

APPLICATION NO **WD/2016/1916**

APPLICANT Mr L Dodds, Bio Waste Solutions Ltd

DEVELOPMENT Planning permission to vary condition 2 of WD/2014/0908

LOCATION Bio Waste Solutions, Bonby Lane, Bonby, DN20 0PJ

PARISH Bonby

WARD Brigg and Wolds

CASE OFFICER Andrew Law

SUMMARY **Grant permission subject to conditions**

RECOMMENDATION

REASONS FOR Objection by Saxby All Saints Parish Council

REFERENCE TO

COMMITTEE

POLICIES

National Planning Policy Framework: Paragraph 14 sets out that there is a presumption in favour of sustainable development which lies at the heart of the NPPF.

Paragraph 19 states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore 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.

Paragraph 93 states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

Paragraph 97 states that to help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable and low carbon sources.

Paragraph 109 sets out a variety of ways in which the planning system should contribute to and enhance the natural and local environment.

Paragraph 118 advocates the conservation and enhancement of biodiversity.

Paragraph 120 states that planning policies and decisions should ensure that new development is appropriate for its location and that the effects of pollution on health, the natural environment, general amenity and the sensitivity of the area or development to adverse effects from pollution should be taken into account.

Paragraph 121 further advocates that sites must be suitable for their new use taking account of ground conditions and land instability and that after remediation, as a minimum, land should not be capable of being determined as contaminated land.

Paragraph 122 states that local planning authorities should focus on whether the development itself is acceptable use of the land, and the impact of the use, rather than the control of processes or emissions which are subject to approval under pollution control regimes.

Paragraph 123 aims to protect health and quality of life by avoiding or mitigating noise impacts.

Paragraph 125 states that by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy HE9 (Archaeological Evaluation)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T6 (Pedestrian Routes and Footpaths)

Policy T14 (The North Lincolnshire Strategic Road Network)

Policy LC7 (Landscape Protection)

Policy LC12 (Protection of Trees, Woodland and Hedgerows)

Policy W1 (Applications for Waste Management Facilities)

Policy W2 (Groundwater Protection)

Policy W7 (Waste Management Facilities and Humberside International Airport)

Policy W9 (Handling of Waste)

Policy W11 (Processing of Waste Materials)

Policy W17 (Anaerobic Digestion)

Policy DS1 (General Requirements)

Policy DS7 (Contaminated Land)

Policy DS11 (Polluting Activities)

Policy DS13 (Groundwater Protection and Land Drainage)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS15 (Water Resources)

Policy DS16 (Flood Risk)

Policy DS21 (Renewable Energy)

Supplementary Planning Guidance 3 (SPG3) (Design in the Open 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 CS6 (Historic Environment)

Policy CS11 (Provision and Distribution of Employment Land)

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

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

Policy CS20 (Sustainable Waste Management)

Policy CS25 (Promoting Sustainable Transport)

Planning for Renewable Energy Development SPD:

Policy 2 (Landscape)

Policy 3 (Visual Effects)

Policy 7 (Community Impact)

Policy 8 (Noise)

Policy 10 (Cumulative Effects)

Policy 14 (Local Grid Connections and Ancillary Equipment)

CONSULTATIONS

Highways: No response received.

HER (Archaeology): The archaeological mitigation works at the AD plant were completed in October 2016. No further work at the AD plant is required. No objection to varying the plans for the de-packaging building.

Environmental Health: No objection.

Environment Team (Ecology): No objection to the proposed amendment. There is an outstanding biodiversity management plan condition on the original permission which has not been fully discharged.

Environment Agency: No objection.

Humberside Fire & Rescue: No objection.

Humberside Airport: No objection provided that the development is built in accordance with the submitted drawings.

PARISH COUNCILS

Worlaby Parish Council: No objection or comments.

Elsham Parish Council: No objection or comment.

Bonby Parish Council: No objections but would like to see the promised landscaping implemented to a high standard as soon as possible, to try and protect the rural nature of the area from this industrial process.

Saxby All Saints Parish Council: Strongly objects to the application on the basis that planning permission has been given with certain approved conditions and members feel that any subsequent changes are to facilitate an incremental expansion of an industrial site.

PUBLICITY

Neighbouring properties have been notified by letter, and site and press notices posted. No comments or objections have been received.

STATEMENT OF COMMUNITY INVOLVEMENT

No statement of community involvement has been submitted with the application as it is for a variation of condition only.

ASSESSMENT

Site

The application site is a parcel of land directly adjacent to and adjoining an existing waste facility, comprising a thermophilic aerobic digestion (TAD) plant, located approximately 1.4 kilometres to the north-east of Bonby. Access to the site, and the existing waste facility, is via Bonby Lane, a small C-class road linking Brigg Road to the north-east and Middlegate Lane to the south-west. The surrounding area is predominantly agricultural in nature, the application site being surrounded by arable fields, except to the south-east where it abuts the existing waste facility. Field boundaries are mostly defined by hedgerows and there are small strands of plantation woodland to the north and west.

Proposal

Planning permission was granted at appeal on 18 November 2015 for the installation of an anaerobic digestion plant and ancillary infrastructure on the site, including the installation of a 6.9 kilometre gas pipeline and compressor compound. This application seeks planning permission to vary condition 2 (plans) of this previous permission. The proposed amendments consist of alterations to the design of the de-packaging building, the installation of two water storage tanks and the installation of a small welfare unit.

The main issues in the determination of this application are whether the proposed amendments would have an unacceptable additional impact on the character or the area, residential amenity or highway safety.

Character

The proposed additional water storage tanks and welfare unit are very small structures which are sited adjacent to approved structures within the main body of the site and will not be highly visible due to existing development and proposed landscaping around the site. The de-packaging building is one of the larger structures that form part of the approved AD plant and as such this will be a visible feature in the landscape. However, the proposal is to alter the design of an already consented building, not for an additional building and this structure is sited adjacent to existing large buildings and structures that form part of the existing operations on the adjacent site. The visual impact of this building is mitigated by the fact that it is sited adjacent to existing structures and by proposed landscaping around the site, particularly along the eastern boundary adjacent to the building. Whilst the proposed amendments will see the appearance of the building altering, due to the aforementioned mitigation it is considered that the amendment will have no significant additional impact on the character or appearance of the area.

Amenity

This proposal is for amendments to a consented scheme and neither the amended design of the de-packaging building nor the addition of water tanks and a welfare unit will result in additional noise or odour from the site. These amendments will not affect how the AD plant operates nor will they result in the expansion or intensification of the approved use. It should also be noted that the council's Environmental Health department has raised no concerns or objections to the proposed development; nor has the Environment Agency, who regulate the site under an environmental permit. Given the small scale nature of the amendments and the lack of objection from statutory consultees, it is considered that the proposed development would have no unacceptable impact on the amenity of neighbouring properties.

Highways

The proposed amendments will result in small-scale amendments to the internal layout of the site only. There is no change to the consented access into the site and the scheme still allows for the turning of vehicles within the site. The council's Highways department has been consulted on the application and has raised no objection to the proposed amendments. On this basis it is considered that the proposal will not be detrimental to highway safety in the area.

Conclusion

The proposed amendments are minor in nature and will have no unacceptable impact on the character of the area, the amenity of neighbouring properties or highway safety. On this basis the proposed development is considered to be acceptable and this application should be supported.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development hereby permitted shall be carried out in accordance with the following approved plans: Drg. No. 2 "Proposed Site Layout", Drg. No. 3 "Proposed Plan/Section", Drg. No. 4 "Proposed Elevations", EI434 (PL)001 rev A, EI434 (PL)002 rev A, EI434 (PL)003 rev A, EI434 (PL)005 rev C, EI434 (PL)006 rev B, EI434 (PL)007 rev B, EI434 (PL)008, EI434 (PL)009 rev B, EI434 (PL)010 rev A, EI434 (PL)011, 319/01/IR/102 rev B, 319/01/IR/103 rev D, 319/01/IR/104 rev B, 319/01/IR/105 rev D, 319/01/IR/106 rev B, 319/01/IR/107 rev B, 319/01/IR/108 rev B, 319/01/IR/109 rev B and 319/01/IR/110 rev D.

2.

No development shall take place until a biodiversity management plan for the development hereby permitted has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved biodiversity management plan.

3.

No development shall take place until a scheme for the installation of the pipeline and compressor compound has been submitted to and approved in writing by the local planning authority. Details within the scheme shall include all structures within the compressor compound, the depth(s) at which the pipeline shall be laid and the restoration of the pipeline route following installation works. Development shall be carried out in accordance with the approved scheme.

4.

The approved scheme for the provision of the access junction with Bonby Lane shall be implemented in full prior to the buildings and structures hereby permitted being brought into use.

5.

The approved scheme of landscaping shall be carried out within 12 months of the commencement of the development hereby permitted; and any trees or plants which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

6.

The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment for Proposed Anaerobic Digestion Plant at Bonby Lincolnshire – 22nd November 2012 Revision B.

7.

Not more than 75,000 tonnes of waste/digestate shall be delivered to the site in any single calendar year. A record shall be kept of all waste/digestate tonnages delivered to the site that shall be available to view on written request by the local planning authority and shall be available for inspection within 10 working days from the date of any said request.

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.

WD/2016/1916 – Site Location

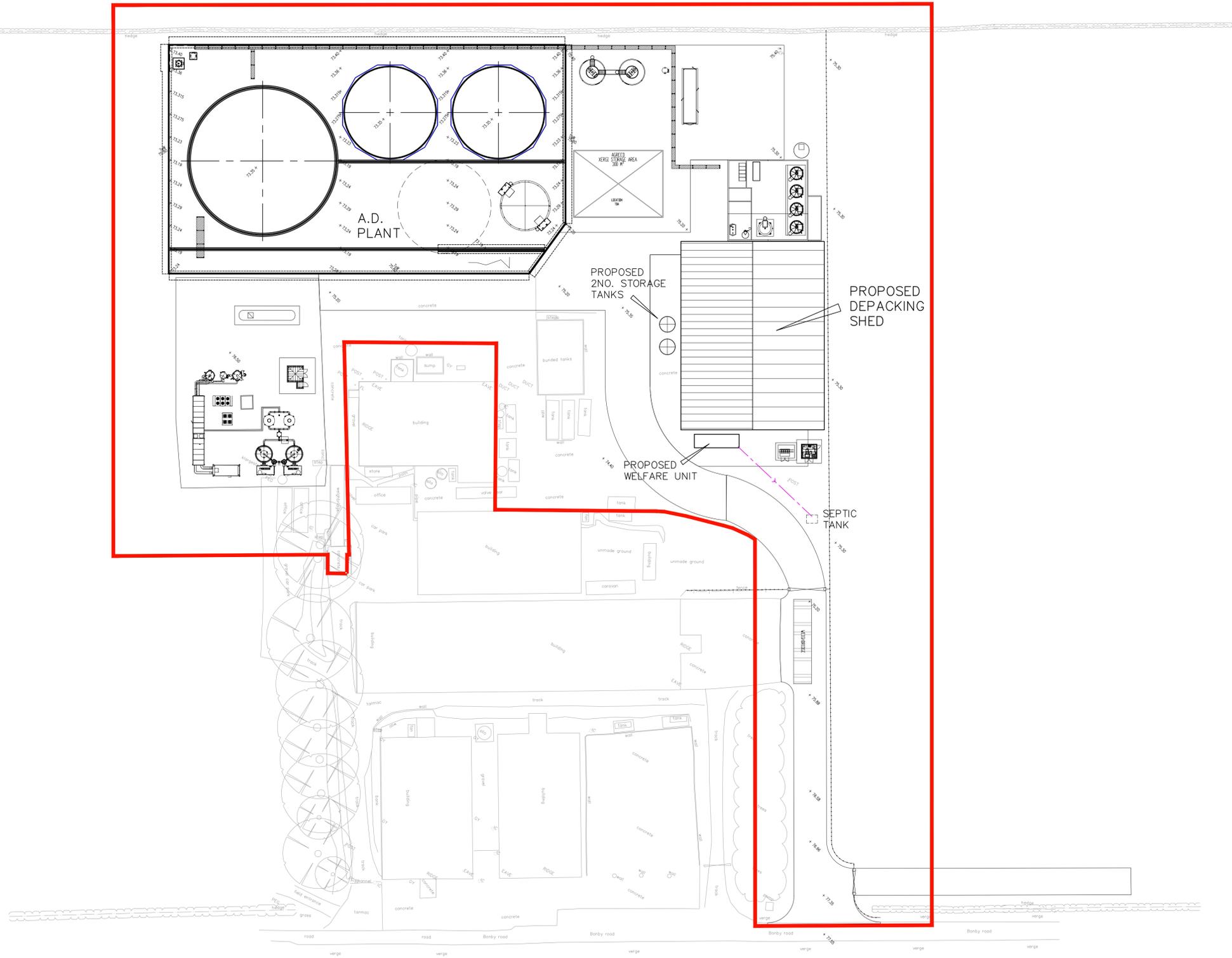


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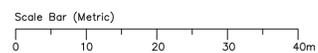
WD/2016/1916 Proposed Site Layout

Not To Scale

All Dimensions Shall be Checked on Site by the Contractor Prior to Commencement of Work on Site. Do Not Scale. If in Doubt Ask.



Proposed Site Layout



Revisions	Date
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Robert Farrow (Design) Ltd
Architecture : Planning : Construction
Topographical Surveys

Millar House, 32 Northgate, Hessele,
East Riding of Yorkshire, HU13 9AA
Tel: 01482 640699
E-mail: rfd@farrow.karoo.co.uk

Client: Bio Waste Solutions Ltd

Title: Proposed Site Layout
Proposed Depacking Shed, Welfare
Unit and 2No. Storage Tanks at:
Bio Waste Solutions, Bonby Lane,
Bonby, Brigg, N. Lincs, DN20 0PJ

Scale	Drawn by	Drw no.	Date	Contract no.
1:500	SB	2	Nov16	16071