

**Item Number:** 9  
**Application No:** 15/00348/FUL  
**Parish:** Scampston Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Boortmalt Group (Mr Kevin Drillot)  
**Proposal:** Raising the roof of part of existing building to allow installation of new roasting plant and associated equipment, installation of external plant and chimneys ranging in height from 12m to 23m and siting of an external steel container.  
**Location:** Boortmalt Group Poplars Lane West Knapton Malton North Yorkshire YO17 6RN

**Registration Date:**  
**8/13 Wk Expiry Date:** 28 May 2015  
**Overall Expiry Date:** 10 June 2015  
**Case Officer:** Charlotte Comforth **Ext:** 325

#### CONSULTATIONS:

**Environmental Health Officer** Comments received  
**Parish Council** No views received to date

**Neighbour responses:** M E Carter, Richard Neasham, Ms Karen Sellers, Mr And Mrs T C Cammish, Mrs Sally Mills, Mr & Mrs J Simpson, Mrs Kim Burnett, Mr Thomas Cammish, Mrs Sandra Piercy, Mrs Doreen Hicks, Mr Joe Simpson,

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#### SITE:

The site comprises of numerous substantial buildings that are used to produce various types of malt. The site is located within the wider open countryside, approximately 1.23 kilometres to the north of A64 and approximately 0.8 kilometres to the north west of the village of West Knapton. The site is also adjacent to the Malton – Scarborough railway line, with the residential properties of ‘The Poplars’ to the south of the site and other residential properties to the north and west close to the railway line.

#### PROPOSAL:

Raising the roof of part of an existing building to allow the installation of a new roasting plant and associated equipment, the installation of an external plant and a chimney ranging in height from 12m to 23m and the siting of an external steel container.

Members should note that the proposal seeks the following:

- 2 external cooler cyclones at a height of 12m
- 1 external chimney at a height of 23m
- 1 external steel container
- 2 internal roaster machines
- 2 internal coolers
- 2 internal afterburners
- 4 internal fans

Members should also note that the initial scheme was submitted without a noise survey. Following discussions with the agent, a noise survey was submitted along with further noise, odour and dust information. Members should also note that one chimney has been omitted from the initial scheme; therefore the scheme now proposed one chimney and not two as originally proposed.

## **HISTORY:**

There is extensive history in connection with the site. However, it is considered that there is no relevant history pertinent to this planning application.

## **POLICY:**

### National Policy Guidance

National Planning Policy Framework (2012)  
National Planning Practice Guidance (2014)

### The Ryedale Plan – Local Plan Strategy

Policy SP6 - Delivery and Distribution of Employment/Industrial Land and Premises  
Policy SP13 - Landscapes  
Policy SP16 - Design  
Policy SP19 - Presumption in Favour of Sustainable Development  
Policy SP20 - Generic Development Management Issues

## **APPRAISAL:**

The main considerations to be taken into account when considering the proposal are:

- i. The principle of development
- ii. Impact upon the wider open countryside
- iii. Impact upon neighbouring amenity
  - a) Noise
  - b) Dust
  - c) Odour
- vi. Other matters
- vi. Conclusion

### i. The principle of development

Local and National Planning Policy is generally supportive of the expansion of existing established businesses, including the Boormalt Group. Policy SP6 (Delivery and Distribution of Employment/Industrial Land and Premises) is supportive of the expansion land for existing major employers and established buildings within the wider open countryside. This proposal seeks to alter and use an existing building within the site and will not involve any expansion of the application site beyond its existing boundaries. It is therefore considered that the principle of development in this location is considered acceptable.

### ii. Impact upon the wider open countryside

The external elements of the proposal include the chimney, 2 cooler cyclones, a steel container and the raising of the existing roof by 4 metres. The chimney and the raising of the existing roof will be visible from the wider open countryside. There will be glimpsed views of the 2 cooler cyclones and the steel container when approaching the site from the south along the B1258. However, it is considered that the external elements will be read in the context of the existing buildings within the site.

The proposed cladding to raise the roof will be of a Moorland Green that matches the adjacent buildings. It is therefore considered that the proposal will not have a detrimental impact upon the wider open countryside.

### iii. Impact upon neighbouring amenity – noise, dust and odour

The application has generated numerous objections from the occupiers of nearby properties. The full letters of objection may be viewed on the Council's website.

8 letters of objection were received as a result of the initial consultation and a further 3 letters of objection have been received following the submission of a noise survey and further noise, odour and dust information.

A summary of the objections include the following main points and material planning considerations:

- The proposal will make the odour worse for neighbouring properties
- The proposal will increase the noise that will impact upon neighbouring properties
- The proposal will increase the dust (which adds to air pollution) that will impact upon neighbouring properties
- The proposal will increase traffic congestion
- The proposal will increase the risk of fire and explosion
- Blocking up on soakaways
- The discarding of rubbish into the drainage gutters
- The garden of a property has been flooded; therefore the infrastructure of the factory cannot cope with the current level of production
- Fly infestations
- Property values

#### a) Noise

Following discussions with the Council's Environmental Protection Officer, the following comments have been made with regard to noise:

*A BS 4142:2014 Noise Assessment was submitted by the applicants. The assessment considered measurements of existing noise levels at the nearest noise sensitive receptors: Station House on Malton Road, which is situated ~ 75m away to the north east; and the closest property on Poplars Lane, which is slightly further away and screened from the proposed development by parts of the existing installation. Measurements were also taken of noise levels 5 metres from the existing roasting plant whilst three of the existing four roasting ovens were in operation. By calculation, the specific noise level predicted to arise at the nearest noise sensitive receptor as a result of the operation of all existing roasters plus the two proposed additional roasters was then determined. The calculated specific noise level at the nearest receptor was 40dB. The calculation was based on attenuation due to the distance between the noise source and the receptor and assumed that there would be no barrier attenuation. A +3dB penalty was added to this giving a rating value of 43dB. This is 3dB below the measured background noise level at the receptor, a result that indicates that the specific noise from the extended roasting plant will have no adverse noise impact.*

*This assessment may be considered cautious in respect of the fact that in determining the rating level, noise from the existing roasting plant has not been excluded. It's exclusion would result in a lower rating level. However, the calculated rating level does also make an assumption that the two new roasters (and the existing roaster that was not operating when the assessment was undertaken) will have similar sound emission characteristics to the three existing roasters that were operating, thereby resulting in a doubling of sound power. That is the basis on which the measured sound pressure level of 61dBA at 5m from three roasters has been used to predict a level of 64dBA if six roasters (including the proposed two new ones) operated together.*

*(Doubling the sound power results in a 3dB increase in the sound pressure level). This means that there is a degree of uncertainty with regards to the predicted impact.*

*I therefore recommend the following condition if the application is approved:*

*The applicant shall arrange for noise monitoring to be undertaken by a suitably qualified acoustic consultant to check that the noise level arising from the combined impact of the existing four roasters and two new roasters does not exceed the level of 64dB (LAeq15min) 5metres away from the external façade of the building housing the roasters. This monitoring shall be undertaken within 2 months of the completion of commissioning of the new roasters and whilst all six roasters are operating. If the measured level exceeds 64dB(A), the applicant must identify and implement appropriate measures to attenuate noise from the plant so that it does not exceed the predicted level of 64dB (LAeq15min).*

*Reason : To protect the local amenity by preventing an increase in noise levels at noise sensitive properties*

#### b) Dust

The Environmental Protection Officer has also stated the following comments with regard to dust.

*The proposed new plants incorporate cyclones to capture dust from the roasters and coolers. The applicant has stated that there is a 'small amount of deposition taking place from the roasters' but that this is limited to the roof area close to the flues and emissions are confined to within the site. Furthermore the applicant states that past complaints concerning dust have related to other parts of the plant.*

*Environmental Health complaints records for the period 2011 to the present date do not show any complaints relating to dust emissions from the installation.*

*I recommend the following condition if the application is approved:*

*Emissions to air from the roasting drums and coolers to which this permission relates shall at all times discharge through cyclone arrestment systems so as to minimise emissions of particulate matter. Materials captured by the cyclones shall be transferred via enclosed conveyance systems to secure enclosed storage vessels.*

*Reason : To protect the local amenity by minimising emissions of particulate matter*

#### c) Odour

The Environmental Protection Officer has also made with the following comments with regard to odour and smoke:

*Several complaints have been made in recent weeks concerning emissions of smoke from the roasting plant. The production of high coloured malts may give rise to odour and visible smoke. This is because production of darker malts involves subjecting the malt to more heat. These products are currently produced exclusively using one particular roasting drum (No.5). This drum has an afterburner, the purpose of which is to abate emissions of odour and smoke which arise from the process. It should be noted that the smoke emitted through the normal production of high coloured malt is not the result of the malt catching fire (which is not part of the process). Green malt fed into the roasting drum is heated indirectly by hot air blown through the rotating drum. In order to minimise smoke and odour emissions the afterburner must start up in time and attain the required temperature in order to ensure effective oxidation of odorous compounds and smoke. My understanding is that provided the afterburner is operated properly it is effective and smoke and odour emissions are minimal.*

*Following a recent complaint from a local resident concerning smoke emissions, enquiries were made and the operator confirmed that on 13 July there was a fire in No. 5 roasting drum. Such incidents are not common but if they do occur are usually associated with the production of high coloured malts. To minimise the risk of fire a sensor continuously measures the temperature of the malt. The detection of a high temperature automatically activates the release of water to flood the drum and extinguish the fire. There is also a temperature sensor in the exhaust ductwork taking air from the drum to the afterburner and there are smoke detectors in the roasting house. I understand that the automated extinguisher operated effectively on this occasion and although the fire and rescue emergency services were called out as part of the standard operating procedures, the fire in the roaster was extinguished before they arrived. The incident was caused by a batch of green malt that had become sticky and having adhered to the inside of the drum became overheated.*

*The other three existing roasting drums are used to produce less coloured malts and are not equipped with afterburners as the potential for smoke and odour emissions is low. The risk of fire is also lower and consequently unlike drum 5, the other drums do not have automated emergency systems to detect and extinguish fires, although they do have product and exhaust temperature sensors which are monitored by the operator.*

*My understanding is that the demand for high coloured malts is growing significantly and the two proposed new roasters, each of which will be equipped with an afterburner and automated systems to detect and extinguish fires, will be used to increase the capacity to produce these products. The applicant has stated that the afterburners of the new roasters will be more efficient than the one fitted to existing roaster No. 5 and that there will therefore be little or no impact on emissions of smoke and odour if the development is approved.*

*I recommend the following condition if the application is approved:*

*Each of the two roasters to which this permission relates shall be equipped with an afterburner to treat exhaust air from the roasters. The afterburners shall be operated for the appropriate time duration and at appropriate temperatures so as to ensure the effective treatment of exhaust gases thereby preventing or minimising emissions of smoke and odour at all times.*

*Reason : To protect the local amenity by preventing or minimising emissions of odour and smoke.*

Policy SP20 (Generic Development Management Issues) of the Ryedale Plan – Local Plan Strategy states the following regarding amenity and safety:

*New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence*

*Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise*

*New development proposals which will result in an unacceptable risk to human life, health and safety or unacceptable risk to property will be resisted. Developers will be expected to address the risks/potential risks posed by contamination and/or unstable land in accordance with recognised national and international standards and guidance*

It is considered that with conditions suggested by the Environmental Protection Officer being attached to the Decision Notice (if planning permission is granted), the amenity of neighbouring properties will be adequately protected in terms of noise, dust and odour. Members should also note that other legislative procedures would take into account issues regarding nuisance in respect of noise, odour, dust and fire risk.

#### vi. Other matters

The proposal will not involve a material increase in traffic and vehicular movements associated with the proposed development.

There has been no response from the Parish Council with regard to the proposal.

#### v. Conclusion

In light of the above, it is considered that the raising the roof of part of an existing building to allow the installation of a new roasting plant and associated equipment, the installation of an external plant and a chimney ranging in height from 12m to 23m and the siting of an external steel container meets the relevant policy criteria outlined within Policies SP6, SP13, SP16, SP19 and SP20 of the Ryedale Plan - Local Plan Strategy and with the policies contained within the National Planning Policy Framework. The proposal is therefore recommended for approval, subject to the following conditions.

#### **RECOMMENDATION:                      Approval**

- 1            The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 2            If the application is approved, the applicant shall arrange for noise monitoring to be undertaken by a suitably qualified acoustic consultant to check that the noise level arising from the combined impact of the existing four roasters and two new roasters does not exceed the level of 64dB (LAeq15min) 5metres away from the external façade of the building housing the roasters. This monitoring shall be undertaken within 2 months of the completion of commissioning of the new roasters and whilst all six roasters are operating. If the measured level exceeds 64dB(A), the applicant must identify and implement appropriate measures to attenuate noise from the plant so that it does not exceed the predicted level of 64dB (LAeq15min).

Reason:- To protect the local amenity by preventing an increase in noise levels at noise sensitive properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 3            Emissions to air from the roasting drums and coolers to which this permission relates shall at all times discharge through cyclone arrestment systems so as to minimise emissions of particulate matter. Materials captured by the cyclones shall be transferred via enclosed conveyance systems to secure enclosed storage vessels.

Reason:- To protect the local amenity by minimising emissions of particulate matter and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 4            Each of the two roasters to which this permission relates shall be equipped with an afterburner to treat exhaust air from the roasters. The afterburners shall be operated for the appropriate time duration and at appropriate temperatures so as to ensure the effective treatment of exhaust gases thereby preventing or minimising emissions of smoke and odour at all times.

Reason:- To protect the local amenity by preventing or minimising emissions of odour and smoke and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plan(s):.

Reason: For the avoidance of doubt and in the interests of proper planning.

**Background Papers:**

Adopted Ryedale Local Plan 2002  
Local Plan Strategy 2013  
National Planning Policy Framework  
Responses from consultees and interested parties