

Parish: Sandhutton
Ward: Thirsk
12

Committee date: 28 June 2018
Officer dealing: Mrs C Strudwick
Target date: 6 July 2018

17/01653/FUL

**Retrospective application for an extension to a biomass building and installation of woodchip drying facilities to the existing biomass building
At Busby Stoop Farm, Skipton Old Airfield, Sandhutton
For Mr Richard Maxwell**

This application is referred to Planning Committee at the request of a Member of the Council

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 This site is located at Busby Stoop Farm, at the eastern side of the former airfield, south of the dwellings at Nitrovit Row and north of Brickyard Farm. The centre of Sandhutton village is 1.1km to the north east of the application site. The site is not within Flood Zone 2 or 3.
- 1.2 This application is one of a suite of applications for biomass schemes over five turkey farms on the old airfield. Permission is sought on four turkey farms for a detached biomass building to house boilers, which run on wood chipping, to heat the turkey sheds. These are:
 - 17/01855/FUL Moose Turkey Farm
 - 17/01856/FUL Sandybank Farm
 - 17/01863/FUL Swale Turkey Farm
 - 17/01866/FUL North Turkey Farm Sheds
- 1.3 An additional permission is sought to allow the storage of timber on site adjacent to Busby Stoop and North Turkey Farm, and a change of use to allow a mobile chipper to come to site to chip the timber for fuel.
- 1.4 The biomass building at Busby Stoop Farm was originally granted in September 2016. This application seeks retrospective approval for a 6.2m by 14.6m extension to the building for the purposes of storing woodchip pellets. The proposal also shows the installation of fans to be used for the drying of woodchip prior to burning. The proposal details therefore operational development for the extension of the building and a material change of use from part of the building from use as a storage space (a B8 Use Class for the storage of woodchip) to a drying facility (a B2 Use Class for the process of drying) that involves the operational development of drying woodchip.
- 1.5 The dried woodchip is to be used at Busby Stoop Farm and transported to the other sites on the old airfield to provide heat and electricity to the turkey growing units listed at above. The larger biomass boiler at Busby Stoop produces heat and electricity, all the capacity is being utilised on site, and no electrical feedback to the national grid is taking place. However 100kW capacity feedback is available if ever required.
- 1.6 The extension is constructed of the same materials as the original building, profiled insulated metal cladding, in juniper green, to the elevations and roof with a galvanised steel door. An additional two vehicle parking spaces are proposed as part of the scheme.

- 1.7 There is no proposal for outside storage of timber or the chipping of timber included in this application.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

Relating to land at Busby Stoop Farm

- 2.1 15/02797/FUL - Replacement turkey buildings; Granted 29 March 2016.
- 2.2 16/01450/FUL - Detached biomass building; Granted 27 September 2016.

The approved scheme included woodchip storage and biomass combustion units and the indicative detail included ventilation louvres on the north west elevation of the building but there was no reference to drying fans.

- 2.3 17/00275/CAT3 – Investigation into allegations of noise nuisance from chipping wood on site; Pending decision on this and the related applications listed below.

Applications for other biomass schemes at Skipton Old Airfield

- 2.4 17/01855/FUL - Retrospective siting of a detached biomass building (Moose Turkey Farm); Pending consideration.
- 2.5 17/01856/FUL - Retrospective application for the construction of a detached biomass building and associated parking (Sandybank Farm); Pending consideration.
- 2.6 17/01863/FUL - Retrospective application for the construction of a detached biomass building and associated parking (Swale Turkey Farm); Pending consideration.
- 2.7 17/01866/FUL - Retrospective application for the construction of a detached biomass building and associated parking (North Turkey Farm Sheds); Pending consideration.
- 2.8 18/00825/FUL - Retrospective storage of logs for woodchipping, operation of mobile wood chipper and weighbridge (Busby Stoop Farm & North Turkey Farm); Pending consideration.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 - Access
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP15 - Rural Regeneration
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Core Strategy Policy CP18 Prudent use of natural Resources
Development Policy DP1 - Protecting amenity
Development Policy DP3 - Site accessibility
Development Policy DP9 - Development outside Development Limits
Development Policy DP30 - Protecting the character and appearance of the countryside
Development Policy DP33 – Landscaping
Development Policy DP34 – Sustainable energy
Development Policy DP42 – Hazardous and Environmental Sensitive Operations
Development Policy DP44 – Very noisy activities
National Planning Policy Framework - published 27 March 2012
National Planning Practice Guidance

4.0 CONSULTATIONS

- 4.1 Parish Council – Two sets of comments have been submitted; those on the 31st August note that this is a retrospective application and request the following conditions are attach:

- Trees be planted to screen the stock pile of wood from the A167;
- As the wood will need to be chipped before being fed into the furnace, this should be carried out between 9.am and 4.30 pm Monday to Friday (the parish council have already received complaints from residents about noise pollution and machinery being used into the early hours of a morning);
- Deliveries of timber are carried out between 9 am and 4.30 pm Monday to Friday; and
- Vehicles transporting wood to the site do not enter or leave the site via the Sandhutton entrance and use ONLY the A61 entrance.

Additional comments were submitted on 26 September 2017; these relate to the noise emitted from the units [without definition of unit , farm or building], the location of the units do not fit with the original planning application therefore are in breach of the application; working hours, excessive traffic through the village transporting timber, industrial scale of the operation.

- 4.2 Highway Authority – No objection but advises, in response to the Parish Council's access comment, that the access off the A61 is poor in terms of visibility and the existing access onto the A167 is preferable.

[The application does not set out what access is used onto the airfield.]

- 4.3 Environmental Health Officer – Concerns were raised regarding the details of the supplied noise survey and additional readings have been taken by the Council. The results of the Council survey confirm that the report submitted with the application may not be sufficiently robust to support determination of the application. None of the measurements in the agent's report clearly indicate the operating capacity of the fans and as this will influence the noise levels produced as a minimum the submitted report requires clarification. It is important to properly understand the effect of fan speed on the noise emissions and then the detailed mitigation measures necessary to ensure residential amenity can be protected. It would be prudent to assess the levels produced when the fans are at maximum as conditioning fan speeds below maximum can be problematic when it comes to enforcement.

- 4.4 Ministry of Defence - No safeguarding objection.

- 4.5 Public comments – Three comments have been received which object to the application due to the noise generated by the drying fans.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: are the (i) principle of development; (ii) the design and layout of the proposals; (iii) the impact on residential amenity and (iv) the impact on highways.

Principle

- 5.2 The proposal is a relatively modest extension to a building which generates renewable energy for an agricultural unit and as such is supported by CP4 criteria v which allows for development where it would make provision for renewable energy

generation, of a scale and design appropriate to its location, by CP18 where the potential use of renewable resources is maximised, and policy DP34 which enables the provision of renewable energy through environmentally acceptable solutions.

Design and layout

- 5.3 As noted above the scale of the proposal is relatively modest and the materials in keeping with existing development immediately adjacent and on the wider former airfield. The development has not introduced a significant feature to the landscape, particularly when considered against the approved buildings on site.

Residential amenity

- 5.4 The Parish Council's and neighbours' objections are noted and it has been confirmed by the applicant that the extended storage building has not affected or intensified the running of the fans.
- 5.5 When this application was submitted it did not make explicit reference to a proposal for fans, however amended plans received in February include, on the south west elevation, an annotation of "wood chip drying fans" to be installed through the wall of the building.
- 5.6 The operation of the fans on the building for the drying of woodchip result in noise in the environment. The noise report submitted at the time of the amended drawings details the impact of the operation of the drying fans. The report has been found to be unsatisfactory as amongst a number of matters it does not confirm the fans' speed at the time of noise measurement. Without measurement of the fans operating at maximum speed it is not possible to establish the worst case scenario for impact upon neighbouring occupiers.
- 5.7 The fans are noted to operate 24 hours a day. The noise monitoring needs to include the impact of the fans on the environment including during the night when background noise levels are at their lowest.
- 5.8 The noise report and survey work does not determine that the development could not be made acceptable. However, they fail to show that the scheme is acceptable without mitigation and do not provide a reliable basis to establish the detailed mitigation measures that would be necessary to protect residential amenity. Accordingly the unrestricted use of the building for drying woodchip is found to fail to protect amenity and is contrary to policies CP1 and DP1 of the LDF.
- 5.9 It is considered that the physical form of the extended building and its use as a modest extension to a storage use are acceptable and adequately protect amenity, thus meeting the tests of DP1.
- 5.10 Sandhutton Parish Council had, in initial representation, asked for conditions relating to a landscaping scheme, hours of work and access points onto the airfield to be applied should the scheme be approved. If this application is approved it would be appropriate to require conditions to soften the visual impact of the buildings and to control the hours of operation by condition or to establish other controls to mitigate the impact of the development upon the amenity of neighbours. The matter of access to the site is considered below.

Highway impact

- 5.11 The extension to the wood chip storage building is not considered to have resulted in such a significant increase to the on-site storage capacity that there has been or

would be a considerable rise in the number of commercial vehicles visiting the building. It is therefore considered that there is no requirement for a condition stipulating the access point. However note is made that the access to the eastern side of the airfield on to the A167 has greater visibility than the access to the A61 and is therefore preferred. If this application were approved further consideration would need to be given to the appropriate vehicular access routes by means of a load-haul routing condition.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reason:
1. The development is contrary to the Local Development Framework (LDF) Policies CP1 and DP1 as it has not been demonstrated that the development can provide adequate protection of residential amenity due to uncontrolled noise emissions from the woodchip drying fans. The support for the use of renewable technologies within LDF Policies CP4, CP18 and DP34 does not outweigh this harm.