

**Parish: Sandhutton**

Ward: Thirsk

**8**

Committee date: 22<sup>nd</sup> August 2019

Officer dealing: Mrs C Strudwick

**18/00825/FUL**

**Retrospective storage of logs for woodchipping, operation of mobile wood chipper and weighbridge as per amended plans received by Hambleton District Council 7th June 2018 - additional plan showing acoustic bund received 12 August 2019**

**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 and is being brought back for consideration by members following the submission of further details and additional information.**

## **1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 This application was first considered by members in July 2018, with a recommendation of refusal due to inadequate noise assessment and no details of mitigation measures to address the noise impact of the chipper on nearby residents.
- 1.2 This application seeks permission on two sites within Skipton Old Airfield for the following elements:

### Busby Stoop Farm

- An area 127metres in length 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. A further section 14metres in length is proposed for storage to the east of 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 barrier;
- 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. The area to be used for chipping and storage of woodchip and including the land occupied by the bunds is 4860sqm and
  - Chipping is to take place two or three times per week between 8am and 6pm via a mobile chipper.
- 1.3 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 was the subject of retrospective

applications for the siting of a detached biomass building which have subsequently been approved.

- 1.4 A noise report has been submitted in support of the application, which assesses the impact of the mobile chipper on the residents of Sandhutton when the chipper is operating at North Turkey Farm. However this assessment had a number of flaws which resulted in officers considering it inadequate. The scheme also offered no details of mitigation to deal with the anticipated noise impacts. The noise report has subsequently been updated, with an additional noise survey on site, which is now considered fit for purpose. The noise report, at section 6.2 sets out the mitigation measure of the earth bund, and how the appropriate size has been calculated to achieve an acceptable reduction of noise.
- 1.5 Since the application was last presented to members a plan has been received which shows the details of the 4.5m high and 12.8m (at base) wide soil bund, as recommended by the noise report. This bund is to surround the chipping area to the south and east of North Turkey Farm.
- 1.6 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.
- 1.7 Neither site is within Flood Zone 2 or 3.
- 1.8 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; Granted 18 July 2019.

### 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; approved August 2018.

## **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 – The comment stated that there was No objection so long as the wood which is burnt is virgin wood, however this application is not for the burning of wood and so this comment is not relevant. No other comment or recommendation of conditions has been received.
- 4.5 Ministry of Defence – No safeguarding objection.
- 4.6 Environmental Health Officer – Satisfied that the previously identified concerns have been addressed and have no objection to the scheme, subject to recommended conditions to ensure the delivery of the bund.
- 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.

Following the submission of the updated noise report and plan showing the bund the following comments have been made:

- The report sets out about an absorbent material is to be added to the discharge chute of the chipper to reduce the noise of the timber chips hitting the discharge chute.
- A condition should be added which requires a building to be added over the chipper if the noise continues to be a nuisance 3 years after the permission is granted.
- The chipper is not within a red line area and so can be moved around the entire area which has benefited from the change of use.
- There should be an hours of operation condition placed on the permission.

## **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 highway safety.

### 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 associated 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 the 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 it 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 result in significant visual intrusion 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 are 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 were several issues with this report which were :
- 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 An additional assessment was made Thursday 9<sup>th</sup> August 2018, and an updated report was submitted. This time the assessment was carried out during a weekday so the full impact of the background noise on the industrial estate could be taken into account. It was recommended in the report that a bund of 4.5m be constructed, which would be sufficient to control the level of noise from the chipper so that it is not detrimental to residential properties nearby. It is estimated that the bund would result in approximately 13.6 dBA of sound reduction.
- 5.13 A neighbour stated concerns regarding the large area which was being applied for as a change of use for the chipper area. Prior to the bund being added there would have been more potential for the chipper to be moved around, within the red line boundary. Now the bund has been added, within the red lined area, on the eastern side, and

timber is proposed to be stacked on the west side of the redlined boundary there will be a small area within the redline boundary that the chipper can be located within. As the bund has small returns on each end it is considered that wherever the chipper is within this small redlined area the noise will be reduced to an acceptable level by the bund.

- 5.14 Through conditioning the requirement for the construction of the bund it is now considered that the scheme does meet the requirements of policies CP1, CP4, DP1, DP43 and DP44 and the proposal will adequately protect the residential amenity of those people living in and round the airfield from unacceptable nuisances.

#### 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 **APPROVED** for the following reason:
1. The development hereby permitted shall be begun within three years of the date of this permission.
  2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered 2017.071.PP05.B and 2018.012.PP02.D received by Hambleton District Council on 7th June 2018 and 16th July 2019.
  3. The permitted use shall not take place outside the hours of 8am and 6pm Monday to Friday and shall take place at no time on weekends or public holidays.
  4. No wood chipping shall take place other than within the identified red lined boundary location at North Turkey Farm, as shown on drawing ref 2018.012.PP01.
  5. No wood chipping shall take place unless the identified location at North Turkey Farm is bounded by a 4.5m soil bund as shown in drawing ref 2018.012.PP02 Rev D.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies CP1 and DP1.

3. In order to protect the amenity of nearby residents and in accordance with the Development Plan Policy DP1.
4. In order to protect the amenity of nearby residents and in accordance with the Development Plan Policy DP1.
5. In order to protect the amenity of nearby residents and in accordance with the Development Plan Policy DP1.