

Parish: Sandhutton
Ward: Thirsk
17

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

18/00825/FUL

**Retrospective application for planning permission for the change of use of agricultural land for the storage of logs for woodchipping, operation of a mobile wood chipper and weighbridge
At Busby Stoop Farm & North Turkey 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 application seeks permission on two sites within Skipton Old Airfield for the following elements:

Busby Stoop Farm

- An area is proposed for the storage of unprocessed timber lengths to a height of 4m. This area is to the north east of the turkey sheds, on the opposite side of the perimeter road to Busby Stoop Farm;
- Within the Busby Stoop Turkey Farm yard an area to the south of the turkey sheds is proposed for the storage of woodchip, surrounded to the south by a 3m high concrete bund;
- A mobile weighbridge is proposed immediately to the north of the woodchip area; and
- Across the perimeter road, to the south of Busby Stoop farm another timber storage area is proposed, at a maximum height of 4m.

North Turkey Farm

- A portion of land south of North Turkey Farm is proposed for the storage of woodchip. There is no detail of size of area; and
- An area immediately to the north of this storage site is proposed for the siting of a mobile chipping unit. Chipping is to take place two or three times per week between 8am and 6pm via a mobile chipper.

- 1.2 The timber and woodchip storage, and chipping operation is proposed to be used in association with the biomass boilers at Busby Stoop Farm and the four other turkey farms on the Old Skipton Airfield, Sandhutton; these are Moose Turkey, Sandybank, Swale and North Turkey Farm. Each of these farms is the subject of retrospective applications for the siting of a detached biomass building.
- 1.3 A noise report has been submitted in support of the application, assessing the impact of the mobile chipper on the residents of Sandhutton when the chipper is operating at North Turkey Farm. However this assessment does not consider the impact on the residents of Nitrovit Row, approximately 220m to the north of Busby Stoop Farm.

- 1.4 A transport assessment which considers the impact of the virgin timber deliveries on the highway network and residential amenity has not been submitted. It is estimated by the agent that between eight and ten deliveries of logs are received each week, each being 26 tonne wagon. The logs which are currently chipped are 3m long and vary in diameter from 150mm diameter to 350mm diameter.
- 1.5 Neither site is within Flood Zone 2 or 3.
- 1.6 As part of the original application an area inside Busby Stoop yard and an area adjacent to the timber storage south of Nitrovit Row were proposed for the siting of a mobile chipping machine. This has now been removed.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

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.
- 2.3 17/00275/CAT3 – Investigation of noise nuisance from chipping wood on site; Pending consideration of this and other applications at the Old Airfield.
- 2.4 17/01653/FUL - Retrospective application for an extension to a biomass building; Pending consideration.

North Turkey Farm

- 2.5 17/01413/APN - Application for Prior notification for a wood chip biomass building for the purpose of agriculture; Refused 10 July 2017 as the building has already been constructed and so could not be the subject of prior notification.
- 2.6 17/01866/FUL - Retrospective application for a detached biomass building and associated parking; 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

4.0 CONSULTATIONS

4.1 Parish Council – wishes to see the application refused and has made the following comments:

- The proposed site for the chipping will cause noise pollution for the residents of Sandhutton Village;
- There will be an increase of HGV traffic on the A167. The increase in noise and pollution should be addressed;
- Poor access off the A167;
- Chipping hours of work should be conditioned as well as a condition that no chipping takes place over weekends or bank holidays; and
- The noise report does not assess the impact on the residents of Nitrovit Row, Morndyke House and at Busby Stoop.

4.2 Highway Authority – No response to date.

4.3 Northern Gas Networks – No objection; provides advice regarding apparatus at risk during construction.

4.4 Environment Agency – No objection so long as the wood which is burnt is virgin wood. If the wood is mixed with waste timber then the activity may require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency, unless a waste exemption applies.

4.5 Ministry of Defence – No safeguarding objection.

4.6 Environmental Health Officer – Concerns have been raised regarding the noise assessment:

- Background noise levels were not taken on a proposed working day;
- The report does not provide details of the material that was chipped on the day of the assessment, how many timber lengths were chipped at a time and how often;
- Not all properties in Nitrovit Row are tied to commercial uses on the airfield and so the impact of the noise should be assessed; and
- Noise control is necessary so details of the proposed bund will be important to the determination of the application.

4.7 Public comments – Three objections have been received:

- The chipper is already in operation; the noise omitted from the chipper has meant residents in Sandhutton are unable to use their outdoor space, and are forced to keep their windows closed. This is impacting unacceptably on their residential amenity;
- The location of the chipper should be enclosed or surrounded by a bund;.
- There are more remote locations, such as Swale Farm which would not impact on residential properties;
- Would be more acceptable and sustainable to chip the timber adjacent to each of farms in turn, therefore breaking up the intensity and regularity of the noise;
- No travel plan has been submitted as part of this application; and
- It is asked whether the old airfield is now defined as an industrial estate.

5.0 OBSERVATIONS

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

Principle

- 5.2 The site is not within Development Limits and so development in this location can only be supported under Development Plan policies if an exceptional case can be made, as set out in policy CP4 of the Hambleton Local Development Framework. Criterion v allows for development where it would make provision for renewable energy generation, of a scale and design appropriate to its location.
- 5.3 Development Plan policy DP34 promotes developments which enable the provision of renewable energy through environmentally acceptable solutions, if acceptable in terms of other LDF policies.
- 5.4 This application seeks permission for a chipping operation and timber storage. The end product of the chipper, the woodchip, once dried is to be used in the biomass boilers at Busby Stoop, North Turkey, Swale, Sandybank and Moose Turkey Farms to heat the turkey sheds as an alternative to the use of Liquid Petroleum Gas (LPG) that had previously been used. The use of a non-fossil, low carbon fuel is supported by the policy of Government as well as local policies.
- 5.5 Whilst the proposal is for the applicant to bring virgin timber to site and chip, it is not essential that that timber is chipped on site to allow for the operation of the biomass boilers. Pre-chipped timber could be brought and stored on site prior to being fed into the boilers. The applicant has not provided information as to why the on-site chipping and drying operation is beneficial to the business. Information has also not been provided to assess the relative impacts on the amenity of residents or highway movements of chipping and drying on site as opposed to importing chipped timber that is either wet or dried. Accordingly it is not possible to attribute any significant weight to the chipping and drying of timber on site when applying a planning balance to this application.

Design and layout

- 5.6 The lengths of timber are stored between vertical yellow steel girders. The girders are a long way from public vantage points and are not considered to be visually intrusive within the airfield and are thus not considered to impact unacceptably on the area.
- 5.7 The timber is staked to a maximum of 4m and is not a common feature in the landscape as it would be on the edge of a managed forest. The timber stacks are visible from the A167, however they are not any higher than the buildings and at a distance of 400m they are not considered to be visually intrusive in the landscape.
- 5.8 The chipper, being mobile, takes the form of a lorry cab with the chipper on the bed behind. This does not look out of sight within the context of the airfield.
- 5.9 Given the large scale agricultural developments of the airfield as a whole, it is considered that the scheme does not result in an unacceptable visual impact on the immediate setting of the airfield, or the wider countryside.

Residential amenity

- 5.10 Busby Stoop Farm is the nearest farm to any dwellings; those at Nitrovit Row on the airfield and Morndyke Farm on north side of the A61. The nearest dwelling at

Sandhutton is approximately 800m to the north east. North Turkey Farm is slightly nearer to Sandhutton, at 850m separation.

- 5.11 A noise report has been submitted in support of the application, where the chipping operation is assessed. The report states that the chipping plant is typically operated on two days per week (Thursday and Friday) for up to six hours on each occasion. There are several issues with this report which have not been resolved by the applicant despite repeated requests for additional information. These issues are:
- The lack of night time measurements relating to the drying operations only, not the chipping operations;
 - Assessment was undertaken on Saturday 3 March, which is a day when it is believed the chipper would not normally be operating, reference is made to Thursday and Friday operation, however the background noise level detailed in the report is similar to that measured for the recent other reports ;
 - The lack of detail of the operating speed of the Busby Stoop Farm biomass drier fans during the measurements;
 - The lack of information regarding how many lengths of timber were fed into the chipper at a time and the rate of working;
 - The impact on the dwellings at Nitrovit Row has not been assessed; and
 - The lack detail of a robust assessment of the noise which prevents the preparation of appropriate mitigation measures.
- 5.12 It has been stated by the applicant that the properties on Nitrovit Row are occupied by employees of the nearby turkey farms, and have agricultural occupancy conditions attached to them. However, this does not mean that residents should be exposed to unacceptable noise levels. The noise created by a chipper is not a typical noise associated with agriculture, although it may be associated with forestry operations. It is accepted that the occupants of a dwelling with an agricultural occupancy condition may be exposed to certain nuisances, including odours, which a non-agricultural dwelling occupant would not. However, it is considered that an assessment of the noise levels which would reach the occupants of Nitrovit Row would be necessary for this application to be considered favourably.
- 5.13 Currently there is insufficient information within the noise report to be able to make an accurate assessment as to whether the noise levels are acceptable to homes on and near to the airfield. However, the work that has been produced to date shows that an adverse effect would arise and that mitigation measures would be required. In the absence of a complete noise assessment, appropriate mitigation measures cannot be designed. Additionally the Environment Health Officer has advised that physical mitigation measures should be proposed, with details of these considered alongside the application.
- 5.14 It is therefore considered that the scheme is contrary to policies CP1, CP4, DP1, DP43 and DP44 in that the information submitted fails to demonstrate how the proposal has adequately considered the amenity impact of the scheme or how it would protect the residential amenity of those people living in and round the airfield from unacceptable nuisances, including details of the duration of noise and noise levels. Additionally, no scheme of mitigation has been submitted as to how those impacts would be reduced to make them acceptable. For these reasons the application is recommended for refusal.

Highway impact

- 5.15 The comments from the Parish Council are noted, i.e. that the development results in an increased in traffic. However, it is considered that any increase in traffic will not be a result of the chipping operation because the biomass boilers on the five farms all

require fuelling and this fuel could be provided by pre-chipped timber, being brought in by wagon as and when required. Pre-chipped timber could result in more vehicle movements as the woodchip may have a greater volume than lengths of virgin timber.

- 5.16 The Highway Authority has not objected or recommended conditions in respect of the applications for the biomass boilers. The Authority prefers that vehicles use the access from the A167 and does not wish to encourage vehicles to use alternative accesses onto the airfield.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reason:
1. The proposal fails to demonstrate how the scheme would make provision for renewable energy whilst providing the necessary mitigation measures to avoid and mitigate adverse noise impacts for those living on the airfield at Nirtovit Row and in adjacent villages. The proposal is therefore contrary to policies CP1, CP4 and DP44 of the Hambleton Local Development Framework and the support available for a sustainable energy scheme under policy DP34 does not outweigh this harm to amenity.