the changes proposed can be implemented within permitted development rights. However, the current plant, requires to be modified such that the highest point of the structure will need to be increased in height from the present 25m to 27m to accommodate a critical change to the processing technology in the form of access platforms, pipework and structural steelwork. This will remain below the existing highest points at the site, which are currently boiler chimneys measuring 29.5m in height. This increase in height does not fall under existing permitted development rights and consequently this planning application has been submitted.

7.07 Pre-planning advice was sought before the submission of this application being provided under planning reference 059988. This advice identified that the resultant changes are located within the confines of the well-established industrial complex, the scale and the total cumulative impact would not be out of character with the surrounding development. The proposed changes are subsidiary to the existing plant on site and relate in scale and form with that of the existing development.

7.08 Impact on Protected sites

As part of the consultation process given the constraints and protected sites located adjacent to the application site the Natural

Resources Wales have been consulted. As a result of the consultations undertaken they have no objections to the proposed development as submitted and advises that the developer adheres to pollution prevention guidelines and good practice.

## **8.00 CONCLUSION**

8.01 In summary, it is considered that the proposed development is acceptable. Whilst the works would fall foul of the permitted development rights, and thus require this submission of this application, the resultant changes are located within the confines of the well-established industrial complex, the scale of the total cumulative development would be in keeping with both the site and its surroundings, and is subsidiary to the existing operations and would physically relate to the scale, pattern and form of existing development at the Warwick site. I therefore recommend approval of the application subject to the conditions noted above.

### **8.02 Other Considerations**

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

### **LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents  
National & Local Planning Policy  
Responses to Consultation  
Responses to Publicity

**Contact Officer:** Karl Slater  
**Telephone:** (01352) 703259  
**Email:** karl.c.slater@flintshire.gov.uk