

Allerdale Borough Council
Planning Application FUL/2020/0022

Development Panel Report

Reference Number: FUL/2020/0022
Valid Date: 04/02/2020
Location: Pow Motey Farm Adjacent to Langrigg Hall, Langrigg Wigton
Applicant: Mr Edwin Gate
Change of use of building for storage of woodchip fuel for boilers associated with farm.

RECOMMENDATION

Grant permission subject to a condition

1. Summary

<u>Issue</u>	<u>Conclusion</u>
Principle of Development	The use of the building supports renewable methods, with no impact on the wider community.

2. Introduction

2.1 This application relates to the same site as application FUL/2019/0251 which is also on the agenda for this meeting of the Development Panel.

3. Proposal

3.1 This application seeks retrospective consent for the change of use from an agricultural building to storage to house woodchip which is used to fuel the boilers associated with the farm.

3.2 The Plans for consideration are:-

Location Plan
Block Plan

The particulars are available to view via the following link:-

<https://planning.allerdale.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=223850>

4. Site

- 4.1 The application site is an existing building within an operational farmstead lying in the village of Langrigg. The farmhouse is a Grade II Listed Building set back from the highway within extensive grounds and enclosed by a sandstone wall. Existing modern farm buildings lie to the northeast and extend forward to the southeast of the farmhouse.
- 4.2 There is an intensive livestock unit (ILU) operating from modern farm buildings to the northern part of the farm complex. There are a range of modern agricultural buildings southeast of the farmhouse with the buildings in question lying to the south of the site, the Listed Building to the northwest and dwellings in the village to the southeast, south and west.

5. Relevant Planning History

- 5.1 2/2018/0097 Change of use of farm buildings to biomass CHP unit with associated chimneys (flues) (retrospective) – Refused.

<https://planning.allerdale.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=179854>

- 5.2 ENF/2019/00001 – Enforcement Notice served for the unauthorised use of the building for the carrying out of operations associated with the commercial processing activities relating to the CHP Unit and Biomass Units, and the erection of the 3 external flues situated upon the building. – Notice Withdrawn.
- 5.3 FUL/2019/0251 Retrospective application for change of use of farm buildings to house 1 x CHP and 1 x RHI unit and erection of associated chimneys (flues) (increase in height of 2 no. chimneys). Heat 2 x properties not in association with the farm and heat used to dry paper for animal bedding (approx. 10% removed) – pending.

<https://planning.allerdale.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=218490>

6. Representations

Bromfield Parish Council

- 6.1 Objection. As Bromfield Parish Council strongly object to FUL/2019/0251 and these applications go hand in hand there will be no reason for this application when FUL/2019/0251 is refused.

Cumbria County Highways/Lead Local Flood Authority

- 6.2 Taking into account the existing use of the property, it is considered that the proposal will be unlikely to have a material effect on highway conditions. Therefore confirm that the Highway Authority has no objection to the proposal.
- 6.3 The LLFA surface water map show flooding to the area and indicate 0.1% (1 in 1000) chance of occurring each year. No objection

ABC Environmental Health

- 6.4 No objections and no comment to make.

Fire Authority

- 6.5 No objections.

Other representations

- 6.6 The application has been advertised by site notice and neighbour letter. No representations have been received to date.

7. Environmental Impact Assessment

- 7.1 With regards to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the development does not fall within Schedule 1 nor 2 and, as such, is not EIA development.

8. Duties

- 8.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Local Planning Authority shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

9. Development Plan Policies

Allerdale Local Plan (Part 1) 2014

9.1 The following policies are considered relevant:-

Policy S1 Presumption in Favour of Development
Policy S2 Sustainable Development
Policy S19 Renewable Energy and Low Carbon Technologies
Policy S22 Transport principles
Policy S27 Heritage Assets
Policy S32 Safeguarding amenity
Policy S36 Air, Water and Soil Quality

These policies can be viewed at:-

<https://www.allerdale.gov.uk/en/planning-building-control/planning-policy/local-plan-part-1/>

Allerdale Borough Local Plan (Part 2) 2020

9.2 There are no relevant policies.

10. Other material considerations

National Planning Policy Framework (NPPF) (2021)

10.1 The NPPF is available to view at:-

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Allerdale Borough Council Strategy 2020-2030

10.2 A Cleaner Greener Allerdale - We recognise the significant climate issues facing us all at present and as a council we have the power to change the way we operate to reduce our carbon emissions and improve biodiversity, as well as influencing local activities and behaviours through our policies.

11. Policy weighting

11.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Borough Local Plan Part 1 (2014) and Part 2 (2020) have primacy.

11.2 For this application, at this juncture, there are no material considerations applicable that would result in a decision being made contrary to the development plan.

12. Assessment:

- 12.1 The use of the building ancillary to the boilers supports renewable development as per Policy S19 of the Allerdale Local Plan which advises that the Council will take a positive view if proposals do not have an unacceptably adverse impact on the amenity of local residents.
- 12.2 Part 6 of the amended Town and Country Planning (General Permitted Development) (England) Order 2015 relates to “agricultural and forestry”. Whilst these regulations would normally allow an existing building on a farmstead to be used to store fuel to serve biomass boilers, this is not the case on this occasion due to the proposed building being located within 400m of a dwelling not associated with the farm.
- 12.3 The use involves no external alterations to the existing building, the application purely seeks the change of use of the building so that, alongside the existing agricultural use, the building can also be used for storage and drying of the woodchips. The building is attached to the buildings which house the biomass boilers and therefore provides for an efficient flow of operations that would not interfere within any other existing operations on the farm.
- 12.4 The building is covered to prevent the re-wetting of the chip but there is also natural ventilation and air flow to permit the drying. The storage and drying do not produce any odours giving rise to unacceptable residential amenity impacts. There are also no other amenity implications with this use.
- 12.5 Given the internal storage proposed in an existing building, there is no landscape, visual amenity or heritage impact associated with the use. The setting of the listed farmhouse will be preserved.
- 12.6 Having regard to S70 (2) of the Town and Country Planning Act the proposal will not result in any material, local financial implications.

13.0 Balance and Conclusions

- 1.1. The proposed use of the building to include the storage of fuel to serve the biomass boilers is considered acceptable and accords with development plan policies. It is acknowledged that it supports a renewable energy facility with no amenity, landscape or heritage impact.

RECOMMENDATION

Grant permission subject to a condition

Annex 1

CONDITIONS

In Accordance:

- 1. The development hereby permitted shall be carried out solely in accordance with the following plans:**

Site Plan
Block Plan

Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

