

DELEGATED ASSESSMENT

Application no: PA/2025/704

Proposal: Planning permission to erect an agricultural building to house a biomass boiler and erect an agricultural machinery shed

Location: Walk House Farm, Roxby, Scunthorpe, DN15 9RE

Applicant: Mr Herring

Officer: Deborah Oikeh

POLICIES

National Planning Policy Framework:

Section 2, 4, 6, 11, 12, 14 and 15.

North Lincolnshire Local Plan:

DS1, DS11, DS21, RD2, RD14, HE9, T2, T19

North Lincolnshire Core Strategy:

Policy CS1, CS2, CS3, CS5, CS6, CS17, CS18, CS19

CONSULTATIONS

Highways have no comments or objections to make on this application.

Ecology: There appears to be discrepancy between the location plan and the red-line boundary

Historic Environment Records officer: The application site lies within an area where archaeological remains of Roman date can be anticipated close to Roman Ermine Street and the site of a probable Roman villa. A written Scheme of Investigation is therefore required

Environmental Protection: he proposed development includes a 199kW CN Energy biomass boiler and associated chimney. Biomass boilers have the potential to emit pollutants such as PM10 and NO2, which contribute to air pollution and may impact upon local sensitive receptors. The applicant has failed to provide satisfactory information in relation to the biomass boiler and whether the stack serving the biomass boiler is of sufficient height to allow for adequate dispersion.

Anglian Water: informative comments provided

Drainage: the proposal lacks drainage strategy and is contrary to policy CS18 and CS19. Without any consideration or inclusion of drainage information and strategy, the LLFA is unable to properly assess the development and as such cannot provide support.

PUBLICITY

Advertised by press and site notice and site notice– no comments have been received.

CONSTRAINTS

- Outside Development Boundary
- SFRA Flood Zone 1
- Historic Consultation Area

PLANNING HISTORY

PA/2025/314: Application to determine if prior approval is required for a proposed Agricultural machinery building – prior approval required

ASSESSMENT

Description of site and proposal

Planning permission is sought to construct a general-purpose agricultural building to house a biomass boiler and associated equipment and a second agricultural building for the storage of agricultural machinery. The proposed biomass boiler is a CN Energy 199kW unit, that uses wood chip as a fuel source. The boiler's output exceeds the 45kW thermal capacity threshold allowed under permitted development rights hence the need for a full planning application.

The site forms part of an established working farm holding. The site is set in the open countryside with walk house cottage farmhouse to the southeast, Highfield farm cottages to the southwest and west house cottage to the north. The site is accessed via the existing farm entrance off the B1207 with no new access points proposed

The following are material consideration in the assessment of this application:

- The principle of the development
- Layout, Siting and Design
- Impact amenity
- Biodiversity
- Impact on Highways
- Impact on Drainage

Principle of the development

Paragraph 2 of the National Planning Policy Framework (NPPF) requires that applications for planning permission must be determined in accordance with the

development plan unless material considerations indicate otherwise. The NPPF must be considered in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

Policy CS2 (Delivering More Sustainable Development) states that any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place. This might include uses such as that related to agriculture, forestry or other uses which require a countryside location, or which will contribute to the sustainable development of the tourist industry.

Policies CS5 and CS6 are concerned with the design concept and approach taken to assess proposals that may impact archaeological and heritage assets.

Policy RD2 strictly controls development within the open countryside and identifies the specific types of development that are acceptable in these locations. These may include:

- Development is essential to the efficient operation of agriculture or forestry.
- Employment-related development appropriate to the open countryside.
- Re-use and adaptation of existing rural buildings.
- Diversification of an established agricultural business

The approval of the above-mentioned developments is then subject to the criteria that the open countryside is the only appropriate location, the development cannot be accommodated within defined development boundaries, the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design, and use of materials. Furthermore, the development is sited to make the best use of existing and new landscaping.

The principle of an agricultural building in the countryside is acceptable in the context of Local Plan policy RD2:

- if it would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design, and use of materials.
- the development would not be detrimental to residential amenity or highway safety
- If the development is sited to make the best use of existing and new landscaping.
- the proposed development accords with the specific requirements set out in the relevant policies of this chapter and elsewhere in this Local Plan

Policy RD14 states that new agricultural buildings should be sited in close proximity to existing buildings and designed to utilise existing landforms and vegetation to minimise visual impact. Particular care must also be taken where new agricultural and forestry buildings might affect special landscape areas.

Policy CS18 is also relevant to the determination of this application in that it supports proposals that encourages sustainable resource use and promotes climate change. However, the policy does require that the overall scheme of the development should protect people and the environment from unsafe unhealthy and polluted environments, by protecting and improving the quality of the air, land and water.

In this case, the new agricultural buildings are required to support the operational needs of the existing agricultural enterprise and would be sited near existing farm building on the application site and residential farmhouses in the area. In principle, the proposal for new agricultural buildings is acceptable provided that the development complies with relevant policies in the CS and LP such as policies relating to the character and residential amenity of the adjoining sites.

Location, Siting and Design

Policy DS1 (General Requirements) support a high standard of design in all developments in both built-up areas and the countryside and proposals for poorly designed development will be refused.

Policy CS5 (Delivering Quality Design in North Lincolnshire) require that all new developments in North Lincolnshire should be well-designed and appropriate for their context. A design that is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.

Policy LC7 requires special attention to be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not respect the character of the local landscape will not be permitted.

Policy RD2 sets out that new development in the countryside should not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design, or materials.

Policy RD14 sets out that new agricultural buildings should be sited near existing buildings and designed to use existing landforms and vegetation to minimise visual impact.

SPG3 (Design in the Countryside) of the North Lincolnshire Local Plan also offers specific guidance for development proposals located within the open countryside. The guidance advises that new agricultural buildings should be grouped with existing buildings where possible and that multiple smaller buildings often have a lesser impact on the landscape than single large buildings.

In terms of siting, the site is located outside the development boundary as defined by the Housing and Employment Land Allocations Development Plan Document, accordingly, the site is within the open countryside.

The proposals are for an agricultural shed and a biomass boiler. The agricultural shed has a dimension approximately 18m x 12m x 6m to be sited. The proposed shed is

adjacent to existing agricultural buildings on the farmstead albeit next to the public road while the biomass boiler house is to the rear of the proposed shed. The agricultural shed would therefore not sit in an isolated position. Although, the existing landscaping will not restrict views of the building from the public realm being adjacent to the public highway. Nonetheless, the orientation of the proposed shed, and the colour of the materials (juniper green) for the shed will camouflage it and minimise impact on the character of the area.

Impact on amenity

Policy DS1 (General Requirements), DS11 (Polluting Activities), DS21 (Renewable Energy) and Policy CS5 (Delivering Quality Design in North Lincolnshire) require that all development in both built-up areas and the countryside be considered against amenity impact. Policy DS1 requires that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust, or other nuisance, or through the effects of overlooking or overshadowing.

Policies DS11 and DS21 relate more the proposed biomass generation. Policy DS11 states that Planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas. Proposals for the generation of energy from renewable resources will be permitted provided that any detrimental effect on features and interests of acknowledged importance, including local character and amenity, is outweighed by environmental benefits.

The agricultural shed will have limited impact on the amenity of the area in terms of overlooking, overshadowing and overbearing given that it would be within the farmstead. Biomass boilers have the potential to emit pollutants such as PM₁₀ and NO₂, which contribute to air pollution and may impact upon local sensitive receptors. In this case, the closest receptors likely to be impacted by pollutants are residents of Walk House Cottage, Highfield farm cottages, Walk House and the workers on the application site. The information has been requested from the planning consultant on several occasion with multiple extension of time agreed to provide the information. However, the information has not been provided, and the proposal must be determined to minimise impact on planning service.

The applicant has failed to provide satisfactory information and plans in relation to the proposed stack height to allow the LPA to determine if the adequate dispersion of air pollutants will be possible and the likely potential or impact of release of pollutant from the biomass on surrounding receptors. The proposal is therefore contrary to policies DS1, DS11, DS21 of the Local Plan.

Highway safety

Policy T2 is concerned with access to development and states that all development should be served by satisfactory access. Policy T19 is concerned with parking provisions. The highway department has reviewed the proposal and has no objections to make on this application subject to conditions. Access into the site is via B1207 Road (Park Street) and this access will still be retained. No concerns have been raised following consultation with the highway department of the council. The proposal therefore complies with policy T2 and T19.

Drainage

Drainage Policy CS19 (Flood Risk) of the Core Strategy is concerned with flood risk and policy DS14 (Foul Sewage and Surface Water Drainage) is concerned with foul sewage and surface water drainage. The application site is within EA's and SFRA Flood Zone 1. The proposal to erect an agricultural shed and biomass building has not been supported by any drainage scheme or information which would be required. Whilst the immediate site is not at risk of surface water flooding, the adjoining sites are as shown on the EA's flood map, and this has to be taken into consideration in the drainage strategy to avoid risk of flooding to neighbouring sites. The applicant has been informed of the need for a drainage strategy or plan however, the information has not been provided. The LLFA Drainage Team following consultation are unable to provide supportive comments or assess the proposal's impact in terms of drainage due to lack of supportive information. The proposal is therefore contrary to policies CS19, CS18, DS14, DS16 and paragraph 181-182 of the NPPF.

Archaeology

The application site lies within an area where archaeological remains of Roman date can be anticipated close to Roman Ermine Street and the site of a probable Roman villa. Therefore, policies HE9 and CS6 apply.

A programme of archaeological monitoring and recording would be required to be undertaken during all groundwork to offset the harm to any archaeological remains that may be disturbed or destroyed by construction of the proposed agricultural buildings. A Written Scheme of Investigation (WSI) detailing the archaeological work to be undertaken is also required prior to determination of the planning application. The applicant has been informed of the archaeological condition via email, the information has not been provided, and no pre-commencement has been agreed either. This requirement too can be dealt with by way of pre-commencement condition which the applicant needs to agree to.

Biodiversity

Policy CS17 relates to biodiversity. This policy is primarily about conserving and enhancing North Lincolnshire's wildlife and supporting a richness of biodiversity that will underpin the creation of sustainable neighbourhoods and green tourism. Policy LC5 relates to specie protection.

The proposal represents a small-scale development within the open countryside. Therefore, a minimum of 10% Biodiversity net gain applies. Biodiversity metric calculation and other relevant documentation have been assessed by the council's ecologists. However, there is discrepancies in the red-line boundary provided in the location plan and baseline BNG map and no post-development map has been provided. This query has been raised with the applicant but the revision or response to the query is yet to be received. Whilst no objection is raised, the LPA's ecologist is unable to complete an assessment of the biodiversity metric submitted.

Conclusion

On a balance, the principle of development is considered acceptable in that policies CS2, RD2 and RD14 support development for agricultural purposes. However, the proposal has not met all the requirements of the relevant policies guiding residential amenity and safe emission of polluting substance. The information submitted relating to the biomass and its operations is incomplete or inadequate. Several extensions of time have been agreed to enable the applicant to submit the required information. The information however has not been submitted, and a decision must be made to avoid adverse impact on service delivery. The proposal is therefore recommended for refusal.

RECOMMENDATION: Refuse