

<b>APPLICATION NO</b>	<b>PA/2014/0422</b>
<b>APPLICANT</b>	Clarkeson Recycling Ltd
<b>DEVELOPMENT</b>	Planning permission for the siting of a container for use as a boiler house associated with farming fish and erection of a polytunnel for growing plants
<b>LOCATION</b>	The Poplars, Ulceby Road, South Killingholme
<b>PARISH</b>	<b>SOUTH KILLINGHOLME</b>
<b>WARD</b>	Ferry
<b>CASE OFFICER</b>	Andrew Law
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillor Wells – significant public interest) Objection by South Killingholme Parish Council

## **POLICIES**

**National Planning Policy Framework:** Paragraph 19 states that significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 28 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should (amongst other things):

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings; and
- promote the development and diversification of agricultural and other land-based rural businesses.

Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 120 states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural

environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution should be taken into account.

**North Lincolnshire Local Plan:** Policy RD2 (Development in the Open Countryside)

Policy RD7 (Agriculture, Forestry and Farm Diversification)

Policy RD14 (Agricultural and Forestry Buildings)

Policy DS1 (General Requirements)

Policy DS11 (Polluting Activities)

Supplementary Planning Guidance 3 (SPG3) (Design in the Countryside)

**North Lincolnshire Core Strategy:** Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS16 (North Lincolnshire's Landscape, Greenspace and Waterscape)

Policy CS18 (Sustainable Resource Use & Climate Change)

## **CONSULTATIONS**

**Highways:** No objection or comments.

**Environmental Health:** No objection.

**Highways Agency:** No objection.

**National Grid:** No objection. The national grid pipeline does not run through the site.

## **PARISH COUNCIL**

Object to the proposal on the following grounds:

- Noise from the woodchip boiler will be detrimental to the quality of life of local residents and will be 24 hours per day, 7 days per week.
- Emissions from the woodchip boiler will be harmful to the amenity of the local area.
- Traffic generated by the proposal will result in highway safety issues, particularly if plants are to be sold from the site.
- If permission is granted for the boiler house and polytunnel, does this automatically grant consent for the fish farm?
- What is going to happen to fish that are farmed on the site?

## **PUBLICITY**

Neighbouring properties have been notified. 41 letters of objection have been received raising the following concerns:

- Noise from the boiler will be harmful to the local area.
- Smell from the boiler will be harmful to the local area.
- Emissions from the boiler will have a negative impact on air quality in the area.
- Have hazards from the proposed boiler been identified, is it safe for a boiler to be sited in such close proximity to refineries?
- The owner of Poplar Farm is operating from the site without planning permission; who is to say that the proposed development is what he will actually do?
- Traffic generation will result in highway safety issues.
- This is an agricultural site and is not suitable for industrial development; fish farming should be considered a commercial use and not agriculture.
- The proposed development would have a detrimental effect on the greenbelt on the west side of South Killingholme.
- The development will result in devaluation of properties in the village.

## **ASSESSMENT**

The application site is a former pig farm located in the open countryside to the west of South Killingholme. The site currently comprises a brick built farm house and a number of blockwork agricultural buildings around a central concrete slab at the southern end of the site and an open piece of land containing three surface water lagoons at the northern end of the site. The site is accessed via Ulceby Road (A160) to the south. The site is immediately surrounded by open fields; however the village of South Killingholme is a short distance to the east, with the nearest residential properties approximately 230 metres from the proposed structures. This application seeks planning permission to site a container housing a biomass boiler and to erect a polytunnel on the site. The boiler will be used to provide heat for fish farming activities which are to be undertaken in the adjacent building and the polytunnel will be used for the growing of ornamental plants and trees.

Planning permission was approved in 2012 (PA/2012/1444) for the construction of a 3 metre high bund around the perimeter of the site.

This application was deferred at the planning committee meeting on 30 July due to outstanding consultation responses from the Highways Agency and National Grid. These consultation responses have now been received, with both consultees confirming that they have no objection to the proposed development.

**The main issues to consider in the determination of this application are whether the proposed boiler will be harmful to residential amenity in the local area by virtue of noise, smell or air quality, whether the proposed development will be harmful to**

**highway safety, and whether the structures will compromise the character or appearance of the area.**

### **Principle**

The site is a former pig unit and retains its agricultural status for the purposes of planning. On this basis the use of the existing buildings for fish farming and associated storage does not constitute a material change of use as fish farming is an agricultural operation. The proposed boiler will provide the necessary heat for the fish farming operation and as such is directly linked to and necessary for agriculture. Furthermore, as it will be fuelled by wood chippings, the boiler will provide this heat via renewable energy. The proposed polytunnel will be used for the growing of plants and trees (horticulture), which also comes under the definition of agriculture for the purposes of planning. The proposal complies with policies RD2 of the North Lincolnshire Local Plan and CS3 of the Core Strategy which control the types of development that will be allowed in the open countryside as it is directly related to agricultural operations. Therefore, as the development is related to agriculture within the open countryside, makes use of vacant buildings and supports the use of renewable energy it is considered that the principle of the development is acceptable.

### **Amenity**

The woodchip boiler is located approximately 230 metres from the nearest residential property to the east. Furthermore, there are a number of agricultural buildings on the application site which stand between the boiler and this residential property. The applicant has provided additional information with regard to the make and noise levels of the boiler. The council's Environmental Health department has been consulted on the application and has confirmed that the submitted information is adequate to demonstrate that the boiler will not result in noise disturbance to local residents.

The applicant has also provided additional information with regard to the proposed chimney/stack which will serve the boiler. This information demonstrates that the boiler will not impact on the amenity of neighbouring residents as a result of smells from any emissions. The council's Environmental Health department has considered the proposed development with regard to emissions and air quality; it has confirmed that the proposed boiler and chimney will not result in unacceptable impacts with regards to odour or air quality.

For these reasons it is considered that the proposed development will not have an unacceptable impact on the amenity of local residents.

Environmental Health have raised no concerns with regard to hazards associated with the proposed boiler. Furthermore, due to the size and nature of the boiler in question, it will not pose any danger to neighbouring properties or nearby refineries.

### **Highway safety**

The application site is a former pig farm, which would have generated a significant amount of traffic. The proposed boiler will serve a fish farming operation within one of the existing buildings on site. This operation can take place without the need for planning permission as it is an agricultural operation and it will generate a much reduced level of vehicular movements than the previous use on the site. The proposed polytunnel will be used to grow trees and plants and will not generate significant levels of traffic. Any significant element of

sales taking place from the site would constitute a material change of use and would require planning permission in its own right. The A160 is a busy main road; however it is relatively straight in this location and there is good visibility along the road in both directions from the access point. The council's highways department has been consulted on the application and has raised no concerns or objections with regard to highway safety. On this basis it is considered that the proposed development will not have an unacceptable impact on highway safety in the area. The access arrangements to this site will be changed as part of the A160/A180 road improvements which are currently the subject of consideration under the Nationally Significant Infrastructure Project regime.

### **Visual amenity**

The site is located in the open countryside in an area which has a mix of agricultural and industrial uses. This area is not designated as being of high landscape value, nor is it protected by a green belt or any other protective designation. There are a number of large agricultural buildings on the site, with the majority of these buildings being set well back from the public highway. The proposed structures are relatively small in the context of existing development on the site and will be viewed against the backdrop of existing buildings at a minimum distance of 85 metres from the public highway. Furthermore, the applicants are currently in the process of constructing a 3 metre high bund around the site, which will provide a good level of screening of views into the site from adjacent land. Due to screening provided by existing structures and the bunding which is currently being constructed, and the distance to the public highway, the proposed structures will have no significant impact on the character or appearance of the area.

### **Existing operations**

The council's Planning Enforcement team are currently investigating complaints with regard to unauthorised works being carried out on site. At present there is no confirmation that there are any unauthorised operations or breach of planning taking place on the site. Nevertheless, should planning permission be granted, it would be subject to a condition limiting development to that described in the planning application in accordance with the submitted plans. Any works carried out in contravention of these plans would be subject to enforcement action.

### **Devaluation**

Several local residents have raised a concern that their properties will be devalued as a result of the development. Devaluation of property is not a material planning consideration and is purely speculative; as such this does not constitute a valid reason for refusal of planning permission.

### **Conclusion**

The proposed development is relatively small in scale and supports a proposed agricultural operation on a currently vacant agricultural site. The development will not result in unacceptable impacts to residential amenity, visual amenity or highway safety. On this basis the proposal is considered to comply with the relevant planning policies listed above and should be supported.

**RECOMMENDATION**      **Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 008 and 012.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

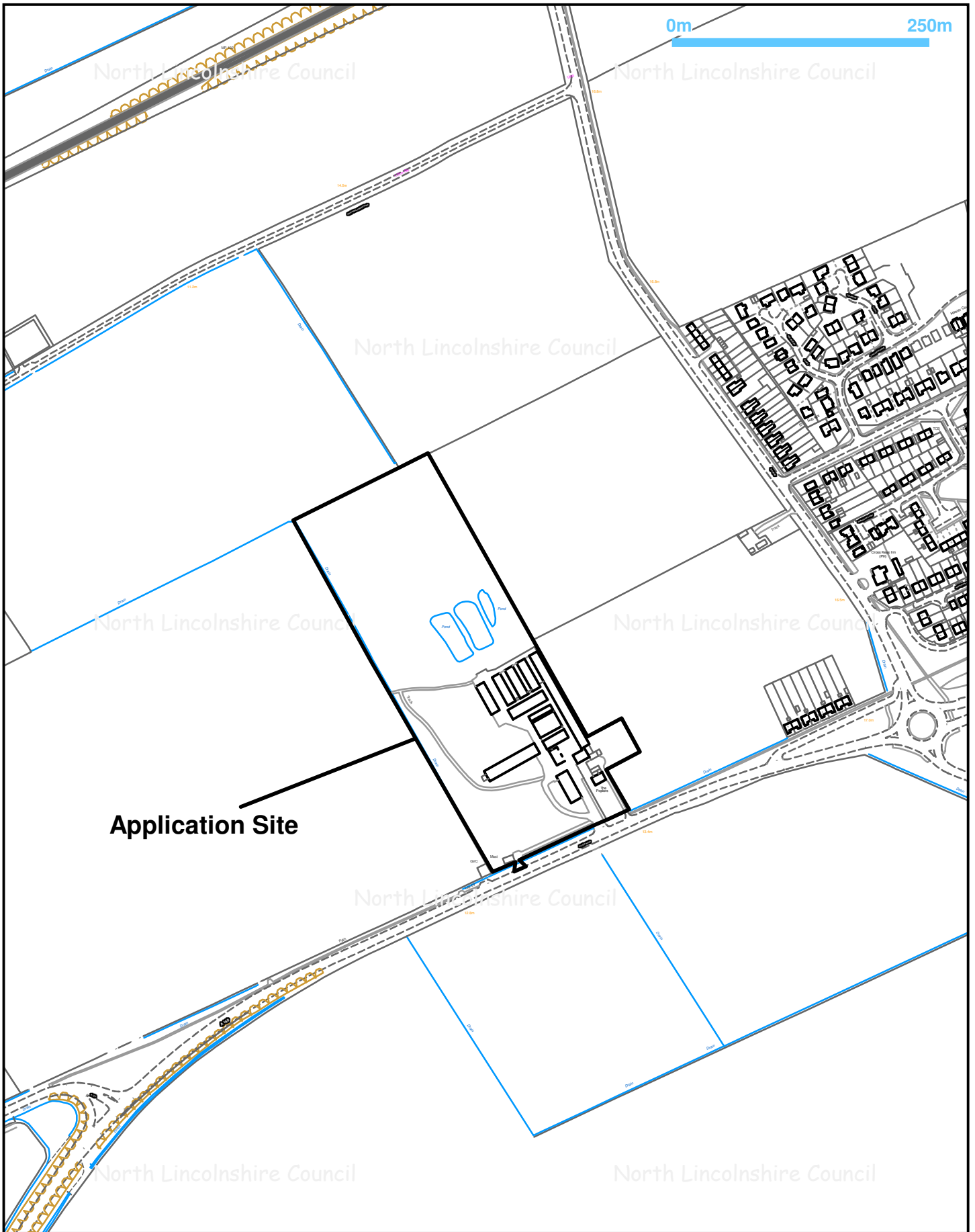
Prior to development commencing, details of an appropriate chimney height calculation shall be submitted to and approved in writing by the local planning authority. The chimney serving the biomass boiler shall have a discharge height strictly in accordance with this calculation and shall be retained at this height whilst the boiler is in operation.

Reason

To protect the amenity of local residents in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

**Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



Title: PA/2014/0422

Drawn by: Sue Barden

Date: 15/07/2014

Scale 1:5000



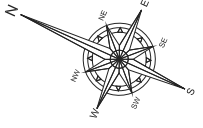
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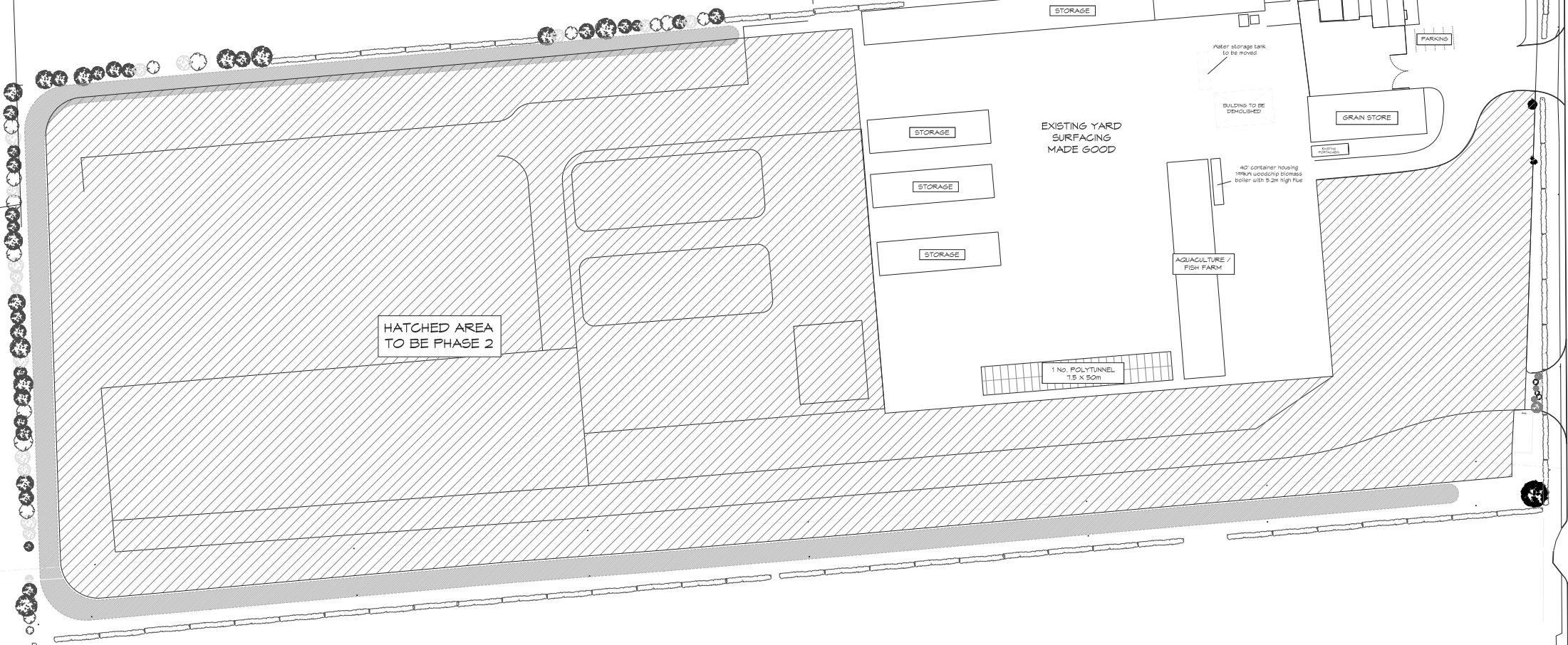
**Director of Places**  
**Peter Williams**  
BSc,DMS,CEng,MEI,MCMI,AMIMechE

# PA/2014/0422 Layout plan

Not to scale



Site Layout Plan - Phase 1



HATCHED AREA TO BE PHASE 2

STORAGE

STORAGE

STORAGE

STORAGE

EXISTING YARD SURFACING MADE GOOD

1 No. POLYTUNNEL 7.5 X 50m

AQUACULTURE FISH FARM

GRAIN STORE

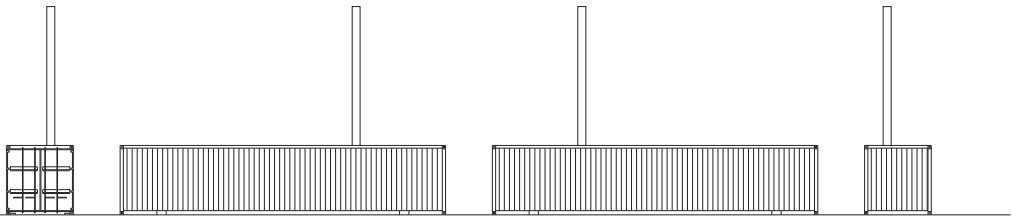
PARKING

Existing water storage tank relocated (for farm & nursery use)

Water storage tank to be moved

BUILDING TO BE DEMOLISHED

40' container housing 18KW woodchip biomass boiler with 9.2m high flue



End

Side

Side

End

40' Container (Boiler House)  
Elevations as proposed  
Scale 1:100