

Development Management Delegated Decision Report

B/22/0107



SUMMARY OF APPLICATION			
Application Reference		B/22/0107	
Application Type		Full Planning Permission	
Proposal		Installation of 2no biomass boilers (works already started/completed) in existing agricultural building and cladding of existing steel frame(some works already started/completed)	
Location		Lewis Farm, Fishmere End Road, Wigtoft, Boston, PE20 2PW	
Applicant		Mr Darren Rush, Greenscape Tree Safe Ltd	
Agent		Mr Andrew Clover, Andrew Clover Planning and Design Ltd	
Received Date:		Consultation Expiry Date:	
14-Mar-2022		05-May-2022	
Valid Date:		Statutory Expiry Date:	
25-Mar-2022		20-May-2022	
Date of Site Visit:		Extension of Time Date:	
07-Apr-2022		16-Jun-2022	
Objections received?		N/A	
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation		GRANT Planning Permission	
Report by:		Emma Dennis	
Date:		14 th April 2022	

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site consists of a section of land located on the southern side of Fishmere End Road which is within the countryside in the parish of Wigtoft. The site is partially shielded by established boundary hedge and trees.

The main dwelling is located at the front of the site with a gravel driveway leading to the rear of the site. There is also a dwelling located behind the main dwelling that shares the access and driveway. The site also contains other buildings for use within the applicants business which operates from the site.

DETAILS OF PROPOSAL:

It is proposed to clad an existing steel frame to provide a secure storage building, the frame has been in place for many years. This application also includes the retention of two biomass boilers and the associated flues.



The steel framed storage building measures approximately 11m by 7.8m with an overall height of 5.9m. It is proposed to clad this building in anthracite grey metal profile sheets at high level with blockwork below for added robustness and security. Immediately south of the storage building is a slightly smaller building which houses the two biomass boilers, this building measures 10.5m by 6.3m with an overall height of 4.4m. The biomass boilers are made by Glen Farrow, one is 175 kw and the other is 210 kw. The fuel used is virgin timber which is generated through the tree surgery business which operates from the site.

RELEVANT HISTORY:

B/16/0122 Change of use from agriculture to agriculture and arboriculture (Sui Generis) plus erection of lean-to extension to existing building.
Granted – 21/06/2016

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2011-2036)

The following policies contained within the South East Lincolnshire Local Plan (2011-2036) (i.e. SELLP) are relevant to this application:

- Policy 2: Development Management;
- Policy 3: Design of New Development;
- Policy 4: Approach to Flood Risk; and
- Policy 30: Pollution

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2021)

At the heart of the 2021 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;
- Section 14: Meeting the challenge of climate change, flooding and coastal change; and
- Section 15: Conserving and enhancing the natural environment.

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

Wigtoft Parish Council have no comments to make.

Environmental Health have no objections as the two biomass boilers will be fuelled by virgin timber which removes the need to apply for a permit under the Environmental Permitting (England & Wales) Regulations 2016, Schedule 1 - Section 5.1B.

Lincolnshire County Council (Local Highway and Lead Local Flood Authority) has concluded that as the access and parking arrangements remain unchanged it is considered that the proposals would not result in an unacceptable impact on highway safety, therefore the proposed development is acceptable and accordingly, does not wish to object to this planning application.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

The key planning issues in the determination of this application are:

- Principle of development
- Design of the proposal and impact on the character of the area
- Impact on residential amenity
- Flood risk and drainage

Principle of development

Policy 1 of the SELLP states that countryside development will be permitted where it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs the area in terms of economic, community or environmental benefits. The development is for two biomass boilers and the refurbishment of an existing agricultural business. As such, the principle of development is deemed acceptable subject to the other relevant policy considerations being met.

Design of the proposal and impact on the character and appearance of the area

Policy 2 of the SELLP indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area. Policy 3 states that all developments must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area.

The proposed development is set 80m into the site and is set within close proximity of the other large buildings on the site. The main structure has already been erected and is already visible from both directions on Fishmere End Road. However, due to the existing high hedgerow surrounding the site only the top section of the roof of the larger of the two buildings and the two boiler flues are visible above the boundary hedge. It is proposed to use materials which are common in rural areas and will match the existing buildings on the site.

To conclude it is considered that this proposal is in accordance with SELLP policies 2 and 3.

Impact on residential amenity

Policies 2, 3 and 30 of the SELLP seek to ensure that a new development does not significantly impact neighbouring land uses by reason of noise, odour, disturbance or visual intrusion.

Paragraph 130 of the NPPF (2021) seeks, amongst other things, to create places that are safe, inclusive and accessible. Furthermore, it advocates the promotion of health and well-being, with a high standard of amenity for existing and future users. Crime and disorder, and the fear of crime, should not undermine the quality of life or community cohesion and resilience.

The closest neighbouring property is No.1 Fishmere End Road which is nearly 170m away from the storage buildings and Biomass boilers. With the existing established hedgerow which surrounds the application site and taking into account the distance to the nearest residential property, it is not considered that the continued use of the biomass boilers would lead to a significant increase in the level of background noise in the area.

In regard of fumes and odour, it is noted the fuel for the proposed biomass boiler is virgin timber which is generated through the applicant's tree surgery business, which operates from the site. Therefore, the proposal will not require a Part B Environmental Permit under the Environmental Permitting Regulations as this type of fuel will cause unacceptable emissions into the air.

No objections have been received from neighbouring properties as a result of the erected site notice. In respect of the impact on the occupiers of nearby dwellings, the proposal is considered to accord with SELLP Policies 2 and 3.

Flood risk and drainage

Policy 4 of the SELLP seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. The application is accompanied by a flood risk assess which states:

- The previous section has identified the sources of flooding which could potentially pose a risk to the site and the proposed lodges. This section of the FRA sets out the mitigation measures which are to be incorporated within the proposed development to address and reduce the risk of flooding to within acceptable levels.
- Due to the design of the pods the floor level is 500mm above the ground. As a result of the raised floor and the fact that the site is not shown to be affected during a breach in the tidal defences, there is no need to restrict the period of use.
- As the surrounding land could be affected during a breach it is recommended that a Flood Warning and Evacuation Plan (FWEP) is operated by the site owner and a summary version given to all visitors staying on the site. A copy of the suggested FWEP is included as part of the application. The objective of a FWEP is to provide a means by which those working and staying at the site shall be made aware of the flood hazard, and to identify any procedures that will enable them to avoid being directly exposed to the hazard in any future flood events that may affect the site.
- The site should also be registered with the Environment Agency flood warning service; further details are available at <https://www.gov.uk/sign-up-for-flood-warnings>. The owner of the site will be responsible for issuing warning and evacuation instructions following any flood warning from the Environment Agency.

It is considered that the proposals meet the requirements of SELLP Policy 4.

CONCLUSION:

To conclude this proposal is considered to be an acceptable form of development that accords with Policies 2, 3, 4 and 30 of the South East Lincolnshire Local Plan (2011-2036) and sections 4, 6, 12, 14 and 15 of the NPPF (2021).

RECOMMENDATION:

GRANT Full Planning Permission subject to the following condition(s) and reason:-

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 not be carried out except in complete accordance with the following details shown on the submitted plan(s):</p> <ul style="list-style-type: none"> ▪ 17422-01 Site Location Plan ▪ 17422-02 Existing & Proposed Block Plan ▪ 17422-04 Proposed Building Plans & Elevations <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2, 3, 4 and 30 of the South East Lincolnshire Local Plan (2011-2036), and guidance contained in the National Planning Policy Framework (2021).</p>
3	<p>The development hereby approved shall be undertaken in accordance with the submitted Flood Risk Assessment, received March 2022 by Andrew Clover Planning and Design Ltd, including proposed mitigation measures. The measures shall be implemented and retained thereafter.</p> <p>Reason: In the interests of safety and in accordance with Policy 4 of the South East Lincolnshire Local Plan (2011-2036).</p>

<p>INFORMATIVES / NOTES</p> <p>TO BE INCLUDED ON/WITH DECISION NOTICE</p> <p>1. Should the type of fuel used change in the future the operator of the boilers must contact the Local Authority to discuss whether a permit will be required.</p>
<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 2021 in order to seek to secure sustainable</p>

development that improves the economic, social and environmental conditions of the Borough.