

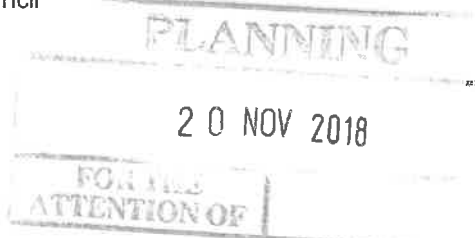
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13th November 2018

smith&love
PLANNING CONSULTANTS

Mr J Macholc
Head of Planning
Ribble Valley Borough Council
Council Offices
Clitheroe BB7 2RA

By email only



Our ref: JOHN100

Dear Sir

**FULL PLANNING APPLICATION FOR ADVANCE INFRASTRUCTURE AND ENABLING WORKS
JOHNSON MATTHEY PLC, PIMLICO WORKS, WEST BRADFORD ROAD, CLITHEROE**

We are instructed by our client Johnson Matthey plc to submit an application for full planning permission for advance infrastructure and enabling works to facilitate future industrial development at its Clitheroe site.

The description of development is:

Advance infrastructure and enabling works to facilitate future industrial development comprising site clearance and preparation works, ground investigation and remediation/removal of any contaminated material, import of new materials, bulk earthworks and soil stabilisation, installation, diversion and/or disconnection of below-ground infrastructure including drainage and statutory utilities, installation of building piles, foundations and retaining walls, and temporary works including provision of a contractor's compound, security fencing and hoardings, material set-down area, access, car parking and other structures and works incidental to the construction phase of development.

The planning application has been submitted via the planning portal (ref. PP-07409370) and comprises the following plans and documents in addition to this supporting letter;

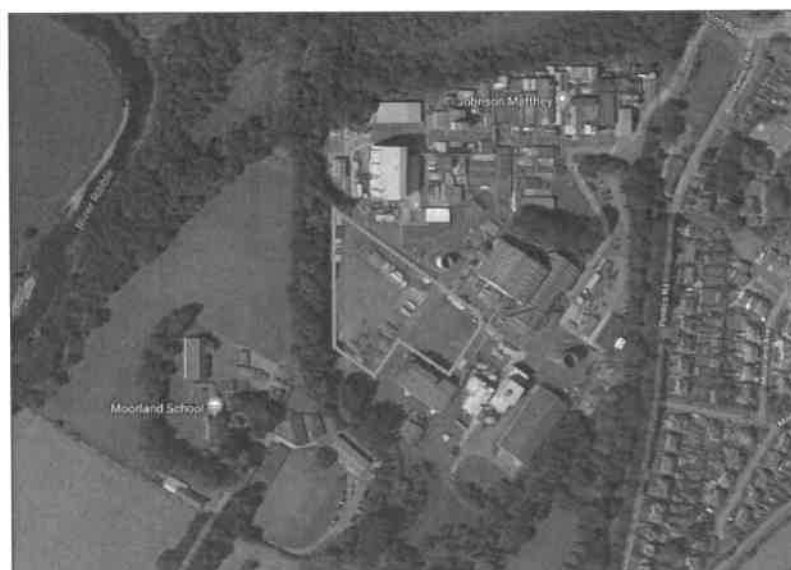
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|-----------------------------------|-----------------------------------|
| • Site location plan | Jacobs - 16086-60-K44-7001 Rev 0B |
| • Foundation layout plan | Jacobs - 16086-60-K61-7002 Rev 0 |
| • Earthworks site plan | Jacobs - 16086-60-K61-7502 Rev 0 |
| • Earthworks cross sections | Jacobs - 16086-60-K61-7503 Rev 0 |
| • Construction establishment plan | Jacobs - 16086-60-L32-7000 Rev 0 |
| • Piling method statement | Jacobs - 16086-60-L31-7000 |
| • Excavation method statement | Jacobs - 16086-60-L31-7001 |
| • Construction management plan | Jacobs - 16086-60-L31-7002 |
| • Extended phase 1 habitat survey | Penny Anderson Associates |

The application site boundary is shown on Site Location Plan no. 16086-60-K44-7001 Rev 0B and within this, the extent of the proposed earthworks, foundations and infrastructure works requiring planning permission, is shown by two hatched areas. The combined area of these is 1.2 ha and the application fee of £2,028, being the maximum for 'other operations' calculated at £234 per 0.1 ha, has been paid under separate cover.

The application site

The site comprises two areas of previously developed land, separated by an access roadway, within the Johnson Matthey chemical processing and manufacturing complex at Clitheroe. The majority of the site is vacant bare ground, or is temporarily / intermittently used to store portacabins / demountable accommodation and containers etc, as well as limited informal car parking. The northern edge of the larger area contains a row of formal car parking spaces, and a number of small buildings and a hydrogenation unit are located along the northern edge of the smaller part of the site. The land is located on the western edge of the Johnson Matthey complex with industrial buildings, plant and machinery to the north, east and south. The western edge is marked by an earth bund around the perimeter of the site and a double avenue of trees running north to south along the boundary.

Moorland School and playing fields lies outside the site to the south and west, with the River Ribble beyond. The Ribblesdale Cement Works lies further north and housing lies to the east. The location of the site within the Johnson Matthey complex and in relation to the surrounding area is shown below.



Proposed development

As explained at our pre-application meeting held on 16th July 2018, the purpose of this application is to obtain planning permission for the advance infrastructure and enabling works to support the early delivery of a new steel-framed chemical process building and associated plant and equipment at the Clitheroe site to be used as a demonstration plant for the production of eLNO[®] battery materials.

The design and details of the proposed eLNO[®] demonstration plant are being finalised and will be subject to a separate planning application to be submitted in the coming weeks and preceded by a request for an environmental impact assessment screening opinion. Ahead of this, the ground works, infrastructure and foundations required for the eLNO[®] demonstration plant process building and associated plant and equipment area have been designed and are proposed be built in isolation of the future super-structure and above-ground development. This infrastructure and enabling works planning application is therefore a standalone proposal to be considered on its merits.

The scope and sequence of the proposed infrastructure and enabling construction work is as follows;

- i) Relocate porta-cabins / mobile offices and containers currently sited on the application site and demolish any associated structures / concrete bases;
- ii) Fence off / erect hoardings and demarcate the construction site area;
- iii) Form a contractor's compound, erect temporary construction site accommodation / welfare cabins (double stacked), set up a site surface water run-off management system, set up a wheel washing facility and set up an one-way internal transport route to service the site;
- iv) Divert existing services outside the construction area;
- v) Dismantle the hydrogenation unit on the north edge of the smaller part of the application site;
- vi) Undertake cut and fill earthworks to level both parts of the application site and export unsuitable / surplus material off-site;
- vii) Import 15,000 m³ of recycled crushed concrete hardcore aggregate ("6F2 material") and stone ("Type 1") and mechanically compact to form a 800 mm thick piling mat;
- viii) Set up a temporary concrete mix storage area and a concrete pumping / batching plant;
- ix) Set up and mobilise piling rigs (2 no. anticipated);
- x) Install approximately 900 no. 6 to 10 metre deep-bored continuous flight augering (CFA) piles;
- xi) Fabricate and insert reinforcement cages into the piles, crop excess pile heads, form pile caps and install ground beams and raft foundations.

The area of cut and fill excavation required to form a level surface across both parts of the application site is shown on the earthworks drawing no. 16086-60-K61-7502 Rev 0. Within this, the areas to be piled which correspond to the footprint of the future eLNO[®] demonstration plant process building, transformer compound and loading / unloading area (i.e. the larger part of the site) and the separate associated tank farm, utility and effluent treatment plant (i.e. the smaller part of the site), are shown on the foundation layout drawing no. 16086-60-K61-7002 Rev 0. This also shows the footprint of an administration building (accommodation block) adjacent to the process building, for which a raft foundation will be formed and a car park area to be formed from asphalt on a compacted sub-base.

The existing ground level, the extent of cut and fill earthworks to form the proposed ground level, and the finished profile of the installed pile caps and ground beam foundations, is shown on the cross sections drawing no. 16086-60-K61-7503 Rev 0. This shows the finished appearance of the site after the infrastructure and enabling construction works proposed in this planning application have been completed, and prior to the construction of the above-ground (super-structure) works that will be subject to a separate planning application. It shows that the proposed piling and foundation works will be installed entirely below-ground and finished at grade with the proposed finished surface, with no works projecting visibility clear of the ground. The positions of the cross sections are shown on the earthworks drawing no. 16086-60-K61-7502 Rev 0.

Full details of the cut and fill earthworks, quantities of materials and deliveries, processes, equipment, risk assessment and site management and mitigation arrangements are provided in the Excavation Method Statement which is submitted for approval. Likewise, details of the piling works and mitigation are provided in the Piling Method Statement. This explains that Continuous Flight Auger (CFA) piles will be used which are one of the quietest forms of piling available and create very little vibration. CFA piles are formed by drilling to the required depth using a hollow stem continuous flight auger. After reaching the designed depth, a 'high slump' concrete is pumped through the hollow stem and the auger is withdrawn at a controlled rate; removing the soil and forming a shaft of fluid concrete extending to ground level. A reinforcing cage is then inserted into the fluid concrete pile.

The general arrangement of the proposed construction site is shown on drawing no. 16086-60-L32-7000 Rev 0 and fully described in the Construction Management Plan which is submitted for approval. The contractor's office and welfare accommodation will be located in the area immediately north of the construction site. Suitable locations for a materials store / compound and a lay-down area are limited, so construction will be phased to allow the site of the proposed tank farm, utility and effluent treatment plant (smaller part of the site) to be used for this purpose whilst work is first undertaken on the main part of the site (to accommodate the future eLNO® demonstration plant process building). Contractor's car parking will also use this area and elsewhere within the Johnson Matthey complex around the construction site where it will not disrupt operations and/or displace car parking off-site.

A project-specific 'Construction Transport Plan' will also be developed to ensure the safe movement of vehicles on the construction site and wider Johnson Matthey operational site, during plant and equipment delivery and assembly, and to minimise the environmental effects of vehicle movements. The intent is to establish an anti-clockwise one way system for all construction vehicles entering and leaving the site using main roadways within the Johnson Matthey site (see Construction Management Plan - Appendix E). Wheel washing will be implemented on exit from the construction site and all surface water runoff will be managed by an interception settling system. Construction plant deliveries and material import / export transport movements will also be co-ordinated with operational traffic movements to, from and within the wider Johnson Matthey complex, and all construction, plant and machinery traffic will be routed to and from the site via Pimlico Link Road from the A59.

A more detailed construction travel plan will be developed to accompany the future planning application for the eLNO® demonstration plant process building and associated tank farm, utility and effluent treatment plant, due to the larger construction workforce required during that phase.

It is proposed to begin site clearance, set-up and preparation works that do not require planning permission between November and December 2018, and to mobilise construction in late January / early February 2019. The cut and fill earthworks to level the site will be undertaken between March and April 2019 and piling works will take place between April and May 2019.

All construction work will be carried out in accordance with the Construction Management Plan and is proposed to be carried out within in a 45 hour working week subject to a daily curfew of 18.30 hours. The proposed construction working times are;

- Monday to Thursday 07:30 hours to 17:00 hours
- Friday 07:30 hours to 14:00 hours (with scope to extend if needed)
- Saturday 07:30 Hours to 15:30 hours (if required)
- Sunday No working proposed (unless in exceptional circumstances)

Planning policy context

The Johnson Matthey complex at Pimlico, including the application site, is a long-established major industrial site located within the settlement boundary of Clitheroe. On this basis, there is no objection to appropriate new investment, development and growth taking place at the site in principle.

The Ribble Valley Core Strategy recognises that Johnson Matthey plc is an important international company and a key local employer and generator of inward investment. Key Statement EC1 'Business and Employment Development' and Policy DMB1 'Supporting business growth and the

local economy' confirm that local business growth will be considered favourably wherever possible, and the expansion of established companies within settlements will be permitted on land within or adjacent to their sites, provided that no significant environmental problems are caused and extension conforms to the other plan policies of the Core Strategy. The policies also confirm that new employment development will be directed to Clitheroe as a preferred location for economic growth and priority will be given to previously-developed land for new economic development.

Whilst this planning application is for advance infrastructure and enabling works, and associated temporary construction work only, it will facilitate significant future development and investment at the Clitheroe site. It is therefore, by association, in full accordance with Key Statement EC1 and Policy DMB1 in principle.

The development management requirements of the Core Strategy are also relevant. Policy DMG1 sets out general considerations, of which those summarised below apply to the determination of the infrastructure and enabling works planning application;

a) Access;

- consider the potential traffic and car parking implications of development;
- ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated by the development.

b) Amenity;

- ensure development will not adversely affect the amenities of the surrounding area;
- ensure development has regard to public safety and secured by design principles;
- ensure development considers air quality and mitigates adverse impacts where possible.

c) Environment;

- consider the environmental (biodiversity) implications of development;
- ensure the possible effects of development upon the natural environment are mitigated.

d) Infrastructure;

- ensure development will not result in the net loss of open space;
- ensure development has regard to the availability of key infrastructure with capacity.

e) Other;

- ensure development will not prejudice future development which would provide significant environmental and amenity improvements.

Additionally, Policy DME6 'Water management' requires development to demonstrate appropriate measures for preventing pollution of surface watercourses, and/or groundwater, and protecting their biodiversity value.

These policy requirements and relevant material considerations are assessed below.

Planning assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to the development plan as a whole and states that if regard is to be had to the development plan for the purposes 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. This is reiterated in the National Planning Policy Framework 2018 which is a principal material consideration and should be given substantial weight.

On this basis, the issues to be considered in determining this planning application are;

- The principle of development;
- The effect of development on the amenity of neighbours and the surrounding area;
- Environmental and technical considerations;
- The planning balance.

The proposed advance infrastructure and enabling works to facilitate future industrial development comprising a chemical process building and associated plant and equipment to be used as a demonstration plant for the production of eLNO® battery materials at the Johnson Matthey site, are acceptable in principle and in accordance with the relevant objectives and policies of the Ribble Valley Core Strategy. There is no objection to the proposed development on this basis.

In terms of amenity, environmental and technical considerations, the proposed earthworks, engineering operations and infrastructure works requiring planning permission will have no visual or operational impact beyond the application site boundary as the pile and raft foundations will be entirely below-ground and finished at grade with the proposed ground surface. Any adverse effects experienced off-site and outside the boundary of the operational Johnson Matthey site will therefore relate solely to the temporary construction works and related activities.

The potential temporary effects of the construction works on the surrounding area can be categorised as visual and nuisance-related in relation to noise, vibration, potential dust and other disturbance. Visual effects will relate to the temporary siting of the piling rig/s plant and other equipment and machinery used during the construction process. This may be visible from Moorland School but will be screened by the existing earth bund around the site perimeter and filtered by the double avenue tree screen. Any visual impact will be temporary and not excessive, and is considered to be acceptable on this basis. There is unlikely to be any visual impact on occupiers of the nearest houses.

Noise-related effects, vibration and dust will be closely managed in accordance with the proposed Excavation Method Statement and Piling Method Statement, and the Construction Management Plan. Working hours are designed to minimise impact on the surrounding area outside the site including the nearest neighbours and particularly Moorland School, whereby no construction work will take place before 07:30 hours and after 18.30 hours per day, and there will be no working on Sundays. Piling will avoid an impact (hammer) driven system to minimise noise, and if necessary the risk of construction dust will be mitigated by damping down and wetting, although dust is unlikely as construction will take place during the winter and spring months.

The Construction Management Plan demonstrates that all contractors parking will be accommodated within the construction site and/or operational site, and existing car parking will not be displaced. Safe

and suitable access will be provided to the construction site via an internal on-way system and all traffic will be routed between the site and main road network (A59) to avoid residential areas. All construction traffic will also be cleaned before leaving the site to prevent mud being deposited on local roads. Imported fill and concrete materials will arrive by 20 tonne HGVs with up to 35 no. expected movements per day during the earthworks and piling stage of construction. This scale and type of HGV construction traffic is not expected to have a detrimental impact on the capacity and safe operation of the local road network.

The application is accompanied by an Extended Phase I Habitat Survey Report and this confirms that the application site does not contain any ecological features requiring protection or species relocation. There are no designated nature conservation sites within or adjacent to the application site, and the nearest is Cross Hill Quarry Local Nature Reserve and Biological Heritage Site approximately 100m to the north. There is no direct habitat connectivity to this site however and no direct impacts and/or indirect disturbance effects are expected in terms of noise, lighting or other nuisance etc.

The majority of the application site is un-vegetated bare ground and where vegetation is present there are no notable plant species or habitats, or species diversity. Likewise the lack of vegetation and physical structures means the site has very limited functional value and potential to support any protected or notable animal species. Overall the proposed construction works will have no significant ecological impact and no mitigation is necessary.

All environmental risks to air, ground and/or water pollution will be managed in accordance with strict accident prevention protocols and mitigation measures set out in the Construction Management Plan including strict site surface water drainage containment and interception, with silt settlement and filtration before discharge.

Overall, the proposed advance infrastructure and enabling works and their construction, are demonstrated to be in complete accordance with the relevant policies EC1, DMB1, DMG1 and DME6 of the adopted Ribble Valley Core Strategy development plan. In accordance with Section 38(6) of the Act, the presumption in favour of sustainable development set out at paragraph 11(c) of the National Planning Policy Framework, indicates that development which accords with an up-to-date development plan should be approved without delay.

Conclusion

This planning application seeks approval for advance infrastructure and enabling works to support the early delivery of a new steel-framed chemical process building and associated plant and equipment at the Johnson Matthey complex at Clitheroe, to be used as a demonstration plant for the production of eLNO® battery materials.

This supporting letter and the plans, technical method statements and construction management plan submitted with the application, demonstrate that the proposed infrastructure and enabling works are acceptable in principle and in full accordance with the relevant objectives, economic development and development management policies of the adopted Ribble Valley Core Strategy, and their temporary construction will not have any unacceptable adverse impacts upon neighbours and the surrounding area and local environment.

The application is submitted with a level of detail which will enable it to be favourably determined without the need to impose any pre-commencement conditions requiring the submission and approval of additional details which will otherwise delay the implementation of the advance infrastructure and enabling works as soon as possible. The proposed infrastructure and enabling works are appropriate and acceptable and the application should be approved without delay.

We trust we have submitted everything needed to validate the application and look forward to receiving confirmation shortly.

Should you require any further information or clarification then please contact me or my colleague Abigail Kos.

Yours sincerely

Graham Love MRTPI
graham@smithlove.co.uk

cc: Client

Encs.