

At a meeting of the Development Panel held in Wigton Market Hall, CA7 9AA on Tuesday 14 September 2021 at 1.00 pm

Members

Councillor Tony Annison (Chair)
Councillor Carole Armstrong
Councillor Daniel Horsley
Councillor Antony McGuckin
Councillor Andrew Semple
Councillor Alan Tyson

Councillor Janet Farebrother (Vice-Chair)
Councillor Allan Daniels
Councillor George Kemp
Councillor Paul Scott
Councillor Alan Smith

Apologies for absence were received from Councillor Nicky Cockburn, Councillor Elaine Lynch and Councillor Ron Munby MBE

Staff Present

D Copeland, L Jardine, S Long, J Morgan and L Tomlinson

Also Present

R Swales (Noise Consultant), P Barnard (CCC Highways)

179. Declaration of Interests

None declared

180. Questions

None received

181. Development Panel - FUL/2019/0251 - Langrigg Hall, Wigton - Retrospective application for change of use of farm buildings to house 1x CHP and 1x RHI unit and erection of associated chimneys (increase in height of 2no chimneys) Heat 2x properties not in association with the farm and heat used to dry paper for animal bedding (approx 10% removed)

Representations

Richard Davison and Rae McGrath spoke against the application

A letter of objection was read out on behalf of Councillor Mike Johnson.

The agent, Rachel Lightfoot spoke in support of the application.

Application

The report recommended to grant permission subject to conditions.

The Senior Planning Officer advised members that the application was brought before members at the panel on the 06 July 2021. At this time the application

was deferred by members to enable planning officers to liaise with Cumbria County Council Highways to explore a number of options in relation to a Transport management Plan that could respond to members' concerns about highway impact (resulting from the comings and goings of HGVs associated with the proposal along the Langrigg Lanes).

The Senior Planning Officer then went through the main issues as detailed in the report.

Principle of Development

Policy S19 of the Local Plan (Part 1) seeks to promote and encourage the development of renewable and low carbon energy resources given the significant wider environmental, community and economic benefits. The proposal accords with these objectives.

Design/Visual Impact

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Amenity

The applicant has proposed several mitigation measures that will address the ongoing noise issues experienced from the boilers. These include wood chipping being undertaken off-site and the CHP plant only operating between day-time hours. With regards to air quality the applicant has been able to demonstrate that the proposal is acceptable in accordance with policies S2, S4 and S32 of the Allerdale Local Plan Part 1 2014. The proposal is acceptable but only with conditions in place to mitigate the impacts of the development to an acceptable level.

Heritage Impact

The flues will be viewed in the context of the farm buildings with the existing planting and that approved under an earlier application on the site offering a degree of screening from the Listed Building. It is considered that the significantly less than substantial harm to the setting of the listed building would be outweighed by the public benefits of the low carbon heat and power produced. In terms of impact on the heritage asset, officers consider the proposal to be acceptable and in accordance with Policy S27 of the Allerdale Local Plan Part 1 2014.

Highway Issues

It is considered the proposal will be unlikely to have a material effect on highway conditions.

Members were also shown plans and images of the site including the location within the Hamlet of Langrigg.

Members asked questions of the speakers in relation to environmental issues, timber delivery, paper bailing, traffic, fuel types, and community engagement.

Members also asked questions of officers in relation to smoke, paper, noise, working hours, conditions, and traffic management.

Debate ensued in relation to several topics including traffic, paper waste, condition enforcement and power generation.

Councillor Farebrother moved the motion to grant permission subject to conditions as set out in the officer's report, but with an amendment to condition 12, stating that the sale of dried paper is capped at 10%.

The motion was seconded by Councillor Scott.

Councillor McGuckin then moved an amendment to the motion to add an amendment to condition 12, which restricts the time of vehicle movements.

The amended motion was seconded by Councillor Farebrother

Councillor Scott and Councillor Farebrother as proposer and seconder of the original motion were agreeable to the amendment from Councillor McGuckin.

A vote was taken on the amended motion, 4 voted in favour, 7 voted against and 0 abstentions.

The motion was lost.

Councillor Tyson then moved the motion to refuse the application as insufficient evidence has been submitted to demonstrate that the imported fuel and waste products would not adversely impact the residential in the vicinity, in contrary to S1, S2, S19 and S32 of the Allerdale Local Plan Part 1, 2014.

The motion to refuse was seconded by Councillor Daniels.

Debate ensued in relation to the motion to refuse, some Councillors stating that the reasons for refusal were 'too specific' and about paper only, but others commented that the application constitutes to a 'power plant'.

A vote was taken on the motion, 3 voted in favour, 8 voted against and 0 abstentions.

The motion was lost.

Councillor Farebrother then moved the motion to approve the application as per the officers recommendation with the amendments to condition 12 to restrict vehicle movements and to, ensure that the sale of dried paper is capped at 10%. With an additional condition requesting that a scheme to outline the details and monitoring of the imported waste bedding material shall be submitted to and approved by the Council.

The motion was seconded by Councillor McGuckin

A vote was taken on the motion, 7 voted in favour, 2 against and 2 abstentions.

The motion was carried.

Resolution

Grant permission, subject to conditions as per officer's recommendations, with amendments to condition 12, to ensure the sale of dried paper is capped to 10% and to restrict vehicle movements. With an additional condition requesting that a scheme to outline the details and monitoring of the imported waste bedding material shall be submitted to and approved by the Council.

Conditions

In Accordance:

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

D.02 Site Plan

D.03 Location plan

D.01c Floor Plans & Elevations received 22.11.2019

Planning & Historic Statement received 22.07.2021

Noise Impact Assessment Revision L received 02.06.2021

Addendum to Noise Impact Assessment received 02.06.2021

Letter received 26.02.2020

On Site Processes Rev A received 22.07.2021

Location Plan – storage 18.02.2020

Ref 18-4275 Air Quality Assessment

Boiler Data Sheet received 09.03.2020

Boiler Reference 18.02.2020

Commissioning Certificates

D1 Stack Height Assessment

Biomass Boiler Information

Emissions Certificates

Email received 09/03/2020

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 and specifically to ensure there are not unacceptable impacts on residential amenity to accord with the provisions of the development plan and specifically policies S2 and S32 of the Allerdale Local Plan (Part 1) 2014.

- 2. The boilers shall not operate outside of the times 07:00hrs to 18:00hrs.**

Reason: In the interests of preserving the amenity of nearby residents, in compliance with National Planning Policy Framework and Policy S2, S4 and S32 of the Allerdale Local Plan (Part 1), 2014.

- 3. Neither boiler approved shall be used without the increase in the height of the associated flue as hereby approved and as detailed within the plans referred to in condition 1. The said flues shall be retained at this height whilst the boiler to which they serve is in use.**

Reason: In the interests of preserving the amenity of nearby residents, in compliance with National Planning Policy Framework and Policy S2, S4 and S32 of the Allerdale Local Plan (Part 1), 2014.

- 4. When the CHP Unit and the Biomass units are in operation the noise level emitted at the boundary of the nearest residential properties shall not exceed 5dB above background noise levels between the hours of 07.00hrs to 18.00hrs.**

Reason: In the interests of preserving the amenity of nearby residents, in compliance with National Planning Policy Framework and Policy S2, S4 and S32 of the Allerdale Local Plan (Part 1), 2014.

- 5. No wood chipping shall be carried out at any time within the farm (defined as the land within the blue line on the plan attached to this decision notice).**

Reason: In the interests of preserving the amenity (noise emissions) of nearby residents, in compliance with National Planning Policy Framework and Policy S2, S4 and S32 of the Allerdale Local Plan (Part 1), 2014.

- 6. All operations associated with the use hereby approved, including the drying of the woodchip, shall be undertaken in compliance with the submitted On Site Processes Rev A received 22 July 2021.**

Reason: In the interests of preserving the amenity of nearby residents, in compliance with National Planning Policy Framework and Policy S2, S4 and S32 of the Allerdale Local Plan (Part 1), 2014.

- 7. The biomass boiler shall be operated using wood chip only.**

Reason: Emissions from a biomass boiler depend greatly on the type and quality of the fuel used. Reasonable guarantees are therefore needed that the fuel is compatible with the boiler, is of a high quality and that quality will be assured for a reasonable period of time, in the interests of preserving the amenity of nearby residents, in compliance with National Planning Policy Framework and Policy S2, S4 and S32 of the Allerdale Local Plan (Part 1), 2014.

- 8. The moisture content of the wood chip shall be 30% or less and shall be tested on site using a moisture meter as well as monthly testing being undertaken of wood chip samples.**

Reason: Emissions from a biomass boiler depend greatly on the type and quality of the fuel used. Reasonable guarantees are therefore needed that the fuel is compatible with the boiler, is of a high quality and

that quality will be assured for a reasonable period of time, in the interests of preserving the amenity of nearby residents, in compliance with National Planning Policy Framework and Policy S2, S4 and S32 of the Allerdale Local Plan (Part 1), 2014.

9. Details of the monthly fuel sampling and fuel sampling process should be recorded at the site and made available at all times upon request of Allerdale Borough Council.

Reason: Emissions from a biomass boiler depend greatly on the type and quality of the fuel used. Reasonable guarantees are therefore needed that the fuel is compatible with the boiler, is of a high quality and that quality will be assured for a reasonable period of time in compliance with National Planning Policy Framework and Policy S2, S4 and S32 of the Allerdale Local Plan (Part 1), 2014.

10. All doors shall remain closed on the building which contains all plant and machinery associated with the CHP unit at all times when in operation.

Reason: In the interests of preserving the amenity of nearby residents, in compliance with National Planning Policy Framework and Policy S2, S4 and S32 of the Allerdale Local Plan (Part 1), 2014. 11 Any vehicles delivering wood chip to the site shall be covered at all times. Reason: In the interest of highway safety and to accord with policy S22 of the Allerdale Local Plan (Part 1), 2014.

11. Any vehicles delivering wood chip to the site shall be covered at all times.

Reason: In the interest of highway safety and to accord with policy S22 of the Allerdale Local Plan (Part 1), 2014.

12. Within 1 month of approval a Traffic Management Plan shall be submitted to the Local Planning Authority for approval. The TMP shall include details of:
Vehicle routing;
Vehicle Numbers (capped at 66 Per Month and never more than 4 on any day);
The scheduling and timing of movements
Method of monitoring vehicle movements to and from the application site (including the sale of paper capped at 10% of bedding dried at the site)
Development should be carried out in strict accordance with the approved Traffic Management Plan.

Reason: In the interest of highway safety and residential amenity in compliance with the National Planning Policy Framework and Policy S22 and S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.

13. Within 1 month of the date of this consent, a scheme outlining the details and monitoring of the imported waste bedding materials

shall be submitted to and approved by the Local Planning Authority. The importing operations of the waste shall be implemented in accordance with the approved scheme.

Reason: To safeguard the amenity of nearby residential properties in compliance with Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.

182. Development Panel - FUL/2020/0022 - Pow Motey Farm Adjacent to Langrigg Hall, Langrigg Wigton - Change of use of building for storage of woodchip fuel for boilers associated with farm.

Application

The report recommended to grant permission subject to conditions.

The Senior Planning Officer then went through the main issues as detailed in the report.

Principle of Development

The use of the building supports renewable methods, with no impact on the wider community.

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.

Members were also shown plans and images of the site including the location within the Hamlet of Langrigg.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Councillor Farebrother moved the motion to grant permission subject to the condition.

The motion was seconded by Councillor Armstrong.

A vote was taken on the motion, 8 voted in favour, 0 against and 3 abstentions.

Resolution

Permission granted subject to condition.

Condition

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.

The meeting closed at 4.05 pm