

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 8th May 2013

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APPLICATION REF. NO:	13/00103/FUL
STATUTORY DECISION DATE:	17/05/13
WARD/PARISH:	Heighington and Coniscliffe
LOCATION:	Twinsburn Farm, Heighington
DESCRIPTION:	Application for a building for the storage of wood chippings and wood pellets in association with the onward distribution of the material to a biomass plant.
APPLICANT:	Mr Edgar Shepherd

APPLICATION AND SITE DESCRIPTION

Members will recall that at the 10th April 2013 meeting of the Planning Committee they considered an application for a Certificate of Lawful Use for Twinsburn Farm, which is mentioned within the planning history section.

This application is a separate planning application which relates to the construction of a prefabricated building to store wood chippings and wood pellets.

Twinsburn Farm is located in open countryside some 350 metres to the south west of Heighington, although vehicular access is approximately one kilometre to the South. It has been in the applicant's family since 1960 when it was a poultry and dairy herd farming enterprise.

Since that time this farming activity has ceased (in 1985) and the applicant has diversified into collecting sawdust wood shavings for conversion into bedding for cattle, as well as industrial burning, compost and the particle board industry. This business has expanded over the years and is now the main activity on the farm. The more recent wood chippings/pellets collection business is a further diversification which is the subject of this planning application and does not form part of the Lawful Development Certificate application which was recently approved by Members.

Wood chippings, pellets and other wood waste, are collected from source locations throughout the UK in the applicant's own vehicles and stored at Twinsburn Farm and then redistributed again to the nearby Chilton Biomass Plant.

PLANNING HISTORY

03/00948/FUL	GWC	18.11.2003	EXTEND BUILDING TO PROVIDE TIPPING BAY AND ADDITIONAL STORAGE AND REMOVAL OF SILO.
78/00216/MISC	GWC	26.04.1978	TWINSBURN FARM, HEIGHINGTON. :- ERECTION OF AN AGRICULTURAL TOWER SILO OVER 20 METRES IN HEIGHT.
87/00630/MISC	W	07.01.1988	USE OF LAND FOR THE PARKING OF 12 TRAILERS, USE OF AGRICULTURAL BUILDING AS A SAWDUST PREPARATION BUILDING AND USE OF LAND FOR MATERIAL SORTING (TIMBER).
88/00138/MISC	R	01.06.1988	TWINSBURN FARM, HEIGHINGTON. :- C/U TO A MIXED USE FOR AGRICULTURE AND FOR THE SITING OF TWO WOOD MILLING MACHINES, THE PARKING OF THIRTY HGV'S TRAILERS, SEVEN HGV'S AND TWENTY SKIPS TOGETHER WITH ANCILLARY OFFICES.
88/00139/MISC	R	01.06.1988	TWINSBURN FARM, HEIGHINGTON. :- C/U FROM AGRICULTURAL USE TO A MIXED USE FOR AGRICULTURE AND FOR THE SITING OF TWO WOOD MILLING MACHINES, THE PARKING OF SEVEN HGV'S (FIVE WITH TRAILERS) AND FOUR SKIPS TOGETHER WITH ANCILLARY OFFICES).
89/00389/MISC	GWC	21.06.1989	ERECTION OF FIRST FLOOR EXTENSION COMPRISING KITCHEN, LIVING ROOM AND BEDROOM TO FORM A SELF CONTAINED DWELLING UNIT (AS AMENDED BY PLANS RECEIVED 21ST JUNE, 1989).
89/00582/MISC	R	13.09.1989	USE OF LAND FOR THE PARKING OF FIVE H.G.V.'S WITH TRAILERS.
93/00117/MISC	GWC	03.06.1994	RETENTION AND USE OF BUILDING FOR PROCESSING/RIDDLING AND BAGGING OF SAWDUST.
99/00524/FUL	GWC	18.11.1999	Erection of extensions to existing buildings to accommodate sawdust processing operations
07/00245/AG	GWC	05.04.2007	Agricultural Determination application for the erection of an agricultural storage building
11/00836/CU	GWC	24.02.2012	Change of use from agricultural storage building to HGV and vehicle service and repair workshop (Use Class Sui Generis) (Retrospective) (Amended description)
12/00162/FUL	WDN	14.11.2012	Erection of storage building (amended plans received 10 April 2012)

Members will be aware of the recently approved Certificate of Lawful Use for the *existing* operations taking place at Twinsburn Farm and which had no bearing on the consideration of the current application.

RESULTS OF CONSULTATION AND PUBLICITY

A site notice was posted and nearby residents consulted.

There have been 13 objections received to this application ,the following issues were raised:

- Activities should be carried out on the industrial estate nearby not in this rural location.
- Access to the site not suitable for large lorries.
- Airborne dust is a regular problem.
- Light pollution is a problem.
- Noise from the site causes a nuisance at all times – there are no restrictions on hours of working.
- Lorries are being loaded and unloaded outside the buildings
- There should be times limits imposed on hours of operation.
- Existing landscaping scheme is ineffective.
- Why is building needed if material is to be moved on?
- Proposal will increase HGVs on the site causing further disturbance in the locality.

Consultee responses are as follows:

Environment Agency – No objection

Highways Engineer – No objections to limited increase in overall HGV movements.

Planning Policy – No overall objections, however a number of criteria need to be met in terms of sustainability credentials of the proposals.

Rights of Way – Supports the removal of the outside storage material next to the footpath, but would want to see a substantial landscaping scheme to help screen the building from views from the footpath.

Environmental Health – Has raised concerns relating to potential noise, light pollution, operating times and landscaping/earth bunding. These issues have been addressed by the applicants and revised details and plans have been submitted which are considered acceptable.

PLANNING ISSUES

It is emphasised that the purpose of this particular application is not to consider what activities are currently lawful at Twinsburn Farm. The Certificate of Lawful Use determined by Members has already established this. The application for this building has been submitted to seek to avoid the external storage of wood chippings and wood pellets at the site which has been the subject of complaint, and lies outside of the terms of the Certificate of Lawful Use.

The main planning issues to be considered in this report given that the principal of this type of use at Twinsburn Farm is considered acceptable in policy terms, is the impact the operation will have on residents in the locality and the impact the new building will have on nearby residents and the environment in general.

The current planning application relates to the erection of a storage building of some 80 metres by 25 metres with a ridge height of 8.6 metres. The building is to be used as a temporary store for wood chippings/pellets and waste wood before onward transfer to a biomass plant.

It is proposed to locate it on the north eastern side of the existing buildings partially on existing hardstanding and partially on land currently used for mounding along the perimeter of the site. Access to the building will be via driveways that currently exist within the site.

The Operation – The wood chippings/pellets comprise a variety of waste wood products which are collected from around the country to be temporarily stored at Twinsburn Farm. This material is “ready chipped” before arrival – no processing of the material takes place at the application site.

It is intended to store the material in the proposed building, thus enabling the removal of unauthorised outside storage.

The stored material will be kept until required by the nearby Chilton Biomass Plant which tends to be at weekends when their stored weekday material from other sources has run out. The biomass plant only have 5 days of storage capacity. The material will then be reloaded onto lorries for onward distribution to Chilton with the usual supply being between 15 and 20 lorries a day. The hours of operation *for this process* is usually between 07:00 and 18:00. (Note that there are no restrictions on hours of operation for the other authorised activities taking place at Twinsburn Farm).

When considering the additional impact of this operation (in terms of additional lorry movements) on the locality, it is necessary to take into account the authorised operations that are already taking place at Twinsburn Farm.

The recently approved Certificate of Lawful Use clarified that the existing sawdust/shavings processing business could lawfully take place without any time or day restrictions. Potentially therefore the “fallback” position is one where lorry movements could take place on a continuous basis at any time.

The applicant is happy to accept time restrictions for the current application and officers consider that the marginal increase in lorry movements generated by this operation are not such as to cause loss of amenity to resident living in the locality, sufficient to warrant refusing planning permission.

The Building – It is clear that the proposed building is large. However this may be considered to be of benefit in terms of the overall impact of Twinsburn Farm on residents of Heighington who have a view of the site.

The nearest dwelling to the proposed building will be approximately 270 metres away, with the existing buildings being slightly more than this. The proposed building will have the effect of screening the existing buildings, both visually and from any noise pollution that may currently exist. The external colour of the proposed building will be a dark green less prominent than the existing grey buildings. Any dust extractor units that are found to be needed will be on the rear south west side of the building This would be considered as part of a separate application. In addition there are no north east facing roof lights to the scheme to avoid any potential for light pollution towards the nearby residents.

A particularly important element to the proposal, is a comprehensive landscaping and bunding scheme which is proposed along the whole of the north eastern boundary of the Twinsburn Farm site. Although this will take time to have tangible impact, it will eventually help reduce any visual impacts the new building will have. Officers are aware that previous landscaping schemes have not been successful and will endeavour to ensure any new schemes are monitored and maintained appropriately.

It is considered that the concerns raised by local residents, where they relate directly to the current proposal, have been addressed by the revised plans and details submitted with the planning application.

Bearing in mind what authorised uses can lawfully take place at Twinsburn Farm, the siting of the building, together with the associated landscaping, it is considered that any additional impacts of the overall proposal on local residents and the local environment in general will be limited.

Noise and light pollution impacts are considered to be limited and the visual impact, whilst significant within the site itself, will be likely to be neutral from more distant viewpoints due to its design and screening potential of other buildings on the site.

The Highway Engineer is satisfied that the limited additional traffic generated will not be so significant as to cause unacceptable impacts on the local environment and its residents, again bearing in mind the relatively unrestricted nature of the permitted operations and traffic movements at Twinsburn Farm.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

RECOMMENDATION

That permission be GRANTED with the following conditions :

1. A3 – Implementation time limit
2. B5 – Accordance with plans
3. This permission shall relate to the revised plans received by the Local Planning Authority on 25th April 2013.

REASON – For the avoidance of doubt.

4. The operations hereby approved by this permission shall not be carried out outside the hours of 07:00 to 18:00 Weekdays and 08:00 to 18:00 Saturdays and Sundays.

REASON – In the interests of the amenities of local residents.

5. E3 – Landscaping.

6. There shall be no outside storage of wood chippings/pellets, wood waste or any other product associated with the operations hereby approved.

REASON - In the interests of the amenities of local residents

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

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