



## **DELEGATED DECISION REPORT**

<b>Application Reference Number</b>	21NP0010
<b>Description / Site Address</b>	Provision of biomass boiler and associated building, Yearle House, Wooler, Northumberland, NE71 6RB
<b>Expiry date of publicity / consultations</b>	17/02/2021
<b>Last date for decision</b>	23/03/2021

### **Details of Proposal**

This application is seeking approval for the provision of a biomass boiler and an associated building to house the infrastructure. The property is a detached two-storey dwellinghouse. The building is located within the hamlet of Earle, 2 miles to the south of the gateway settlement Wooler and sits directly to the west of the National Park Boundary.



*Figure 1: Application site, within the context of its surroundings*

The applicant seeks permission for the provision of a biomass boiler and associated building. The building would be located directly to the west of the host dwellinghouse. An outbuilding was previously located within the existing footprint of this area but was in a dilapidated state and has since been demolished. The proposed building would be 4m in height, 13.5m in width and 3m in depth. The building would be constructed in a painted cement render finish with a slate roof. The building would incorporate a boiler room alongside a pellet and mower store.

### **Planning Policy & Guidance**

#### **National Policies**

National Planning Policy Framework (NPPF) (2019)

National Planning Practice Guidance



### **Northumberland National Park Local Plan**

Policy ST1	<i>Sustainable Development</i>
Policy ST2	<i>General Development Principles</i>
Policy ST4	<i>Spatial Strategy</i>
Policy DM2	<i>Householder Development</i>
Policy DM10	<i>Habitats, Biodiversity and Geodiversity</i>
Policy DM11	<i>Landscape, Tranquillity and Dark Night Skies</i>
Policy DM13	<i>Renewable Energy Generation</i>
Policy DM14	<i>Historic Landscape Assets</i>

### **Supplementary Planning Guidance**

NNPA Building Design Guide Supplementary Planning Document (Design Guide SPD)  
NNPA Landscape Supplementary Planning Document (Landscape SPD)

### **Relevant Planning History**

<b>91NP0018</b>	Renewal of planning permission 85/B/059 for siting of a static caravan <i>Planning permission granted conditionally 28/01/1992</i>
<b>88NP0025</b>	Construction of a detached double garage <i>Planning Permission Granted Conditionally 28/01/1989</i>

### **Consultation/Representations**

**Parish Council:** There is no active Parish Council in Earle Parish.

**Northumberland County Council Development Management:** No objections

#### **Northumberland County Council Public Protection: Initial Objection**

None of the application documents appear to identify the manufacturer and model of boiler to be installed, include any supporting information on noise impacts from the installation, provide any documentation on emissions or any other information on air quality impacts (principally chimney height).

Both noise and air quality are material planning considerations and the omission of any information to address these matters make it impossible to appraise these impacts from the proposed development.

**Further Information received:** The applicant subsequently provided additional information on the manufacturer, noise emission levels and air quality impacts.

Public Protection subsequently confirmed that due to the additional information provided, they do not wish to object to the proposal subject to the measures detailed in the application documents being implemented as stated.



Two informatives were requested by Public Protection which are attached to the final decision notice. The content of the informatives concern nuisance impacts and additional information concerning the Clean Air Act 1993. The provision of such information does not affect this planning decision.

**Public response:** The application has been advertised by means of a site notice displayed on the 27 January 2021. 11no. neighbours were also notified of the proposals. No comments were received.

### **Assessment**

The key material planning considerations are:

- The principle of the development;
- Design and amenity;
- Impact Upon National Park special qualities

### **The principle of the development**

#### **Sustainable Development**

The National Planning Policy Framework (NPPF) places emphasis on a presumption in favour of sustainable development to guide decision making. Policy ST1 of the Local Plan adopts a similar assumption in favour of sustainable development and defines the qualities and criteria which are deemed to represent 'sustainable development', and part i) is especially relevant to this application in relation to reducing waste and greenhouse gas emissions through improved energy efficiency and making full use of small-scale renewable energy.

#### **Location of Development**

Policy ST4 of the Northumberland National Park Local Plan seeks to direct development to a series of settlements named within the policy. The site is situated within the hamlet of Earle. Earle is not one of the named settlements set out in policy ST4 of the Local Plan. It is therefore considered that the proposal is located within the open countryside.

Policy ST4 lists a number of situations in which development is appropriate within the open countryside.

Paragraph 2 d) of Policy ST4 is of relevance as it states that development will be permitted '*where the proposal is supported by other relevant Local Plan policies*'. In this case, the most relevant policy would be that related to householder development, Policy DM2.

Policy DM2 permits householder development, setting out criteria for appropriate alterations to dwellings. Part 3 refers to the provision of outbuildings and lists three criteria that all new domestic outbuildings must adhere to:



- a) The outbuilding should be required for purposes incidental to the residential use of the main dwelling*
- b) Any new or extended outbuilding should be proportionate in size*
- c) New outbuildings should be appropriately sited in relation to the existing built development on site*

The use of the outbuilding for the purpose of housing a biomass boiler is considered incidental to the enjoyment of the main dwellinghouse. The proposed outbuilding would also be located within the footprint of a previous outbuilding which confirms the scale and siting of the proposal would be considered acceptable.

Policy ST4 also refers to support from other policies. The most relevant in this instance is Policy DM13 which refers to proposals involving renewable energy. This policy supports the provision of small-scale renewable energy schemes subject to the consideration of the impact on local character and special qualities of the National Park. These criteria will be assessed throughout the report. Subject to the below assessments it is considered that the principle of the replacement outbuilding and biomass boiler is acceptable.

## **Design and Amenity**

### Design

Local Plan policy ST2 places an emphasis on ensuring new development is of a high-quality design that will make a positive contribution to the National Park's special qualities and the local environment incorporating high quality construction materials and design details. Paragraph f) of policy ST2 encourages sustainable design and construction techniques that provide resilience to climate change including providing energy from renewable sources.



*Figure 2: Previous outbuilding located within the footprint of the proposed building*

The applicant proposes to construct a biomass boiler and an associated building. This would be 4m in height, 13.5m in width and 3m in depth. The building would be constructed in white painted render with a slate roof.

The overall shape, size and design of the proposed building is considered appropriate. The building would be largely within the same footprint as the previous outbuilding. This ensures the proposal would not appear as an incongruous addition and would instead remain subordinate to the host dwelling. The original architectural features of the previous outbuilding such as a slate pitched roof would be reflected in the proposed building.

The proposed materials are considered appropriate and would reflect the local vernacular it forms part of. The applicant proposes white painted render walls alongside a slate roof. This would match the materials of the host dwellinghouse and would ensure that the proposal harmonises with the existing built form.



Figure 3: Foundations of proposed building in proximity to the host dwellinghouse.

The application site consists of a number of isolated buildings within the ownership of the applicant. An existing kennels is located directly north-west of the proposed outbuilding alongside Stable Cottage and Bothy Cottage which are both self-contained units. As a result of this, the provision of an additional outbuilding within this setting would not be uncharacteristic to the landscape.

A large flue would form part of the roof of the proposed outbuilding. While this would not constitute a high quality of design the provision of a flue is an essential feature of a biomass boiler. The authority supports the provision of small-scale renewable energy in the Park.

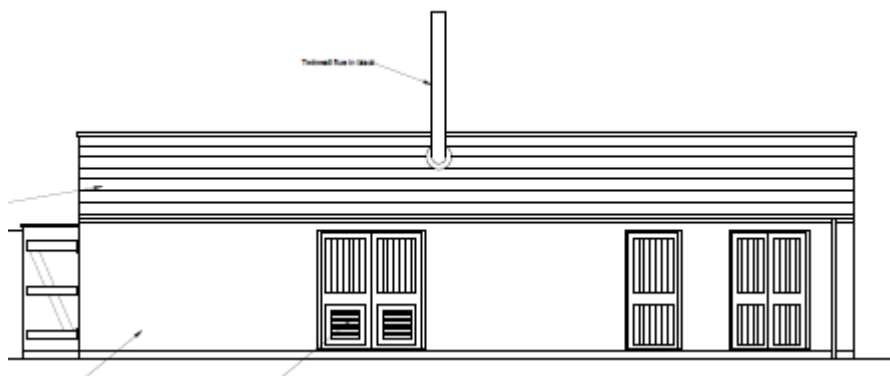


Figure 4: Proposed design of outbuilding

In light of the above assessment, it is considered that the proposals would accord with the requirements of Local Plan policies ST1, ST2, DM2 and the NPPF in relation to design.



### Amenity

Amongst others, Policy ST2 states that development will be permitted where '*The proposal will not have an unacceptable adverse impact upon the amenities of occupiers*' with Policy DM2 seeking to ensure that new householder development '*does not unacceptably affect the residential amenity of neighbouring occupiers or result in adequate levels of amenity for the existing dwelling*'.

When considering neighbouring amenity impacts, the nearest habitable dwellinghouses are The Flats (located to the rear of the host dwellinghouse) and 3 Old Yearle Steading. When considering the impacts to The Flats, the host dwellinghouse provides a visual delineation between the outbuilding and the neighbouring dwelling. This mitigates any material amenity impacts.

When considering dwellings outside of the ownership of the applicant, the nearest dwelling is 3 Old Yearle Steading. This building would be located approximately 40m from the outbuilding. As the outbuilding would not be in use for residential purposes there would be no significant issues in terms of overlooking/ loss of privacy.

Due to the proposed use of the outbuilding alongside the potential impacts of noise and air pollution resulting from the proposed flue, Northumberland County Council Public Protection were consulted on the proposals. Environmental Health Officers initially raised objections due to a lack of information submitted. No manufacturers details or information on potential noise or air quality impacts were submitted in support of the proposal. The application should be supported by relevant information detailing noise impacts from the nearest noise sensitive receptors should be submitted.

The applicant subsequently provided additional information to address Public Protection's initial concerns. Technical specifications of the biomass boiler alongside acoustic emissions assessments were submitted to the authority.

Public Protection were reconsulted on the proposals, who removed their original objection as the additional information provided ensured that the impacts in terms of noise would not be significant enough to warrant a reason for refusal.

The applicant submitted noise information from the biomass boiler manufacturer which indicates that under normal operation, the boiler would produce 40-50 decibels (dB) LAeq.

During ignition and fuelling (from the fuel store to the day hopper) noise levels can be up to 75dB LAeq – however, this is of short duration and can be timed to occur during a specific time period.

Public Protection considered that the noise of the unit would be considered acceptable subject to an informative detailing that the effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant. Therefore, ignition and refuelling of the unit should only occur at appropriate hours of the day to minimise the nuisance created from the additional noise.

Air quality is a material planning consideration and might normally be dealt with under the planning process, however as the proposed biomass boiler to be installed is greater than 50 kilowatts (kW)



then issues of emissions and their air quality will be dealt with under The Clean Air Act 1993 rather than through planning legislation. An informative is attached to the final decision notice which invites the applicant to provide additional information in line with the Clean Air Act. The provision of such information does not affect this planning decision.

In this instance as the Environmental Health Officer raises no objection to the proposals and the outbuilding is in excess of 40m from the nearest neighbouring property outside the ownership of the applicant, it is not considered that the proposals would have any material impact on residential amenity. The proposals are therefore considered to accord with the requirements of Local Plan policy ST2 in this respect.

### **Impact upon National Park Special Qualities**

#### Biodiversity

Policy DM10 of the Local Plan offers support for proposals which maintain and enhance the biodiversity of the National Park.

The application site does not fall within or directly adjacent to any ecological sites. No trees would be removed as a result of the development. The previous outbuilding has already been demolished so the proposal would not result in any works to an existing roof which could harm the roosts of bats. On the basis of the above, an ecological survey was not deemed necessary.

It is considered that the proposal would not result in a material impact to wildlife habitats and as a result satisfies the requirements of Policy DM10 of the Local Plan.

#### Landscape

Policy DM11 states that the natural beauty and heritage of the National Park will be conserved and enhanced whilst being responsive to landscape change. To achieve this, new development will need to ensure that *'the visual impact of the development in its immediate and wider setting is minimised through high quality design that reflects local landscape character with particular regard to scale, siting, materials and colour'* and *'the cumulative and /or sequential landscape and visual effect of development do not detract from the natural beauty of the National Park'*.

The proposals involve the provision of a biomass boiler and associated building within the curtilage of the existing dwellinghouse. Given the nature of the proposals (sitting largely within the footprint of a previous outbuilding) it is considered that any impact on landscape or visual amenity would be restricted to the immediate area of the curtilage of the property and limited to those discussed in relation to design (above). It is therefore considered that any impact on wider landscape or visual amenity would not be of a magnitude which would warrant refusal of the application and the proposals are not considered to conflict with the requirements of Local Plan policy DM11 or the NPPF in relation to landscape.

#### Tranquillity





Local Plan policy DM11 requires amongst others that *'The level of noise, traffic and light generated as a result of the development during construction and thereafter is minimised and dark night skies maintained'* and *'All development proposals should avoid external lighting where possible. Where external lighting is necessary its design should avoid all unacceptable adverse impacts, or as a last resort mitigate them to...avoid adverse impacts on tranquillity, dark skies.'*

As the proposal relates to a biomass boiler within a residential setting, Northumberland County Council Public Protection were consulted on the proposals to assess any potential noise impacts.

As previously mentioned in the amenity section, the applicant has submitted additional information regarding the potential noise impacts that the biomass boiler has the potential to cause. An Environmental Health Officer was satisfied that the potential noise impacts would not be sufficient enough to warrant a reason for refusal. It is noted that the greatest noise impacts are created during ignition and refuelling. An informative regarding nuisance levels is attached to the final decision notice. This would ensure the responsibility is placed upon the applicant to ensure igniting and refuelling occurs at an appropriate time of day to reduce nuisance impacts in the surrounding area.

The site is in a sensitive location within the Northumberland International Dark Sky Park. No new external lighting which may be required in connection with the proposed alterations has been proposed as part of the application. A condition restricting the installation of external lighting is considered appropriate as the proposals relate to a new standalone building isolated from the host dwellinghouse. This is in line with the requirements of policy DM11.

As the proposals only relate to minor works within an existing residential curtilage, it is considered that the proposals are unlikely to generate significant levels of additional vehicle movements / traffic or noise. As such, subject to the imposition of an appropriate condition relating to external lighting it is considered that the proposals would be in accord with the requirements of Local Plan policy DM11 and the NPPF in relation to tranquillity.

### Cultural Heritage

Policy DM14 of the Local Plan requires *'Development affecting historic landscape assets of the National Park to conserve and enhance landscape quality and character by taking into consideration the elements which contribute to its significance'*.

The nearest designated heritage asset to the proposal is the Grade II Listed *'Boundary Stone Circa 20 Yards south of North Yearle Farms'* This boundary stone is relatively small in scale and would be located 100m from the application site. It is not considered that the proposed outbuilding would affect the setting of the Listed Building.

There are no heritage features within the immediate vicinity of the application site which would be adversely affected by the proposals. As a result of this, the proposal satisfies the requirements of policy DM14 of the Local Plan.

### **Highways and Rights of Way**



The proposed development would not impact upon existing public access within the area due to the absence of Public Rights of Way surrounding the site.

The proposed development would be sited within a private site with vehicular access to the proposed biomass boiler obtained from an existing private access track which adjoins the public highway. It is therefore considered that the proposal complies with Policy DM9 of the Local Plan.

### **Renewable Energy**

Biomass boilers are a low-carbon and renewable energy source which burn biological plant material in order to generate heat or both heat & electricity for combined units. Policy DM13 of the Local Plan requires development proposals for small scale renewable energy to adhere to a list of criteria. As previously assessed, the proposed biomass boiler would be of an appropriate scale and design that would not have an unacceptable adverse impact on the special qualities of the National Park. The proposal would not unacceptably impact on natural resources.

The Authority supports the provision of small-scale renewable energy generation within the National Park and therefore the proposal satisfies the requirements of policy DM13 of the Local Plan.

### **Recommendation & Conditions**

Grant conditional permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To ensure that the development is commenced within a reasonable period of time from the date of this permission, as required by Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Application form received 26 January 2021;
- Site Location Plan Dwg no. 21006-102-A received 26 January 2021;
- Planning Design & Access Statement: Yearle House, Wooler, Northumberland received 26 January 2021
- Photographs & Photomontages received 26 January 2021
- Site Plan as Proposed Dwg no. 21006-103-A Received 26 January 2021
- Proposed Elevations Dwg no. 21006-202 received 24 November 2020
- Pellets Compact 60-105kw technical specification received 19 February 2021
- ETA PC 80 Model 12080-D 80kw Biomass Boiler Smoke Control Area Exemption received 19 February 2021
- OFGEM Emissions Certificate received 19 February 2021
- Acoustic emissions from pellet and woodchip boilers received 19 February 2021



- Yearle House Biomass Information Sheet prepared by reheat received 19 February 2021

**Reason:** For the avoidance of doubt, to enable the local planning authority to adequately manage the development and to ensure the proposal accords with policies ST1, ST2, ST4, DM2, DM10, DM11 and DM13 of the Northumberland National Park Local Plan and the National Planning Policy Framework (NPPF).

3. Prior to the fixing of any external lighting associated with the development, details of the external lighting shall be submitted to and agreed in writing with the Local Planning Authority. Details should include:

- The specific location of all external lighting units;
- Design of all lighting units;
- Details of beam orientation and lux levels; and
- Any proposed measures such as motion sensors and timers that will be used on lighting units.

The approved lighting scheme shall be installed in accordance with the approved details and shall be maintained as such during the operation of the development, unless removed.

**Reason:** In order to ensure that there is no harmful impact upon the tranquility and intrinsically dark character of Northumberland National Park and the Northumberland International Dark Sky Park through excessive light pollution, in accordance with Northumberland National Park Local Plan Policies ST2 and DM11 and paragraph 180 of the NPPF

### **Informative Notes**

1. This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
  - (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, may constitute unauthorised development and may be liable to enforcement action.
  - (b) You, your agent, or any other person responsible for implementing this permission should inform the Local Planning Authority immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.
2. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. Some conditions may require work to be carried out, or details to be approved prior to the commencement of the development.



Where pre-commencement conditions are not complied with, the whole of the development could be unauthorised, and you may be liable to enforcement action. In some circumstances, the only way to rectify the situation may be through the submission of a new application. If any other type of condition is breached then you may be liable to a breach of condition notice.

3. For solid fuel biomass appliances with a rated output of greater than 50kW, notification, approval of arrestment and chimney height approval is required under Section 14 of The Clean Air Act 1993 with the Public Health Protection Unit at Northumberland County Council. Operation of such an appliance, without agreement may be an offence under the Act. Information and an application form is available to download, complete and return from:

<https://www.northumberland.gov.uk/Protection/Pollution/Pollution.aspx#pollutioncontrol-cleanairactapproval/>

For appliances rated below 50kW, the specification of chimney height may need to conform to Approved Document J and be approved by Building Control:

<http://www.planningportal.gov.uk/buildingregulations/approveddocuments/partj/approved/>

Please note that this requirement for biomass boiler information does not form part of your application or the decision for your planning permission.

4. The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice. In all cases, Northumberland County Council retains its rights under Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

## **Background Papers**

Application File 21NP0010  
EIA Screening Report

	<b>Signature</b>	<b>Date</b>
<b>Planning Officer</b>	A Ewart	18/03/2021
<b>Head of Planning and Policy</b>	<i>Susannah Buylla</i>	18/03/2021