

Application No: 14/3395M
Location: ROBINSON NURSERIES, BOLSHAW ROAD, HEALD GREEN
Proposal: WOOD CHIP BIOMASS BOILER
Applicant: PETER ROBINSON, W ROBINSONS NURSERIES LTD
Expiry Date: 15-Oct-2014

REASON FOR REPORT:

The proposal is a major development requiring a Committee decision. The application was deferred from Northern Planning Committee in October 2014 for further information and a site visit.

CONCLUSION:

The proposed development is not considered to be inappropriate development in the Green Belt as it is considered that the proposed biomass boiler/CHP plant is ancillary to the established horticultural business on site. Whilst the large size and height of building and chimney proposed means that it will inevitably have an impact on the openness of the Green Belt, its visual impact, subject to the imposition of appropriate conditions, is nevertheless considered to be acceptable. This is having regard to its siting close to the existing complex of buildings and to existing landscaping. There are no amenity issues raised by the proposal and it will result in a reduction in CO2 emissions by replacing an existing coal fired boiler. There are no significant issues raised by the proposal in terms of ecology, trees, highways, public rights of way and noise. In addition the proposal will bring with it social and economic benefits as outlined in the report.

Therefore having regard to Paragraph 14 of the NPPF, in this case it is considered that any adverse impacts resulting from the granting of permission would not significantly and demonstrably outweigh the benefits when assessed against relevant policies.

SUMMARY RECOMMENDATION:

Approve subject to conditions

PROPOSAL:

Full planning permission is sought for the construction of a single biomass Combined Heat and Power plant (CHP) on part of an existing commercial nursery site. The building would measure 30m x 40m reaching a height of 14m to eaves, 16m to ridge and the chimney would have a height of 25m. It would be constructed from composite panel sheeting. The building would be located to the south of the existing complex of buildings, close to an existing composting area associated with the nursery.

This application was deferred at the meeting of the Northern Planning Committee in October in order for clarification on a number of issues, additional information and to allow Members to carry out a site visit.

SITE DESCRIPTION:

The application site measures 6,219.28 sq. m and comprises W Robinsons Nurseries Ltd– an existing nursery business.

The site is bounded by a residential estate to the East, Bolshaw Road to the North with Styal Golf Course to the south east, south and west. A spur for the A6 to Manchester Airport Relief Road (A6MARR) is proposed to run along the southern site boundary in a north western to south easterly direction.

There is a public footpath running north to south adjacent to the nursery business along a field boundary.

The site is located in the Green Belt.

RELEVANT HISTORY:

Various applications for glass houses associated with the existing business and applications for the A6MARR.

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14 – presumption in favour of sustainable development

18 to 22 – building a strong, competitive economy

28 – supporting a prosperous rural economy

56 to 68 – requiring good design

79 – 92 – protecting Green Belt land

93 – 108 – meeting the challenge of climate change, flooding and coastal change

109 – 125 – conserving and enhancing the natural environment

Development Plan:

The Development Plan for this area is the 2004 Macclesfield Local Plan, which allocates the site as Green Belt.

The relevant Saved Policies are: -

NE11 – Nature Conservation

BE1 – Design Guidance

DC1 – Design: New Build

DC3 – Amenity

DC6 – Circulation and Access

DC8 - Landscaping

DC63 – Contaminated Land

T7 – Safeguarded Routes
GC1 – Green Belt
DC13 – Noise
DC62 – Renewable Energy
DC63 – Contaminated Land

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire Waste Local Plan - Saved Policies

Policy 1 Sustainable Waste Management
Policy 2 Need For Waste Management Facilities
Policy 12 Impact of Development Proposals
Policy 14 Landscape
Policy 15 Green Belt
Policy 19 Agricultural Land Quality
Policy 20 Public Rights Of Way
Policy 23 Noise
Policy 24 Air Pollution: Air Emissions Including Dust
Policy 26 Air Pollution: Odour
Policy 27 Sustainable Transportation of Waste and Waste Derived Materials
Policy 28 Highways
Policy 36 Design

Cheshire East Local Plan Strategy – Submission Version (CELP)

As the examination of this plan has now been suspended, its policies carry limited weight.

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 – Presumption in Favour of Sustainable Development
PG3 – Green Belt
SD1 – Sustainable Development in Cheshire East
SD2 – Sustainable Development Principles
SE1 – Design
SE2 – Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE5 – Trees, Hedgerow and Woodland
SE9 – Energy Efficient Development
SE11 – Sustainable Management of Waste
SE14 – Jodrell Bank
CO1 – Sustainable Travel and Transport

CONSULTATIONS:

PROW Unit – no objections subject to informative

Environment Agency – no objections but permit is required

Environmental Health – no objections subject to conditions regarding air quality.

Highways Agency – No objections

Highways – No objections

Stockport MBC – No objections.

TOWN/PARISH COUNCIL:

Handforth Town Council objects - Councillors also expressed concern about the lack of consultation with neighbours. Given the scale of the development residents of Clay Lane and Bolshaw Farm Lane should have been made aware of the proposals within this planning application. Councillors also question whether adequate justification has been given to warrant releasing land from the Green Belt.

Styal Parish Council has no objections to this planning application in principle but would want reassurances that any odours emanating from the operation are strictly controlled and minimised.

REPRESENTATIONS:

None received.

APPLICANT'S SUPPORTING INFORMATION

The following documents have been submitted on behalf of the applicant:

Planning Statement

This statement provides details of the proposals, policy framework and details of the benefits of the proposals. A further statement has been submitted following the deferral of the application at the Committee in October 2014. This provides a further background to the proposal and provides examples of other CHP facilities provided elsewhere within the country in similar circumstances.

Protected Species Survey

Great Crested Newts, Badgers, Breeding Birds and Bats were not present and there is no requirement for an EPS licence. Mitigation is proposed.

Contaminated Land Report

Details of the ground conditions.

CO2 Saving Impact Assessment

Details of the carbon savings associated with the boiler.

Visual Impact Assessment

Plans showing the building from various vantage points.

APPRAISAL:

The key issues are:

- The principle of the development
- Whether the proposal is acceptable in the Green Belt
- Renewable energy
- Visual impact of the proposal
- Air quality issues
- Amenity
- Ecology
- Public right of way
- Parking and highways considerations

Environmental Sustainability

Green Belt/Principle of the development

Whether the proposal amounts to inappropriate development?

The site lies in the North Cheshire Green Belt as defined by the Development Plan. New buildings in the Green Belt are regarded as inappropriate development unless they meet one of the exceptions within paragraph 89 of the Framework (a similar list of exceptions is outlined within Local Plan policy GC1).

Paragraph 89 and Local Plan policy GC1 allow for buildings for agriculture and forestry. The applicant's agent considers that as the proposed building is to house facilities in relation to a biomass boiler required to provide the heating, lighting and any other energy requirements of the established horticultural business, that it should be considered to be an ancillary agricultural building i.e. not inappropriate.

Members will be aware that the previous report considered that proposed building to be inappropriate development in the Green Belt, for which very special circumstances were required to outweigh the harm caused by inappropriateness and any other harm.

Following the deferral in October, officers from planning and environmental health have carried out a further visit to the site and have held discussions with the applicant and his agent in order to get a clearer understanding of the need for the boiler and the size of building/chimney proposed. Additional information has also been submitted on behalf of the applicant providing information about the application proposal and about other biomass facilities granted permission elsewhere in the country. Having reviewed this information it is now accepted that buildings required to house biomass boilers and for the storage of fuel for or waste from that boiler or system can be considered as "buildings for agriculture" for the purpose of Green Belt policy. However this is subject to the scale of the building proposed being justified in relation to the agricultural holding.

In this case there was previous concern regarding the scale of building required given that reference was made to the fact that surplus electricity would be exported to the National Grid. However, clarification has subsequently been provided on this point with confirmation received that the proposed boiler and associated building has been designed to ensure that the nursery is self sufficient in terms of heating and electricity requirements, allowing for some future expansion proposals. It is understood that any export of electricity to the National Grid would only be a result of temporary fluctuations in generation and demand. Notwithstanding this, it is also understood that even if a smaller boiler could be used, due to the particular nature and design of the boilers in question, the building size is likely to be similar. On this basis officers are now satisfied that the building proposed is not inappropriate development in the Green Belt.

Other harm

Whilst the building would be located on an existing field, this seems the most logical location to extend the site, located adjacent to its southern boundary where it would be viewed as part and parcel of the existing site with its backdrop of substantial horticultural buildings.

The flue would be tall and whilst it would be seen against the backdrop of these buildings its sheer height would make it incongruous resulting in encroachment and impact upon openness.

Renewable Energy/Sustainability

The Nursery currently relies on an existing coal and gas boilers which have served this function as the Nursery has expanded. The biomass boiler would displace all coal boiler heat and much gas boiler heat. The submitted CO2 savings impact assessment report states that the CO2 reduction would be the broad equivalent of taking 4220 family cars off the road or the emissions of 1635 semi-detached houses.

Policies within the NPPF, emerging Local Plan and adopted Local Plan are all supportive of the inclusion of renewable technologies and improvements towards achieving a low carbon future.

There is some synergy between renewable energy and sustainability as this would not only reduce the carbon footprint of the business by replacing fossil fuels, it would also reduce fuel miles thereby reducing the need to travel. This is a significant benefit of the proposals.

Visual Impact

The structure would be in the form of a simple industrial shed constructed from profile steel box cladding, with a suggested colour of olive green to match that on the packing shed and existing coal boiler housing. The agent considers that this would blend in with the wooded background of the site.

As the chimney is 25m high it is proposed that this be finished in matt silver metal to match the existing. The finished colour of the building and chimney could be controlled by conditions should permission be granted.

A Visual Impact Assessment has been submitted during the course of the application and whilst its content is limited and could be improved upon, it is nevertheless considered that this is not a particularly sensitive location particularly given the site would abut the new SEMMS link road and would be viewed against the backdrop of existing industrial buildings and trees.

In addition, its form follows function and reflects details on the adjacent buildings which is in keeping with its location and the purpose it would serve.

On that basis, the visual impact would not be significantly adverse. The Council's Landscape Officer has been consulted on the proposals and raises no significant objection to it. Whilst there is a public right of way which runs to the east of the proposed building, given the relative position of the footpath and the building and intervening landscaping, it is considered that the impact of the proposed building on the footpath would not be significantly adverse.

Amenity

The key considerations in respect of amenity are considered to be impact upon air quality and noise.

Air Quality

At the last Committee there was some confusion as to the fuel that is proposed for the boiler as the report referred to wood pellets whilst the application refers to wood chip. It is confirmed that **wood chip** is to be used and that it is stated by the applicant that this will be sourced locally.

Environmental Health officers have been consulted on the application and recently visited the site with a planning officer. Additional information was requested by the Environmental Health department during the course of the application. This was subsequently submitted.

No objections are raised by the Environmental Health department with regard to air quality. It is noted that the proposed boiler will replace coal and gas fired systems which have been in situ for a number of years. As such, it is considered the new boiler, whilst not as clean as a comparable gas installation, has the potential to be more efficient and offer an improvement in emissions compared to the existing coal fired plant.

Based on the information provided, Environmental Health Officers consider that the 25m stack height is adequate to ensure sufficient dispersion of pollutants. This conclusion is based on the boiler being operated as per the description, including the type of boiler, fuel quality, fuel moisture content and position of the stack and as such, if planning permission is granted, conditions regarding air quality are suggested. Whilst some of these are considered appropriate, not all are considered to meet the tests for conditions as set out in the NPPG. Some of the issues raised regarding air quality are best dealt with under other legislation.

The proposed boiler is equipped with a pre-de-ashing device for the flue gas located in a re-burning zone specially designed to control ash emissions. Further de-ashing is implemented with multi-cyclones and an electrostatic filter. All the ash is disposed of on site as a fertiliser for the tomato business and due to the size of the site there is little possibility for off-site dust deposition.

Noise

The noise sources related to the installation are as follows:

- Pumps
- Fans
- The fuel delivery auger (intermittent)
- Deliveries of fuel to the site

The Environmental Health team has dealt with applications for similar biomass boilers elsewhere and therefore has a basis for comparison in terms of the noise output from the above equipment/ activities. Observations elsewhere have indicated that noise generation is low, with noise barely audible at 5m from the building in any direction.

Adding to this, the proposals are located behind an existing business which is a large scale operation – there is already a high degree of background noise. In addition, the site is located over 200m from residential properties. The noise from similar installation has normally been below current ambient noise levels.

It should be noted that the Planning Statement specifies an intention for all works associated with the proposals to take place inside the building post construction. Therefore the proposals would not have a significant adverse impact upon neighbours through noise.

Odour

It is not considered that there will be any odour issues associated with the proposal. This is due to the proposed stack height and the proposed fuel type.

Ecology

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places, if there is

- no satisfactory alternative
- no detriment to the maintenance of the species population at favourable conservation status in their natural range
- a specified reason such as imperative, overriding public interest.

The UK implements the EC Directive in The Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a licensing system administered by Natural England which repeats the above tests
- a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements.

Circular 6/2005 advises LPAs to give due weight to the presence of a European protected species on a development site to reflect.. [EC] ...requirements ... and this may potentially justify a refusal of planning permission.”

In the NPPF the Government explains that LPAs “should adhere to the following key principles to ensure that the potential impacts of planning decisions on biodiversity are fully

considered..... In taking decisions, [LPAs] should ensure that appropriate weight is attached to protected species... ... Where granting planning permission would result in significant harm [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm..... If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.”

With particular regard to protected species, the NPPF encourages the use of planning conditions or obligations where appropriate and advises, “[LPAs] should refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.”

The converse of this advice is that if issues of species detriment, development alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

The submitted Survey indicates that protected species are not present on the site and are unlikely to be so. Nevertheless, it recommends mitigation measures.

The Council’s Ecologist has been consulted on this application and raises no objection to the proposed mitigation subject to conditions relating to breeding birds, nesting birds and badgers.

Highways

The key issues in respect of highway safety are as follows:

1. Accessibility
2. Traffic Generation

The site is located at the edge of a residential area and therefore vehicles to the main entrance to the site have to pass through this residential area. However, this is an existing situation- this is already a large business which generates high volumes of traffic to and from the site. There is also another business premises directly adjacent which also generates significant traffic which also passes through this area. The road network is therefore considered suitable owing to the fact that it already accommodates HGV movements in this location. The access is also suitable for similar reasons.

Turning to traffic generation, the agent has indicated that the wood chip would be delivered in bulk tippers. Deliveries would be greatest during the winter months. They would average 2-3 deliveries per day, Monday-Saturday during the period 0800-18:00 hours. This would not add noticeably to existing HGV movements along Bolshaw Road to service the Nursery and adjoining farm shop especially as the bulk tipper deliveries of wood chip would displace current coal deliveries.

The Strategic Highways Manager has been consulted on the application and following clarification regarding a number of issues, raises no objections to the proposal.

It should also be noted that the Highways Agency has considered the proposals in the context of SEMMS and has no objections to the proposals.

The proposals would not have an adverse impact upon highway safety in accordance with policies DC6 within the MBLP and guidance within chapter 4 of the NPPF.

Public Right of Way

As stated, a public right of way is located to the east of the site of the proposed boiler. The Council's PROW Unit were consulted on the application and raised no objections to it subject to the imposition of an informative regarding the PROW.

Trees

The proposed building would be located adjacent to a band of large mature trees which would provide important screening to the building. Whilst concerns were raised in the previous report with regard to the quality of information submitted regarding trees, following a recent site visit, officers are satisfied that the proposal would have an acceptable impact on nearby trees and that there are no significant arboricultural implications associated with this application.

Social Sustainability

By reducing CO₂ emissions the proposal will contribute to a reduction in greenhouse gases and to the provision of renewable energy sources. This brings with it wider social benefits.

Economic Sustainability

With regard to the economic role of sustainable development, the proposal will help to significantly reduce the amount of fossil fuels used for the purposes of heating the existing on site greenhouses. It is stated that this will result in a substantial financial saving that will help to support the viability and vitality of the existing business. This will help to support the jobs of the existing 20 full time staff and 30 seasonal staff. In addition it is anticipated that 6-7 new jobs will be created associated with the boiler. The proposed development will help to create jobs in construction and bring economic benefits to the construction industry supply chain.

Planning Balance

As outlined above, the proposed development is not considered to be inappropriate development in the Green Belt as it is considered that the proposed biomass boiler/CHP plant is ancillary to the established horticultural business on site. Whilst the large size and height of building and chimney proposed means that it will inevitably have an impact on the openness of the Green Belt, its visual impact, subject to the imposition of appropriate conditions, is nevertheless considered to be acceptable. This is having regard to its siting close to the existing complex of buildings and to existing landscaping. There are no amenity issues raised by the proposal and it will result in a reduction in CO₂ emissions by replacing an existing coal fired boiler. There are no significant issues raised by the proposal in terms of ecology, trees, highways, public rights of way and noise. In addition the proposal will bring with it social and economic benefits as outlined in the report.

Therefore having regard to Paragraph 14 of the NPPF, in this case it is considered that any adverse impacts resulting from the granting of permission would not significantly and demonstrably outweigh the benefits when assessed against relevant policies.

RECOMMENDATION

Approve subject to conditions.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02TR - Tree protection
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. Details of colour of building and chimney to be submitted and agreed by lpa and implemented thereafter.
7. Details of any lighting to be submitted and agreed by lpa
8. Stack height and position as per approved plans
9. No amendment to fuel type without prior written approval of the lpa
Method of fuel delivery to incorporate sheeting and fully enclosed receptacles to be agreed by lpa
10. Boiler to be installed, operated and maintained in accordance with manufacturers recommendations. Prior to first use of the boiler future maintenance schedule to be submitted and agreed by the lpa.
11. breeding birds
12. features for nesting birds
13. Updated badger survey

W. Robinson Nurseries Ltd
View Tree Farm, Brishaw Road, Heald Green, Stockport SK8 3PS
Wood chip biomass boiler
Plan 1 LOCATION PLAN
Scale 1:5000 A3

Received
11 JUL 2016
Cheshire East Council

