

SUMMARY OF APPLICATION			
Application Reference	B/21/0009		
Application Type	Full Planning Permission		
Proposal	Installation of a Glen Farrow GF210 Biomass Boiler		
Location	Pearson Packages Ltd, Benington Road, Butterwick, Boston, PE22 0EX		
Applicant	Mr Mike Powell, Glen Farrow		
Agent	Lee Ward, Hayward Architects Ltd		
Received Date:	11-Jan-2021	Consultation Expiry Date:	11-Feb-2021
Valid Date:	15-Jan-2021	Statutory Expiry Date:	12-Mar-2021
Date of Site Visit:	25-Feb-2021	Extension of Time Date:	---
Objections received?	Yes		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Cllr Peter Bedford	03.03.21	03.03.21	Yes
Cllr Judith Welbourn	03.03.21	05.03.21	Yes
Recommendation	GRANT Planning Permission		
Report by:	Simon Eldred		
Date:	8 th March 2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is part of the Pearson Packages Ltd premises and comprises an access road and part of an open yard. The application site is immediately bound by:

- dwellings to its south-west;
- agricultural land to its north; and
- commercial buildings in use by Pearson Packages Ltd. to all other sides.

The site is located on the western side of Benington Road, and at the edge of Butterwick village. The wider area is predominantly residential, and outline planning permission (B/18/0328) is outstanding for the erection of up to 26 dwellings on land on the opposite side of Benington Road.

DETAILS OF PROPOSAL:

It is proposed to install a Glen Farrow GF210 biomass boiler within the yard, adjacent to its boundary with the neighbouring agricultural land. The boiler will measure 2.785m x 1.78m in plan, its main body will stand 2m in height, topped by a 7m high flue. The majority of the boiler



body will be in brushed stainless steel (with blue elements at its edges), and the flue will be in stainless steel.

RELEVANT HISTORY:

B/01/0390 – full planning permission was granted for a single storey extension to a storage building and replacement of a loading canopy.

B/14/0109 – full planning permission was granted for an extension to an existing timber store.

B/14/0344 – full planning permission was granted for the erection of a storage building and change of use of agricultural land to B1 (light industry).

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2011-2036** shows the application site as: being within Butterwick's Settlement Boundary; and part of Established Employment Site BU002. Two areas of land on the opposite side of Benington Road are identified as Housing Allocations But004 and But020 where 21 and 23 dwellings respectively are expected to be built during the Plan period. The relevant Policies of the Local Plan are:

- Policy 2: Development Management;
- Policy 3: Design of New Development;
- Policy 7: Improving South East Lincolnshire's Employment Land Portfolio; and
- Policy 30: Pollution.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2019)

At the heart of the 2019 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision-making;
- Section 6: Building a stronger, competitive economy;
- Section 12: Achieving well-designed places; and
- Section 15: Conserving and enhancing the natural environment.

CONSULTATION RESPONSES:

Witham Fourth District Internal Drainage Board indicates that the Board's consent is required to discharge surface or treated water to a watercourse (open or piped) and asks to be contacted if there is any change to the surface water or treated water disposal arrangements as stated in the application.

Boston Borough Council's Environmental Health (EH) Department responded:

- Fuel - *"the proposal states that the boiler will be fuelled with clean dry logs and cereal crop straw from site activities. The applicant should be advised that boilers fuelled by virgin biomass do not require a permit under the Environmental Permitting (England & Wales) Regulations 2016, Schedule 1 – Section 5.1B. However, where any waste or treated wood is used as a fuel source, they may be required to apply to the Local Authority for a permit"*;
- Noise – initially EH noted that the Mitigation Statement indicates that the boiler burner fan can produce up to 93dB(A) sound pressure and that this will be mitigated by a cover and

its floor facing location. However, they asked that (given that no details were provided of sound levels with these mitigation measures in place) a noise assessment should be carried out to ensure that there will be loss of amenity to surrounding residential properties. Following the receipt of additional information (which did not provide reliable noise data) EH suggested that the following condition be attached *“Noise from the biomass boiler at the development shall not exceed a ‘rating level’ of LAeq(15min) 40dB as defined by BS 4142:2014 when measured 3.5m from the façade of any residential property. Sound level measurements shall be undertaken in accordance with the main procedural requirements of BS445:2003, parts 1-3.”*; and

- Air pollution – *“combustion of wood creates particulate matter, nitrogen dioxide, and other emission as is the case with many combustion processes including that of vehicle engines. In fact the vast majority of the UK’s problems with areas of poor air quality are associated with vehicular traffic. Government is currently looking the issue of domestic wood fired appliances following their proliferation over the last decade particularly because, in areas of already poor air quality, usually associated with traffic, they can cause increases in pollution and be a contributor to breaches of national air quality standards. These issues occur predominantly in our cities and larger towns. In terms of this application, the site is in a rural location where air quality is good. The applicant has carried out an emissions assessment that uses DEFRA emissions screening tool to show that with the stack height proposed that there is no risk of national air quality standards being breached locally.”*

THIRD PARTY REPRESENTATIONS RECEIVED:

The owner of land on the opposite side of Benington Road (on which outline planning permission (B/18/0328) is outstanding for the erection of up to 26 dwellings) objects on the basis that the proposed boiler will cause air pollution for existing and future nearby residents.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations in regards to this application are: matters of principle; impacts on the character and appearance of the area; and impacts upon neighbours’ amenity.

Principle

Policy 1 of the Local Plan identifies that, within Butterwick’s Settlement Boundary, development will be permitted that supports its role as a service centre for the settlement itself, helps sustain existing facilities, or helps meet the service needs of other local communities. It is considered that the proposal meets these requirements of Policy 1.

Policy 7 of the Local Plan indicates that Established Employment Sites *“perform an important role in the local economy and will be protected for new B1, B2 or B8 development and/or redevelopment in Class B1, B2 or B8, provided the proposed development is of a scale that respects the character of the area and/or neighbouring land uses. Any non-B development will only be supported where the applicant can show that it is ancillary to the effective functioning of the Established Employment Site.”* It is considered that the proposal meets these requirements of Policy 7.

Character of the area

Policy 2 of the Local Plan indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area.

The boiler's proposed location will be visible from the north and east (from Benington Road). However:

- it is relatively small in size and discrete in its colour and materials;
- it will be seen in the context of existing large commercial buildings to the north, south and west, and an electricity sub-station to the south; and
- it is located within an Established Employment Site.

Consequently, it is considered that the proposed boiler will not appear incongruous or out-of-character.

The boiler's fan will generate noise and its flue will emit gases, smoke, etc. However, it is considered that, given the views of the Borough Council's Environmental Health Department (and subject to the condition suggested), these issues will not adversely impact upon the character or appearance of the area.

In all therefore it is considered that the proposal will not harm the character or appearance of the area and will meet these requirements of Policy 2.

Neighbours' amenity

Policies 2, 3 and 30 of the Local Plan require the amenity of neighbouring land users to be protected, and an objection has been received on the basis that the proposed boiler will cause air pollution to the detriment of existing and future nearby residents.

The closest existing dwellings are Magnolia Lodge (more than 100m to the east), and 11 and 11a Benington Road (approximately 100m to the south-east, and separated from the proposed boiler by existing commercial buildings). Planning permission (B/18/0328) is outstanding for the erection of up to 26 dwellings on land on the opposite side of Benington Road (approximately 100m distant).

The boiler's fan will generate noise and its flue will emit smoke, gases, etc.. However, it is considered that, given the views of the Borough Council's Environmental Health Department (and subject to the condition suggested), these issues will not adversely impact upon the amenity of nearby dwellings to sustain a refusal of the application.

In all therefore it is considered that the proposal: will not harm the amenity of neighbouring land users; and will meet these requirements of Policies 2, 3 and 30.

CONCLUSION:

The proposal:

- will have no unacceptably adverse impacts on the character and appearance of the area;
- will have no unacceptably adverse impacts on neighbours' amenity; and
- meets the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036.

RECOMMENDATION:

GRANT Planning Permission subject to the following conditions and reasons:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1.	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>The development hereby permitted shall be carried out in strict accordance with the application received 11-Jan-2021 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> ▪ Drawing Number 01 – Site Plan; and ▪ Drawing Number 02 – GF210 Boiler. <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3, 7 and 30 of the South East Lincolnshire Local Plan 2011-2036.</p>
3.	<p>Noise from the biomass boiler hereby permitted shall not exceed a 'rating level' of LAeq(15min) 40dB as defined by BS 4142:2014 when measured 3.5m from the façade of any residential property. Sound level measurements shall be undertaken in accordance with the main procedural requirements of BS445:2003, parts 1-3.</p> <p>Reason: In the interest of residential amenity and to comply with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan 2011-2036.</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>
<p>The Witham Fourth District Internal Drainage Board states that:</p> <ul style="list-style-type: none"> ▪ the Board's consent is required to discharge surface water to a watercourse (open or piped); ▪ the Board's consent is required to discharge treated water to a watercourse (0open or piped; and ▪ if there is any change to the surface water or treated water disposal arrangements stated in the application, please contact the Board.

Boston Borough Council's Environmental Health Department states that "the proposal states that the boiler will be fuelled with clean dry logs and cereal crop straw from site activities. The applicant should be advised that boilers fuelled by virgin biomass do not require a permit under the Environmental Permitting (England & Wales) Regulations 2016, Schedule 1 – Section 5.1B. However, where any waste or treated wood is used as a fuel source, they may be required to apply to the Local Authority for a permit"