

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-0181-20 **Applicant:** Mr M Powell
Proposal: Installation of 400KW Heizomat automatic wood chip boiler
Location: Woodgate Farms Woodgate Road Moulton Chapel
Terminal Date: 21st April 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 3, 4, 6, 8, 12, 14 and 15

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

SHDC INTERNAL	0	0	0	1
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CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for the installation of a 400KW Heizomat automatic wood chip boiler within an existing farm building.

Existing plant/equipment is presently situated within the easternmost section of the building.

Site Description

The metal clad building is part of a farm yard located towards the southern end of Woodgate Road. It is currently occupied by farm buildings, plus a dwelling.

History

H13-0251-11 - Agr Det - Proposed general storage agricultural building - Approved 21 April 2011.

H13-0261-11 - Full - Installation of solar PV panels to roof of barn - Approved 1 June 2011.

Consultation Responses

LCC Highways/SUDS

Does not wish to restrict the grant of permission.

SHDC Environmental Protection

The applicant should be advised to contact the Environmental Protection Team at SHDC to establish if the biomass boiler requires a Permit to operate under the Environmental Permitting Regime.

South Holland Internal Drainage Board

Note that the applicant has indicated that they intend to dispose of surface water via infiltration, however I cannot see that the viability of the proposed drainage strategy has been evidenced. This proposed strategy should be supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater.

LCC Archaeology

No archaeological impact.

Planning Considerations

The main issues are:

- Policy/principle;
- Character/appearance;
- Amenity/pollution;
- Other material considerations such as highway issues, drainage and flood risk.

Policy/principle

Policy 1 of the South East Lincolnshire Local Plan, 2019 indicates that new development will be

permitted in the countryside where it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Explanatory text indicates that there are certain types of use that need to function in the countryside, such as agriculture and forestry.

The National Planning Policy Framework, 2019 promotes sustainable economic growth. Paragraph 83 specifically indicates that planning policies and decisions should support the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well designed new buildings.

The wood chip boiler would be used in conjunction with the existing farm and a sustainable material would be used. In accordance with the above policy and advice, therefore, no objections are raised in principle to the proposal.

Character/appearance

The wood chip boiler would be installed within an existing building. Other than an external flue, it would not be readily open to public view. It would not materially harm the character/appearance of the countryside.

The proposal is in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

Amenity/pollution

Other than the dwelling adjacent the farmyard to the west that is associated with the farm, the nearest residential property is situated some 270 metres to the north. The prevailing wind is south westerly and open land is situated to the east and south. The wood chip boiler would be used in conjunction with the existing farm. The application indicates that the fuel used would be wood chip (not other materials such as waste plant matter, for example).

The application is accompanied by emissions details. Wood chip boilers such as that proposed are equipped with filtering capability to ensure that they comply with separate environmental legislation/regulations, including the Clean Air Act, 1993. Moreover, appropriate environmental permits would also be required from Environmental Protection and/or the Environment Agency depending on the net thermal output. Environmental Protection has been consulted and has raised no objections. Based on this advice, it is considered that the amenity of nearby residents would not be materially harmed in terms of noise/disturbance, pollution, etc, subject to safeguarding conditions, including details of disposal of waste/ash.

The proposal is in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 in this respect.

Highway issues

With wood chip boilers such as this the fuel is normally delivered either by tractor and trailer or by HGVs. Ample space is available for parking and unloading, etc. The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds.

The proposal is in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 in this respect.

Drainage

The proposed wood chip boiler would be installed within an existing building. Drainage would therefore remain the same as present.

Flood Risk

The site is within Flood Zone 2 on the Environment Agency Flood Maps. However, it is within an area of no risk within the SHDC Strategic Flood Risk Assessment. The proposal is not a more vulnerable use and satisfies the sequential test.

The proposal satisfies Policy 4 of the South East Lincolnshire Local Plan, 2019 in terms of flood

risk.

Conclusion

The proposal satisfactorily complies with Policies 1, 2, 3, 4, 30 and 36 of the South East Lincolnshire Local Plan, 2019.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.