

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	10/06/2019
Planning Development Manager authorisation:	SCE	14-06-19
Admin checks / despatch completed	SB	17/06/19.

**Application:** 19/00543/FUL **Town / Parish:** Thorrington Parish Council

**Applicant:** Mr David Edwards

**Address:** Whitehouse Farm Church Road Thorrington

**Development:** Retrospective application for a commercial biomass boiler and associated chimney for supplying heat to commercial greenhouse.

### 1. Town / Parish Council

Thorrington Parish Council      No comments received

### 2. External Consultation Responses

n/a

### 3. Planning History

00/01733/AGRIC	General purpose agricultural building	Determination	01.11.2000
01/02141/FUL	Stationing of two mobile homes (Renewal of planning permission 98/01667/FUL)	Approved	17.01.2002
01/02142/FUL	Stationing of three mobile homes for agricultural workers	Approved	17.01.2002
02/01076/TELCO M	Installation of a 15m mast supporting 6 No. DBPP antennae, 4 No. 600mm dishes with equipment cabinet and ancillary equipment and cabling	Determination	31.07.2002
98/01667/FUL	Stationing of two mobile homes	Approved	24.02.1999
99/01093/AGRIC	Proposed reservoir	Determination	03.09.1999
03/01565/AGRIC	Creation of irrigation reservoir	Determination	08.10.2003

03/02401/AGRIC	Agricultural grading/storage extension.	Determination	17.03.2004
06/01736/FUL	Stationing of three mobile homes for agricultural workers	Approved	12.12.2006
06/01737/FUL	Stationing of 2 mobile homes.	Approved	18.12.2006
91/00085/OUT	Proposed House.	Approved	09.04.1991
92/00008/AGRIC	Agricultural Building	Determination	04.08.1992
90/00241/FUL	Proposed farmhouse.	Approved	01.05.1990
10/00331/FUL	Continued stationing of 5 no. mobile homes (to provide accommodation for agricultural workers between April and October (inclusive) each year, as originally approved under planning permissions 06/01736/FUL and 06/01737/FUL).	Refused	17.06.2010
11/01306/FUL	Erection of polytunnels.	Approved	22.12.2011
12/00095/FUL	Single storey extension and canopy over door.	Approved	13.03.2012
14/01000/FUL	Variation of condition 2 of planning permission 11/01306/FUL to vary the approved plans.	Approved	05.09.2014
14/01892/FUL	Replacement of existing polytunnels with a total area of 1.8ha with polyhouses.	Approved	05.06.2015
15/00192/AGRIC	An agricultural barn.	Determination	04.03.2015
16/00913/TELLIC	Installation of electronic communications.	Determination	05.07.2016
17/02170/COUNO T	Proposed conversion of barn into a habitable dwelling.	Determination	07.02.2018
18/01317/DISCON	Discharge of conditions 3 (soft landscaping), 5 (ecological management & mitigation plan), and 8 (construction method	Approved	04.09.2018

statement) of 14/01892/FUL.

19/00543/FUL	Retrospective application for a commercial biomass boiler and associated chimney for supplying heat to commercial greenhouse.	Current
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#### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL11 Environmental Impacts and Compatibility of Uses

COM23 General Pollution

EN1 Landscape Character

EN13A Renewable Energy

EN16 Agricultural and Related Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

PP13 The Rural Economy

PPL3 The Rural Landscape

PPL10 Renewable Energy Generation

#### **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a

planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits; whether sites are allocated for development in the Local Plan or not. At the time of this decision, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Site Description

The application site is part of an extensive farm operation based at Whitehouse Farm in Thorrington. This scheme relates to the retention of a biomass boiler and stack to the north of an existing group of polytunnels. The surrounding land is similarly used for agricultural purposes. Residential properties are located to the south-west of the application site.

The application site is located to the north-east of the main settlement of Thorrington, with vehicular access taken off Church Road.

### Proposal

This application proposes the retention of a biomass boiler and associated stack directly to the north of a large group of polytunnels. The boiler would measure 3m x 5.1m in footprint and overall the stack would be situated 8.2m above ground level.

### Appraisal

#### Visual Impact

The boiler itself is screened in public views from the south and east by existing polytunnels. The stack protrudes above the polytunnels by approximately 1.5m but due to its slim line appearance and significant set back from public vantage points (Church Road to the south and a PRoW to the east) any visual impact is minimal. The appearance of the stack and associated machinery is commensurate with the intensive agricultural nature of the site and its surrounds.

As such the visual impact of the boiler and stack is minimal and does not harm the rural character of the area.

Residential Amenity/Environmental Issues

The boiler and stack are situated approximately 210m from the nearest residential properties on Church Road to the south-east. Consequently, any harm to local residential amenity is limited.

The emissions certificate is up to date and meets OFGEM and DEFRA conditions for approval. The applicant has confirmed that the boiler has only been designed to burn straw and no timber, which satisfies environmental concerns and limits the impact of emissions on local residents.

Other Considerations

Thorrington Parish Council has not commented upon the application. No further letters of representation have been received.

**6. Recommendation**

Approval

**7. Conditions**

1 No Conditions.

**8. Informatives**

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO