
Ref 2022/0637

Applicant: Maria Mallaband Care Group Limited

Proposal: erection of biomass boiler and fuel storage buildings and associated works including extract flues

Address: Water Royd House, Locke Road, Dodworth, Barnsley, S75 3QH

Planning History

2021/1352 – Erection of biomass boiler building and associated works - withdrawn

Site Description

The application relates to the part of the care home site fronting onto Locke Road. The design of the care home is such that this is not a main elevation. On the opposite side of Locke Road are houses that front onto the road in the conventional manner.

Google street view snip



Proposed layout plan showing proposed bin store (yellow) existing bin store (orange) proposed bio-cabin (pink) and proposed fuel storage (blue)

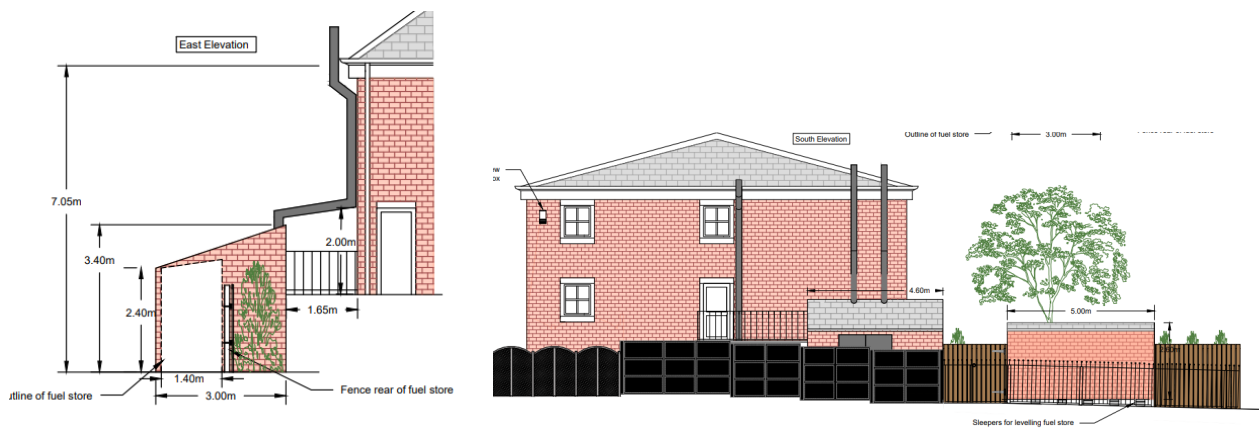


Proposed Development

The applicant seeks permission for a biomass boiler inside a brick and slate building; a new fuel storage building, also brick and slate and a new bin storage area behind wooden gates like the existing bin storage area.

The proposal is supported by an air quality assessment. A planning statement, a coal mining risk assessment an odour statement and a noise impact appraisal

Proposed side and front elevations:



Policy Context

Decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

Local Plan

The Local Plan was adopted by the Council in January 2019. The Council has also adopted a series of Supplementary Planning Documents which are other material considerations.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances require it.

The application site is in an area designated in the Local Plan as Urban Fabric, reflecting the existing built-up character. The following policies are relevant:

Policy GD1 General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

Policy D1 High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

Policy T4 New development and Transport Safety – expects new development to be designed and built to provide safe secure and convenient access and to not cause or add to problems of highway safety or efficiency.

Policy BIO1 Biodiversity and Geodiversity - Indicates that development will be expected to conserve and enhance the biodiversity and geodiversity features of the borough and that harmful development will not be permitted unless effective mitigation and/or compensatory measures can be ensured.

Policy CC1 – Climate Change – indicates that we will seek to reduce the causes of and adapt to the future impacts of climate change by a range of measures (including promoting and supporting the delivery of renewable and low carbon energy).

RE1 - Low Carbon and Renewable Energy – all developments will be expected to incorporate initially appropriate design measures and thereafter decentralised, renewable or low carbon energy sources in order to reduce carbon emissions and should at least achieve carbon compliance targets set out in Building Regulations. Also sets out criteria for consideration of renewable energy producing development.

CL1 Contaminated and Unstable Land – requires the submission of a report where future users of occupiers of development would be affected by contamination or stability issues, to establish the extent of the issues and set out measures to remove, treat or protect from contamination, or address land stability issues.

Policy Poll1 Pollution Control and Protection – sets criteria to ensure that new development does not unacceptably affect or cause nuisance to the natural and built environment or to people; or suffer from unacceptable levels of pollution.

Supplementary Planning Documents

Trees and Hedgerows SPD – offers guidance on how to deal with existing trees and hedgerows on development sites.

Other planning guidance

Barnsley MBC Air Quality and Emissions Good Practice Planning Guidance

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

The NPPF advises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities

Para 152. The planning system should support the transition to a low carbon future in a changing climate.

Para 174. Planning policies and decisions should contribute to and enhance the natural and local environment including by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution

Consultations

Highways Development Control: The application raises no objections on highway grounds subject to an informative relating to the need for a road licence if the works require the highway to be dug up; and reminding the developer not to cause mud or debris to be deposited on the highway.

Pollution Control - I've reviewed the Noise impact Assessment and am happy for the development to proceed with the following condition:

The biomass boilers shall be housed within a building which provides a minimum sound reduction index of 25dB as stated in The UK Development Group, Boiler building at Water Royd Care Home, Barnsley, Noise Assessment (Ref: NT15521, dated 25th October 2022).

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

Coal Authority – the contents and conclusions of the submitted Coal Mining Risk Assessment are sufficient and meet the requirements of the NPPF to demonstrate that the site is or can be made safe for the proposed development and the Coal Authority therefore has no objection to the proposed development. More detailed considerations of ground conditions and foundation design may be required as part of any subsequent building regulations application

SYMAS – note that the submitted Coal Mining Risk Assessment concludes that the recorded shallow workings in a coal seam present negligible risk to the proposals; do not advise that intrusive investigative works are required; but do recommend that mine gas precautions are considered at building control stage. Accordingly, we have no objections.

Forestry Officer – noting that the fuel storage building which would be built partly under the canopy of an existing tree will be placed on sleepers and finished with timber and clad in a brick skin and subject to clarification that the pellet hose will be routed to the south of the existing wooden fence; that the wooden fence will be retained; and that there will be no storage to the north of the existing fence or under the tree canopy, no objections.

Sustainability: no response

Air Quality Officer: no response

Ward Councillors – No response

Representations

The application was advertised by way of a site notice (28 June to 19 July) and letters to local residents. No comments have been received

Assessment

Principle

The principle of small scale buildings, ancillary to the existing care home use, is acceptable in principle. Consideration is given to matters of detail below.

Visual Amenity

The proposed buildings and fencing are situated forward of the existing building in a prominent location in the street scene. The existing elevation facing Locke Road forms something of a side or secondary elevation and certainly does not present a conventional front elevation – the existing building has been designed around a parking/courtyard which principal elevations front onto. Nevertheless, the design of the proposed buildings and structures sited closer to the highway than the existing building raise some concerns as they will to some degree detract from the quality of the existing development and the character of the street scene. It is noted that to the west of the proposed bin store there is an existing substation which is sited forward of the 'building line' but also that it is a modest brick and tile structure, and that there is an existing dark wood fence around the bin store will be moved/extended to accommodate the proposal. The proposals also include a rather awkward and prominent arrangement of the flues. It is concluded that the design and siting of the proposals is not of the highest quality and therefore to some degree in conflict with local plan policy D1.

Highway Safety

The Highways Officer has advised that there are no objections on highway safety grounds subject to informatives being included on any approval. The proposed buildings are located next to a small 'layby' that is available for servicing the existing and proposed bin stores and the proposed fuel store.

Noise

The application is supported by a noise assessment which considers the impact on care home residents and the nearest residential dwelling and concludes that the noise levels from the proposed biomass boilers would be of a low impact. Pollution Control advise that subject to the boilers being housed in a building which provides a minimum sound reduction index of 24dB, as stated in the submitted noise assessment, there are no objections to the proposal. It is therefore concluded from a noise aspect the proposal is acceptable and in compliance with policy Poll 1 Pollution Control and Protection.

Air Quality

No comments have been received from the Air Quality Officer. However, on the previous application for a biomass boiler at the site, advice was received that the operation of the biomass boilers would not result in exceedance of any legal air quality standards and that designing the flues to be taken back to the care home building and then terminated 2m above eaves level would be supported.

Land stability

The technical consultees are in agreement with the conclusions of the submitted coal mining risk assessment that the site is or can be made safe for the proposed development and that no further site investigation nor any planning conditions are required. Accordingly, the development is considered to be in compliance with Local Plan policy CL1. An informative reflecting the technical consultees advice about building regulations is recommended.

Trees

There is a mature tree in close proximity to the proposed fuel store. The applicant has clarified that the proposed fuel store will be placed on sleepers (there won't be any foundations required to be dug); that the pellet hose will be routed to the south of an existing fence (in area that is already surfaced) and that the existing fence will be retained and that there won't be any storage to the north of the tree or under the canopy. Reflecting the advice of the Forestry Officer, it is concluded that subject to conditions to secure these elements, the proposal will not adversely affect the existing mature tree.

Other matters

The proposed development will contribute towards the NPPF and Local Plan policy objectives of promoting and supporting the delivery of renewable and low carbon energy.

Conclusion

It is concluded that the significant benefits of securing the provision of a low carbon and renewable energy production outweighs any concerns in relation to the design of the proposal.

Recommendation

Grant subject to conditions