

## PLANNING COMMITTEE

THURSDAY 27 MARCH 2014 at 4.30pm  
COUNCIL CHAMBER, COUNCIL OFFICES, WILLITON

### AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Meeting of the 27 February 2014 - **SEE ATTACHED**

3. Declarations of Interest or Lobbying

To receive and record any declarations of interest or lobbying in respect of any matters included on the agenda for consideration at this meeting.

4. Public Participation

The Chairman/Administrator to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public wishing to speak at this meeting there are a few points you might like to note.

A three minute time limit applies to each speaker and you will be asked to speak after the officer has presented the report but before Councillors debate the issue. There will be no further opportunity for comment at a later stage. Where an application is involved it has been agreed that the applicant will be the last member of the public to be invited to speak. Your comments should be addressed to the Chairman and any ruling made by the Chair is not open to discussion. If a response is needed it will be given either orally at the meeting or a written reply made within five working days of the meeting.

5. Town and Country Planning Act 1990 and Other Matters (Enforcement)

To consider the reports of the Planning Team on the plans deposited in accordance with the Town and Country Planning Act 1990 and other matters - **COPY ATTACHED** (separate report). All recommendations take account of existing legislation (including the Human Rights Act) Government Circulars, Somerset and Exmoor National Park Joint Structure Review, The West Somerset Local Plan, all current planning policy documents and Sustainability and Crime and Disorder issues.

**Report No: ELEVEN**

**Date: 19 March 2014**

<u>Ref No.</u>	<u>Application/Report</u>
3/38/14/001	Staple Farm, West Quantoxhead Erection of steel shed to house a biomass boiler plus chimney (retrospective)

6. Exmoor National Park Matters - **Councillor to report**

7. Delegated Decision List - **Please see attached**

8. The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order

## RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

<b>Likelihood (Probability)</b>	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
<b>Impact (Consequences)</b>							

Mitigating actions for high ('High' or above) scoring risks are to be reflected in Service Plans, managed by the Group Manager and implemented by Service Lead Officers;

Lower scoring risks will either be accepted with no mitigating actions or included in work plans with appropriate mitigating actions that are managed by Service Lead Officers.

## PLANNING COMMITTEE

### Minutes of the Meeting held on 27 February 2014 at 4.30 pm

#### **Present:**

Councillor A F Knight ..... Chairman  
Councillor I Melhuish ..... Vice Chairman

Councillor A M Chick  
Councillor A P Hadley  
Councillor K M Mills  
Councillor D D Ross  
Councillor M A Smith

Councillor G S Dowding  
Councillor B Heywood  
Councillor S J Pugsley  
Councillor L W Smith  
Councillor K H Turner

#### **Officers in Attendance:**

Planning Manager - Andrew Goodchild  
Planning Assistant - Sue Keal  
Committee Administrator - Linda Bulpin  
Legal Advisor - Martin Evans - Mendip DC

#### **P090 Apologies for Absence**

There were apologies for absence from Councillor E May, Councillor C Morgan and Councillor A H Trollope-Bellew

#### **P091 Minutes**

**RESOLVED** that the Minutes of the Planning Committee Meeting held on 30 January 2014 - circulated with the Agenda be confirmed as a correct record. Proposed by Councillor K Turner and seconded by Councillor D Ross and all present voted in favour.

#### **P092 Declarations of Lobbying**

No declarations of lobbying were declared by Councillors.

#### **P093 Declarations of Interest**

<b>Name</b>	<b>Min No</b>	<b>Ref No.</b>	<b>Personal or Prejudicial</b>	<b>Action Taken</b>
Cllr L Smith	95	3/21/11/136	Personal – Knows the applicant	Spoke and Voted

#### **P094 Public Participation**

None

#### **P095 Town and Country Planning Act 1990 and Other Matters**

Report Ten of the Planning Team dated 19 February 2014 (circulated with the Agenda). The Committee considered the reports, prepared by the Planning Team, relating to plans deposited in accordance with the planning legislation and, where appropriate, Members were advised of correspondence received and subsequent amendments since the agenda had been prepared.

(Copies of all letters reported may be inspected in the planning application files that constitute part of the background papers for each item).

**RESOLVED** That the Recommendations contained in Section 1 of the Report be Approved (in so far as they relate to the above), including, where appropriate, the conditions imposed and the reasons for refusal, subject to any amendments detailed below:

**Reference      Location, Proposal, Debate and Decision**

**3/21/11/136      Electric Avenue, 20 The Avenue, Minehead**  
Display of two internally illuminated signs (retrospective)

**The Members debate centred on the following issues:**

- The signs are a vast improvement on the previous signs

Councillor D Ross proposed and Cllr L Smith seconded a motion that the application be **APPROVED** in accordance with the Officer's recommendation.

All Members present **VOTED IN FAVOUR**

**3/21/14/009      Harbour Master's Office, Quay Street, Minehead**  
Erection of a column fitted with a CCTV camera to the outside of the harbour master's office.

**The Members debate centred on the following issues:**

- The privacy of nearby residents
- The use of fixed or rotating cameras
- Possible ground works required for the installation of the cameras
- A deterrent against vandalism in the area

Councillor D Ross proposed and Cllr K Turner seconded a motion that the application be **APPROVED** in accordance with the Officer's recommendation.

All Members present **VOTED IN FAVOUR**

**3/39/14/001      Public Conveniences, Killick Way, Williton, Taunton**  
Change of use of part of toilet block to work space/storage (B1, B2 and B8).

**The Members debate centred on the following issues:**

- The use of Radar Keys and locks
- Proposed opening hours for the toilets
- The size and layout of the proposed toilets
- The size of the proposed work space/storage area
- Lack of natural light in the proposed work space/storage area
- The possible loss of car parking spaces

Councillor K Mills proposed and Cllr D Ross seconded a motion that the application be **APPROVED** in accordance with the Officer's recommendation.

All Members present **VOTED IN FAVOUR**

**P096      Exmoor National Park Matters**

Cllr S Pugsley gave a report on matters relating to West Somerset considered at the last meeting of the Exmoor National Park Planning Committee. This included the approval for proposed demolition and re-construction of store building (bike shed) (Full) – Pinkery Centre, Simonsbath, Minehead

**P097      Delegated Decision List**

The Planning Manager answered questions arising from the report.

**P098      Appeals Lodged**

<b>Appellant</b>	<b>Proposal and Site</b>	<b>Procedure</b>
Dr Penny Rawson	Land at 9 Copse Close, Watchet Erection of a Two Bedroomed House with Car Parking	Written Reps

**P099 Site Visit**

A site visit was arranged for Wednesday 19 March 2014 meeting at 9.30 am at the Council Offices, Williton

The meeting closed at 5.35 pm

<b>Application No:</b>	<b>3/38/14/001</b>
<b>Parish</b>	West Quantoxhead
<b>Application Type</b>	Full Planning Permission
<b>Case Officer:</b>	Lisa Bullock
<b>Grid Ref</b>	Easting: 310939      Northing: 141583
<b>Applicant</b>	Mrs Penny Gibbons
<b>Proposal</b>	Erection of steel shed and a biomass boiler plus chimney (retrospective)
<b>Location</b>	Staple Farm, West Quantoxhead, Taunton, TA4 4EA
<b>Reason for referral to Committee</b>	By request of the Ward Member

### **Risk Assessment**

Description	Likelihood	Impact	Overall
Planning permission is refused for reason which could not be reasonable substantiated at appeal or approved for reasons which are not reasonable			
Clear advice from Planning Officers and Legal advisor during the Committee meeting			

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

### **Site Location:**

Staple Farm, West Quantoxhead, Taunton, TA4 4EA

### **Description of development:**

Erection of steel shed and a biomass boiler plus chimney (retrospective)

### **Consultations and Representations:**

The Local Planning Authority has received the following representations:

#### ***West Quantoxhead Parish Council***

West Quantoxhead Parish Council voted to Object to the Planning on the following grounds.

- At the present time the smoke and emissions are affecting people living around the village, the boiler is in operation 24 hours a day and therefore can affect residents at various times of day, as it is situated in the middle of the village (this may be due to the current installation).
- The quality of emissions/smoke needs to be greatly improved, we understand this may mean fitting some form of after boiler/filter system.
- Concern is also felt over what is burnt in the boiler, and if planning is awarded, how the quality and type of dry fuel would be controlled or monitored.
- Some of the residents felt the emissions were a risk to health, with small particles being released into the air.
- The Cllrs felt that the emissions/smoke must be sorted before any planning application is approved, as this is affecting residents' quality of life in and around their homes.

The Parish Council wish you to take into consideration the above points when deciding upon this application.

**Highways Development Control**

No comments received.

**Environmental Health Officer (DA)**

I refer to the above planning application and wish to recommend refusal on the following grounds;

- Small Particulate Matter (PM<sub>10</sub>); Emissions of small particulate matter (PM<sub>10</sub>) have been assessed to increase over good background air quality in the area. This has been assessed as an increase towards 60% of the short term mean.
- However, there remains large uncertainty with the fuel (straw) quality which could make this assessment too low.
- There is also a large discrepancy in heat demand currently from this development not matched to the power output of the boiler.

These matters are explained in more detail below. As such, there is likelihood that this development could significantly increase emissions of PM10 in this area. As a result based on the health risks as set out in the attached, I recommend refusal. The reason is to prevent adverse health impacts from small particulate matter.

**File Note; WK-32195**

**Staple Farm 450 kW boiler and 9m chimney, West Quantoxhead (planning ref 3/38/14/001)**

**Date 17<sup>th</sup> March 2014**

- The boiler (450kW<sub>hr</sub>) is used to heat 4 dwellings (two Bungalows and two Barn conversions with Building application (completed) FP/11/0229). The boiler is fan assisted (automatically actuated). This heats water via heat exchanger which feeds 2 accumulator tanks installed in outbuilding to even out the load (2 x 10m<sup>3</sup>).
- Fuel (straw) is one large round bale around 250 kg and takes up to 3 bales every 2 days from straw cut in July/Aug in preceding year. At time of inspection 11<sup>th</sup> March 2014 there were around 77 bales in the shed nearest the boiler plus additional ones in another of the sheds. The owner explained they will need to buy in additional stock at some point of unknown moisture content / quality.
- The inside of the furnace (11<sup>th</sup> March 2014) was heavily tarred indicative of inefficient burning.
- An engineer had been in attendance prior to this visit.
- No abatement technology or arrestment plant has been installed to minimise emissions. Several complaints from local residents have been received.
- An initial D1 calculation (Defra TG (09)) has been carried out by Environment Health as part of its review and assessment work and submission to Defra, which shows emissions, are unlikely to breach max. permitted air quality standards or objectives. This initial calculation whilst satisfactory for review and assessment purposes may not necessarily be relevant for development control, as there are assumptions made over fuel quality (fuel used is as designed) and the significance of any increase in emissions remain and of relevance.
- For fuel as designed it would be expected that after harvesting period, there should be evidence to show there was sufficient stored fuel to ensure quality can be maintained.
- Increase in emissions from this initial D1 calculation shows small particulate matter or

PM10 to have increased the most when compared to the air quality objectives.

- This calculation shows PM10 has increased towards 60% of the short term 24 hour mean (50ug/m<sup>3</sup>) for PM10 (assuming dry straw)
- Currently, there is inadequate information to show there is sufficient dry storage and therefore this emission rate could be even higher. This increase in emissions of particulate matter is however already from a relatively good background air quality in this area prior to development occurring.
- The procedure to follow when emissions are likely to exceed the objective would be to either for the applicant to carry out a more detailed assessment (such as modelling) or actual monitoring using a reference analyser(s) with anemometer(s). Also, an RHI emission certificate and type approval for this boiler has not been supplied in support of this application.
- However, the total emissions have been shown in excess of current energy demands and it should be recognised that loads (emissions) should be proportionate to demand.
- Demands have been shown to be just over 5,500 KWh per year for each of the two new barn conversions (as submitted in Building Control file, FP/11/0229) or about 16 KWhr per day per dwelling. However the boiler for this development is 450kW<sub>hr</sub>.
- As it stands there is a large excess of power and its equivalent in particulate matter (PM10) being emitted not matched to the space and water heating demanded by this development.
- Health effects are explained in the UK's Air Quality Strategy (Defra, 2007), which include increased admissions to hospital for the treatment of both respiratory and cardiovascular diseases and symptoms amongst patients suffering from asthma.
- In addition to these effects there is evidence from the United States that long-term exposure to particulate air pollution is associated with a decrease in life expectancy.

In conclusion, with the levels of uncertainty associated with fuel quality and large discrepancy in heat demand is likely to lead to a significant increase in emissions of the pollutants associated with this biomass boiler and based on health risks I must therefore recommend refusal.

#### Reference

1. Defra, 2007, The Air Quality Strategy for England, Scotland, Wales, and Northern Ireland

#### **Environment Agency**

No comments received.

#### **Quantock Hills AONB**

The primary purpose of the AONB designation is conserving and enhancing the natural beauty of the landscape. As such, The AONB Service is concerned with the impact any new development may have on the character and quality of this nationally protected landscape (including its setting).

Thank you for consulting the AONB Service in respect of the above planning application. Having looked at the supporting planning documentation and having made a visit to view the installation from the surrounding area, the AONB Service is very concerned that the boiler, shed and chimney stack are in situ.

Whilst we understand the comments received by members of the public in respect of the smoke emissions and the potential impacts on public health, the AONB Service will not make comments in respect of this matter. The comments below are guided by impacts to landscape character and visual amenity (quality of views) in line with our primary purpose.



We recognise that (when not smoking) the boiler and its housing is perhaps not as overtly prominent in wider, longer-distant views (such as from the A39) as one might expect. However this cannot be said when the boiler is in operation as the plume of smoke emitting from the chimney stack draws the eye to the installation (light smoke against a dark backdrop) and detracts from the visual amenity of the local area.

From the village itself the shed and chimney are clearly visible from a number of locations – including the promoted route of the Coleridge Way. The industrial appearance of the shed and chimney seems at odds with the immediate environment; given its rural location on a farm within the heart of a village, surrounded by residential properties.

We believe the boiler, shed and chimney is contrary to the primary purpose of AONB designation – it does not conserve nor enhance the natural beauty of this nationally protected landscape. It is therefore contrary to West Somerset Council's saved Local Plan Policy LC/2: 'Quantock Hills Area of Outstanding Natural Beauty' which states that "development, which would harm the natural beauty and character of the Quantock Hills Area of Outstanding Natural Beauty will not be permitted".

I hope you will be able to take these comments on board in determining the application.

#### ***Quantock Hills ANOB***

No comments received.

#### ***NHS England***

No comments received.

#### ***NHS South West***

No comments received.

#### ***Public Consultation***

The Local Planning Authority has received 11 letters of objection/support making the following comments (summarised):

The following issues have been raised: -

#### **Smells and fumes**

- This development produces a very considerable amount of smoke. This is at its worst at the times when the boiler is loaded with fuel, and much smoke billows for a couple of hours after loading but can continue with smaller amounts of smoke for several hours.
- Mainly the smoke is white but sometimes it is dirty grey or black.
- The chimney churns out acrid black smoke which smells like a chimney permanently on fire.
- I am very concerned about the emissions generating from the burner which was installed six months ago.
- It is burning day and night.
- You can not only see the smoke but you can taste the omissions.
- It is not affecting me every day, as it depends on which way the wind is blowing.
- Depending on the wind direction, some neighbouring property is affected every day the boiler is used.
- The smell from the wet straw is a stench that invades the house if any windows are open and contaminates the washing if left out to dry.
- I have not been able to open my windows when this dreadful smell is in the air.
- The smoke and fumes are carried well outside of the farm premises so affecting the residents.
- We are unable to combat the smoke and fumes as they are wind-blown to all points of the village.

- No longer can one open windows after using the bathroom; no longer can the kitchen windows be thrown open during cooking – the houses rapidly fill with the acrid bonfire-like smell. Pottering in the gardens, the delight of many of the elderly residents, is now dependent on wind direction or whether the burner is on.
- People will be unable to open windows, sit in their gardens and enjoy their lives without thinking which way is the wind blowing and who is it going to effect.
- In certain conditions, it drops from the stack and blows across at ground level directly towards people houses.
- It is made worse by the fact that this structure is sited in the very heart of the village with a number of properties sitting at or above stack level.
- The smoke generated is commercial/industrial in quantity and quite unfitting in a residential area.

### **Health and Wellbeing**

- Tasting these emissions is making me cough, and surely this must be a health issue.
- Smoke and smell may not be harmful to health but it is dependent on the quality of fuel used and it seems unlikely that the Council would want to make daily checks on what is being loaded into the boiler. Dragonheat states that many and varied types of fuel can be burned, even animal carcasses.
- Any inhalation of smoke is detrimental to health: that has long been known and we are inhaling this smoke almost continuously, in our homes and gardens.
- Villagers must be assured that the particulate matter they are inhaling will cause them no harm, will have no long-term effects and will not exacerbate conditions such as asthma etc. There has to be proper monitoring and evaluation done.
- The fumes affect my lungs making me cough.
- It will contaminate our lungs for as long as it is allowed to burn.
- The original in question can, besides straw, burn up to 50kg per hour of pig and poultry carcasses.
- Above all the quality of our life is being affected. We live with windows closed, and have to consider wind direction before hanging out washing or working outside in the garden.

### **Loss of outlook**

- We would suggest that the photographs and description of visual impact included with the application are highly misleading as they show the chimney without smoke. We have attached some photographs taken by us and others which show just how distinctive this development is when smoke is emitted, as well as one taken from one of our windows showing the proximity and impact on our own property. When smoke plumes from the chimney this is visible from a very considerable distance – even from the A39 not only on the approach to the village but from points approaching Williton from Washford, some miles distant. It should be remembered that the development is within the Quantock Hills Area of Outstanding Natural Beauty, and surely a development with such adverse visual impact is not appropriate within an AONB.

### **Incompatible or unacceptable uses**

- The farm is located in the centre of a village, with houses surrounding on all points of the compass, we would submit that something with such a deleterious impact is exactly what was anticipated when these words were included as Material Planning Considerations – both incompatible with a residential area and unacceptable in a close village community.
- I would think that this boiler has been designed to be situated in a farm which is in a more rural setting. It is not suitable where it is.

### **Visual amenities**

- I have looked at the Visual Impact Assessment. Could you tell me why Luckes Lane

is mentioned, Luckes Lane is not in the heart of the village. Staple Farm is, as is Weacombe Road and Staple Lane, and do not forget The Avenue which was not mentioned. This is the area where villagers walk, visiting neighbours, or to go to the shop and the chimney is visible for all to see and smell.

- The Coleridge Way is a famous walk in and Area of Outstanding Natural Beauty, this walk passes Staple Farm, walkers passing the farm could inhale and taste the emissions.
- I fear in this Area of Outstanding Natural Beauty there is a bon-fire which will never go out.
- I would just say that although we are sympathetic to eco-friendly bio-mass boilers, this particular installation with it's tall industrial type chimney is inappropriate in its setting.
- The chimney can clearly be seen from the main approach to the village. The visual impact of the chimney, especially when emitting copious amounts of thick white and sometimes black acrid smoke is more akin to an industrial area.
- the visual impact of the chimney is inappropriate for a "small village".

### **Other**

- It has been observed that the straw which is being loaded into the boiler is wet and has been lying around outside in the farmyard.
- If the Committee decide to grant the application, than I would suggest adding a condition that the chimney and associated ironwork should be treated with heat—proof paint to match the existing colour of the shed, with no subsequent alteration without further permission.
- As this boiler is intended to be running most of the time why has this plant been commissioned without the use of effective exhaust gas scrubbers or equipped with more efficient burning setting on the boiler itself so that I and other residents in the village are not subjected to this air pollution?
- If the planning committee allow this biomass boiler to continue to operate strict controls on the set up of the burn and that a stringent monitoring programme is carried out by the necessary authorities to prevent breach of emission standards and further negative impact on the local residents.

### **Planning Policy Context**

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that all development proposals are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for West Somerset consists of the Somerset Minerals Local Plan (adopted April 2004), Somerset Waste Core Strategy (adopted February 2013) and the West Somerset District Local Plan (adopted April 2006). West Somerset is in the process of developing the emerging Local Plan to 2032, which will replace the strategy and some of the policies within the adopted Local Plan. The emerging Local Plan is at an early stage of production process. It will go to the Publication stage in late Summer 2014 when the contents will acquire some additional weight as a material consideration. Until that stage is reached, policies within the emerging Local Plan can therefore only be afforded limited weight as a material consideration.

The following Policies are considered relevant to this application:

- SP/1 Settlement Hierarchy
- SP/4 Development in Small Villages
- BD/1 Local Distinctiveness
- BD/2 Design of New Development
- PC/1 Air Pollution

### **National Policy**

The National Planning Policy Framework (March 2012) is a material planning consideration. Paragraphs 96, 97, 98 and 109 are particularly relevant to this application.

## Planning History

The following planning history is relevant to this application:

3/38/07/004	Conversion of barns to two holiday units	Grant	30/08/2007
3/38/04/014	Conversion of existing barn to two dwelling units (affordable)	Grant	19/12/2006
3/38/85/012	Erection of bungalow (outline)	Grant	19/12/1985
3/38/85/006	Erection of bungalow	Grant	28/06/1985
3/38/76/001	Construction of agricultural workers dwellings	Grant	17/05/1976

## Proposal

The application seeks consent for the retention of a biomass plant (model D50, Dragon Heat Ltd) which comprises a three sided steel building 4.6m x 5.2m x 4.4m (ridge) to house the boiler and a flue 9m high and 45cm in diameter. The flue is braced to a steel structure.

## Site Description

Staple Farm is located within the centre of West Quantoxhead and within an Area of Outstanding Natural Beauty. Access to the farm is off Staple Lane/Weacombe Road. The farm yard and adjacent fields are clearly visible from the main Minehead to Bridgwater road, the A39 as the land slopes upward in a north south direction.

Residential properties are located to the north, east and south of the farm. Within the farm complex there are several agricultural buildings modern and traditional. Conversion of a traditional stone barn (located next to the farmhouse) to provide two holiday units has been completed. Another stone built barn has been upgraded and is being used to house the accumulator tanks (10,000 litres) for the storage of hot water. Two modern barns built with concrete sheeting and timber boarding are located close to the site where the bio-mass boiler is positioned. One of the barns is currently being used to store the fuel for the boiler.

## Planning Analysis

### 1. Principle of Development

Development for renewable or low carbon energy supply systems should be actively supported if its impacts are (or can be made) acceptable. The sections below will discuss the impacts of the proposal in terms of visual and residential amenities.

The bio-mass boiler has a 450kW capacity. It is currently serving four properties which require approximately 70kW to heat all four properties. It would appear that the boiler is much larger than that required to serve the existing units. It is anticipated that the farmhouse and swimming pool will be added to the system. This would still leave a substantial difference in the required output and possible actual output the boiler can generate.

The benefit of decentralised energy systems is central to the principle of sustainable development and the associated reduction in carbon emissions. However, the installation of a boiler which is far bigger than that required reduces potential benefits.

### 2. Character and Appearance of the Area

The boiler is contained within a three sided metal building which has a pitched roof; the height of the building to the pitch is 4.4 metres. A 9 metre high chimney is located next to the building and a steel frame is attached to add strength to the stability of the chimney. The chimney is 0.45 meters in diameter.

A visual impact assessment has been submitted with the application providing views of the structure from four vantage points surrounding the structure.

The building is located near other buildings within the farm complex. It is read with these buildings and does not look out of place. It is not unusual to see different types of structures on agricultural land, such as silos or storage tanks. Although the chimney is different from structures usually associated with farming practices, it does not look out of place when the chimney is not smoking.

The photos provided within the visual impact assessment differ from photos which have been submitted by neighbouring residents, in so much as they do not show the chimney with smoke being discharged. When viewed with smoke the chimney looks very different. The chimney takes on an industrial feel and look, making it incongruous in its rural setting and also within the street scene.

### *3. Residential Amenity*

The structure is a sufficient distance from any property not to have an overbearing impact in terms of outlook. The main issue with this proposal is the impacts of the smoke being emitted from the chimney and how this affects neighbouring properties. Objections have been raised with regards to smells, fumes, health, wellbeing and visual amenities.

The objections received in relation to smells and fumes state that these are apparent when the boiler is burning and will affect different areas of the village dependent on wind direction. The fume is similar to that of a bonfire and can be smelt when outside, it lingers on washing and within houses when windows or doors are opened.

Other comments received relate to health and wellbeing where residents describe the effects as having a taste which in turn causes coughing. Some residents are concerned with unknown future health effects or if the proposal would be detrimental to existing health problems such as asthma.

Environmental Health has confirmed that increased concentrations of small particulate matter (e.g. PM<sub>10</sub>) are associated with potential health effects. These effects are explained in the UK's Air Quality Strategy (Defra, 2007).

In addition since receiving these comments we have consulted the NHS to seek their advice on the matter. Their comments will be added to the file and be available on our website. Members will be updated in advance of the committee meeting.

West Somerset Council's Environmental Health department has raised an objection to the application in terms of the levels of uncertainty associated with fuel quality and its potential to lead to significant increase in emission of the pollutants associated with this biomass boiler. Based on health risks particularly associated with the particulate matter they recommend refusal.

### *4. Other Implications*

Neighbours have observed the boiler being loaded with wet straw which has been lying around outside in the farmyard. West Somerset Council's Environmental Health department confirms that the use of substandard fuel would increase the density of the smoke emission. This could lead to a breach in the air quality objectives for particulate matter (e.g. PM<sub>10</sub> not to be exceeded more than 35 times per year at 50ug/ms over a 24 hour period).

### **Environmental Impact Assessment**

This development does not fall within the scope of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999 and so an Environmental Impact Assessment is not required.

## **Conclusion and Recommendation**

It is considered that the proposal, is unacceptable and it is recommended that planning permission be refused.

### **Reason for Refusal :**

- 1 The proposed development will cause a significant increase in emissions of pollutants associated with the biomass boiler which would be detrimental in terms of air quality to the amenities of the surrounding area. The proposal would be contrary to the provisions of Policies SP/4 and PC/1 of West Somerset District Local Plan (2006) and paragraphs 98 and 109 of the National Planning Policy Framework.
- 2 The proposed development would represent an industrial intrusion in the countryside causing a damaging impact on the visual amenities of this attractive part of the Quantock Hills Area of Outstanding Natural Beauty. As such, the proposal would be contrary to the provisions of Policies SP/4 and BD/1 of West Somerset District Local Plan (2006) and paragraphs 98 and 109 of the National Planning Policy Framework.

### **Notes**

#### **1 STATEMENT OF POSITIVE WORKING**

Despite the Local Planning Authority's approach to actively encourage pre-application dialogue, the applicant did not seek to enter into pre-application correspondence with the Local Planning Authority.

During the consideration of the application elements of the proposal were deemed to be unacceptable and issues were raised by a statutory consultee and neighbours in respect of air quality. The local planning authority contacted the applicant to inform them of the concerns at an early stage.

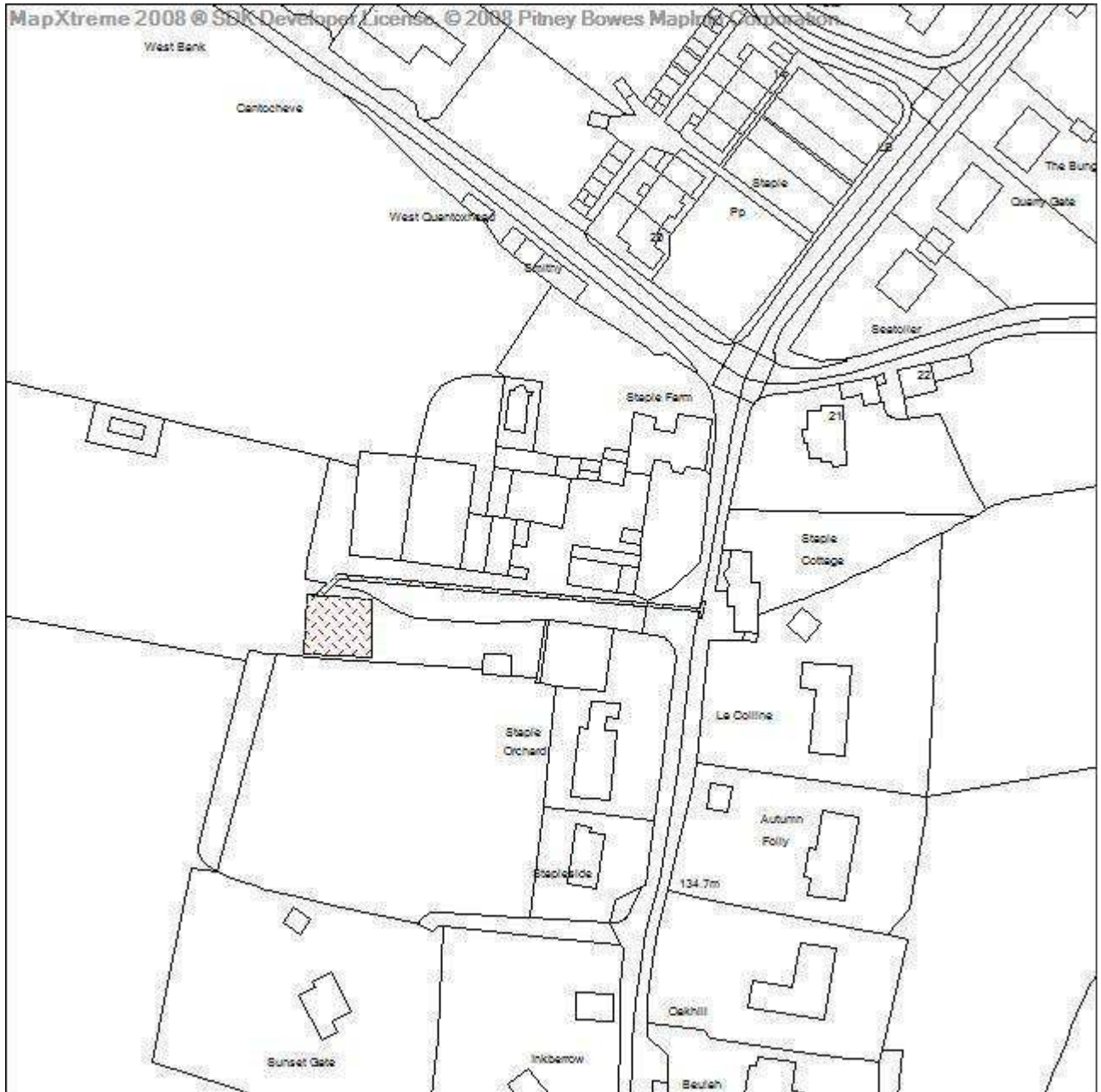
Although the applicant submitted some additional information this did not fully address the concerns. The applicant was informed about the outstanding issues. The applicant did not submit any further information or amendments to the scheme.

The application was considered not to represent sustainable development and the development would not improve the economic, social or environmental conditions of the area.

In the determination of this application the local planning authority complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework.

For the reasons given above and expanded upon in the planning officer's report, the application was deemed to be unacceptable and planning permission was refused.

- 2 This decision relates to Drawing Titled: Site Location Plan, Site Plan, Elevations, technical information from Dragon Heat Ltd and Visual Impact Assessment entered on 24/02/2014 only.



Application No 3/38/14/001  
 Erection of steel shed to house a  
 biomass boiler plus chimney  
 (retrospective)  
 Staple Farm, West Quantoxhead,  
 Taunton, TA4 4EA  
 24 February 2014  
 Planning Manager  
 West Somerset Council  
 West Somerset House  
 Killick Way  
 Williton TA4 4QA  
 West Somerset Council  
 Licence Number: 100023932



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Easting: 310954      Northing: 141555  
 1:1250

Scale:

### Delegated Decision List

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
3/07/14/001	Sunnybank, Crowcombe, Taunton, TA4 4AE Install a stainless steel flue liner to chimney and rebed existing chimney pot, replacement rear WC window, replacement rear kitchen door, minor internal alterations to walls and door for WC and master bedroom	13 March 2014	Grant
3/09/13/006	Chilcott Woods Barn, Dulverton, TA22 9QQ Resurfacing of public rights of way (retrospective)	10 March 2014	Grant
3/21/13/125	Littlebrook, Brook Street Mews, Alcombe, Minehead, TA24 6DH Variation of condition 4 in order to change the finish for the front elevation from vertical dark stained timber boarding to a cream rendered finish	03 March 2014	Grant
3/21/14/001	51 Parkhouse Road, Minehead, TA24 8AD Change of use of public open space to private garden with 1.80m timber fence around perimeter.	18 February 2014	Grant
3/21/14/002	Flat 5, Merton Place, Western Lane, Minehead, TA24 8BZ Replacement of five single glazed wooden windows to double glazed upvc windows (retrospective)	17 March 2014	Grant
3/21/14/003	Warren House, The Warren, Minehead, TA24 5BG Proposed Ground Floor and First Floor extension.	13 March 2014	Grant
3/21/14/005	D J Miles & Co Ltd, Stephenson Road, Minehead, TA24 5EB Formation of new office on existing mezzanine floor with new window to new office	17 February 2014	Grant
3/21/14/006	Butlins, Warren Road, Minehead, TA24 5SH <b>Refurbishment of existing fairground at Butlins Resort Minehead</b>	27 February 2014	Grant
<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>



3/21/14/011	Smugglers Cottage, Warren Road, Minehead, TA24 5SL Demolition of existing single storey utility room and erection of a new single storey extension	05 March 2014	Grant
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<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
3/26/14/002	Dudley Cottage, Washford, Watchet, TA23 0PE Demolition of existing rear extension and construction of new 2 storey and single storey extensions (resubmission of 3/26/13/008)	17 March 2014	Grant

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
3/31/14/002	Lower Preston Farm, Lydeard St. Lawrence, TA4 3QQ Conversion of store building to office	25 February 2014	Grant

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
3/32/14/002	2 Shurton Court, Shurton, Stogursey, Bridgwater, TA5 1QE Installation of secondary glazing to 4 existing windows, replacement of 14 windows with bespoke Slimlite double glazed timber windows, removal of shutters and replacement with bespoke Slimlite double glazed timber window, replacement of 2 doors with bespoke part Slimlite double glazed timber doors, remodelling of bathroom to incorporate a WC including new soil pipe and modifications to drainage/soil arrangements and replacement of low level roof light with internal light well	24 February 2014	Grant

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
3/32/14/003	Lime Street Buildings, Shurton Lane, Stogursey, Bridgwater Retention of mobile home for a temporary period of three years	05 March 2014	Grant

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
3/37/13/034	Esplanade Snooker Club, The Esplanade, Watchet, TA23 0AJ Replacement of two bay windows.	10 March 2014	Grant

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
3/37/14/001	Existing garage site, East side of Reed Close, Watchet, TA23 0EE Demolition of an existing garage site and erection	17 February 2014	Grant

of a detached four bedroom dwelling with garaging.

<b><u>Ref No.</u></b>	<b><u>Application</u></b>	<b><u>Date</u></b>	<b><u>Decision</u></b>
3/39/14/002	Doniford Farm, Doniford Road, Watchet, TA23 0TQ Variation of condition 2 on planning permission 3/39/11/023 in order to regularise the building of Barn H	27 February 2014	Grant
3/39/14/003	Doniford Farm, Doniford Road, Watchet, TA23 0TQ <b>Internal and external alterations to Barn H</b>	27 February 2014	Grant
FUN/21/14/001	26 Friday Street, Minehead, TA24 5TH Change of use of shop (A1) to newspaper office (B1)	05 March 2014	Prior approval not required
H/31/14/001	Hedgerows on land south east of Catford Cottage, Stogumber The removal of 175m of hedgerow in order to fully amalgamate two fields	10 March 2014	Refuse