

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/22/01830/FPA
FULL APPLICATION DESCRIPTION:	Replacement sawmill to west of site, construction of co-products bunkers to north at former Cooks Hold Farm site, new access road from site entrance to co-product bunkers, with associated landscape, drainage and car park
NAME OF APPLICANT:	Mr Michael King
ADDRESS:	Taylor-made Timber Products, Old Colliery Yard, Sherburn Hill, Durham, DH6 1PS
ELECTORAL DIVISION:	Sherburn
CASE OFFICER:	Jennifer Jennings Senior Planning Officer 03000 261059 jennifer.jennings@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. This application relates to the Taylor-made Timber site which is located to the north of Sherburn Hill and is a long-established timber manufacturing business, predominantly engaged in the manufacture of bespoke timber fencing, pallets and packaging as well as the production of associated bi-products such as bark, sawdust and woodchip. The red line application site is located to the west of the main operational area and includes an open area of land that received planning permission in 2019 for use for storage. The red line boundary extends from this point northwards taking in the site of the former Cooks Hold Farmstead which was recently acquired by the applicant, and continues eastwards towards the existing access point on East View. In total the red line boundary covers approximately 10 hectares. The full landholdings associated with the business amount to approximately 19.6 hectares.
2. The majority of the application site is open land, with some hardstanding areas to the south and also in the location of the former farmstead area and the remaining areas to the northeast forming part of the former colliery. The buildings and sheds associated with the farmstead were subject to a prior notification for demolition and these works are now complete. The wider Taylor-made site is heavily planted around the boundaries to the north and northeast and there exists lines of hedgerow field boundaries within the application site itself. New planting associated with the 2019 permission exists to the west and north-west of the application site.
3. To the east of the application site is the main operational area associated with Taylor-made Timber and includes the existing sawmill building, with associated offices, a log grader machine and other buildings for timber treatment, kilns and workshop and storage. Abutting the south boundary of the site is an existing Public Right of Way (PROW) followed by the rear gardens associated with nos. 23 to 28 Kell Crescent.

The land to the north and west of the site is in agricultural use and extends as far north as Pittington and west as Sherburn Village.

4. A key feature of the site is a noted change in land levels, with a significant drop from south to north, of some 19 metres falling from the rear of Kells Crescent down towards Cooks Hold Lane. West of the application site, the topography follows a similar pattern falling steeply in a northerly direction from Sherburn Hill village, then more gradually toward Sherburn Village.
5. The application site does not feature within any protective ecology, tree or landscape designations and is not within or adjacent to any conservation areas or listed buildings. From the site, there is visibility across to the Durham Cathedral World Heritage Site at a distance of 6 kilometres to the west. Two PROWs abut the south and west boundary of the site, the latter recently having been subject to diversion which realigned the route to its current position.

The Proposal

6. Planning permission is sought for the installation of a new sawmill building and attached office building, along with a co-products building for collection and storage of chip, dust and bark in the site of the former Cooks Hold Farmstead. A new car parking area would be provided to the north of the new sawmill building, with a new access road creating a link from the west of the site to the existing access at East View, measuring approximately 420 metres.
7. The proposed new sawmill would be positioned to the west of the main operational area of the business and would measure 155 metres long by 60 metres wide, with an additional 22 metres mill feed structure at the southern end of its east elevation. It would have a maximum height to ridge of 15.8 metres on the north elevation and a height of 7.7 metres at the south elevation, the change in height resulting from the building being set into the existing landform. The sawmill would be clad in green with Solar PV panels on the roof. At the northern end of the west elevation, a new office block is proposed, measuring 14 x 28 metres and would be three storeys in height, with mono pitched roof rising from 9.2 metres at eaves height to 11.3 at maximum height. This building would be finished in timber with a grey zinc standing seam roof. The existing sawmill would thereafter be removed.
8. The co-products building would be to the north of the site, measuring 60m x 30m with a maximum height of 13.8 metres. It would also be clad in green.
9. The remainder of the works would relate to engineering works to construct the new access road and car park area, along with areas of concrete hardstandings around the proposed sawmill and to the front of the co-products building. In addition, various earthworks and regrading of the land would be undertaken to provide new embankments with planting to help screen the building from views from the west. A new SUDS pond is also proposed along with additional planting within the site.
10. The application is being reported to the Central and East Planning Committee as it is a major development with a site area in excess of 4 hectares. The Local Ward Member also requested for the application to be considered at Planning Committee.

PLANNING HISTORY

11. The following provides a comprehensive summary of relevant planning history relating to the site:

- 4/1979/00289 Sawmill and ancillary office buildings Approved 20th April 1979
- 4/98/00903/FPA Erection of undercover timber treatment area and associated guard rail Approved 13th April 1999
- 4/00/00092/FPA Erection of undercover timber treatment area and associated guard rail Approved 27th April 2000
- 4/00/00812/VOC Variation of condition No 14 of Planning Permission 4/79/289 to permit extended working hours up to 1 a.m. daily. Approved 11th May 2001
- 4/00/00902/FPA Erection of extensions to existing sawmill building to house drop sorter machinery Approved 4th April 2001
- 4/01/00514/FPA Retention of covered timber drying area. Approved 17th August 2001
- 4/02/00218/FPA Erection of timber treatment building Approved 26th June 2002
- 4/04/00104/FPA Erection of timber treatment building Approved 23rd March 2004
- 4/04/01162/FPA Erection of extension to existing sawmill building Approved 3rd December 2004
- 4/05/01124/FPA Change of use of land to provide extended storage area including diversion of right of way, demolition of derelict buildings, re-siting of gatehouse, erection of boundary fences and gabion walls, creation of car park and removal and planting of trees Approved 16th March 2006
- 4/06/00146/FPA Erection of machine shed Approved 24th March 2006
- 4/06/01187/VOC Variation of planning approval 4/00/812/VOC to permit extended working hours of 6am to midnight Monday to Thursday, 6am to 4pm on Friday and 7am to noon on Saturday and Sunday Approved 10th January 2007
- 4/07/00318/FPA Retention of kiln, erection of enclosed bark store and creation of additional storage area with associated lighting. Relocation of weighbridge and gatehouse and revised access arrangements Approved 17th May 2007
- 4/07/00562/FPA Erection of single storey pitched roof extension to existing treatment building Approved 30th July 2007
- 4/08/00652/FPA Regrading of existing mound and construction of tarmac surface with associated access to provide additional storage, re-siting of existing boundary fence including diversion of public right of way and associated new highway access Approved 4th September 2008
- 4/11/00630/FPA Extension of Sawmill building, extension of outside storage area, new road, re-siting of log grading line and bark store and construction of weighbridge Approved 11th November 2011
- 4/12/01105/FPA Erection of external lighting scheme, including 4 no. freestanding lighting columns and 8 units on existing buildings Approved 12th March 2013
- 4/13/00565/FPA Closure of existing secondary access and formation of retaining wall. Approved 7th August 2013

- DM/14/00034/FPA Biomass boiler Approved 19th March 2014
- DM/14/00742/FPA Office extension Approved 22nd May 2014
- DM/16/00527/FPA External lighting adjoining right of way to east of site. Approved 25th May 2016
- DM/17/02440/FPA Erection of new building Approved 26th September 2017
- DM/18/00880/FPA Replacement building of increased height and amended size to form a timber pressure treatment building (amended from previous approval DM/17/02440) Approved 10th May 2018
- DM/18/01797/FPA Industrial building for timber pressure treatment. Approved 15th August 2018
- DM/19/02394/FPA Demolition of dwelling and extension to timber storage area, replacement log sorting line, alterations to access, new boundary fence, landscaping and drainage works, including SUDS pond, diversion of Bridleway Approved 20th November 2019
- DM/20/00717/VOC Application to vary Condition 2 (Approved Plans) of Planning Permission DM/19/02394/FPA to amend the site access arrangements, divert the public right of way and alterations to the position of some boundary treatment. Approved 1st September 2020
- DM/20/03072/FPA Retention of surface water attenuation pond, drainage channels and associated works Approved 12th April 2021

PLANNING POLICY

NATIONAL POLICY

12. A revised National Planning Policy Framework (NPPF) was published in July 2021 (with updates since). The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
13. In accordance with Paragraph 219 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
14. *NPPF Part 2 - Achieving Sustainable Development.* The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application

of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.

15. *NPPF Part 4 - Decision-making.* Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
16. *NPPF Part 6 – Building a strong, competitive economy.* The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
17. *NPPF Part 8 – Promoting healthy and safe communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
18. *NPPF Part 9 – Promoting sustainable transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
19. *NPPF Part 11 – Making effective use of land.* Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
20. *NPPF Part 12 – Achieving well-designed places* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
21. *NPPF Part 14 – Meeting the challenge of climate change, flooding and coastal change*
- The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
22. *NPPF Part 15 - Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.

23. *NPPF Part 16 - Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

24. *NPPF Part 17 - Facilitating the Sustainable Use of Minerals* - It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

<https://www.gov.uk/guidance/national-planning-policy-framework>

25. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; design process and tools; determining a planning application; flood risk; healthy and safe communities; land stability; land affected by contamination; housing and economic development needs assessments; housing and economic land availability assessment; natural environment; neighbourhood planning; noise; open space, sports and recreation facilities, public rights of way and local green space; planning obligations; travel plans, transport assessments and statements; use of planning conditions; Tree Preservation Orders and trees in conservation areas and; water supply, wastewater and water quality.

<https://www.gov.uk/government/collections/planning-practice-guidance>

LOCAL PLAN POLICY:

The County Durham Plan

26. *Policy 2 - Employment Land* - Supports business, general industrial and storage and distribution development within specified employment allocations and also protects other existing employment sites from being changed to non-employment uses, unless appropriate marketing has been undertaken or that the use would not compromise the main employment use and would comply with retail Policy 9 where main town centre uses are being proposed. Where a non-employment development is proposed on the protected employment sites, any existing jobs on site must be relocated.

27. *Policy 10 – Development in the Countryside* - States that development will not be permitted unless allowed for by specific policies in the Plan or Neighbourhood Plan or unless it relates to exceptions for development necessary to support economic development, infrastructure development or development of existing buildings. The policy further sets out 9 General Design Principles for all development in the Countryside. Provision for economic development includes: agricultural or rural land based enterprise; the expansion of an existing business falling beyond the scope of a rural land based enterprise, where it can be clearly demonstrated that it is or has the prospect of being financially sound and will remain so. All development to be of design and scale suitable for intended use and well related to existing development.

28. *Policy 14 - Best and Most Versatile Agricultural Land and Soil Resources* - Development of the best and most versatile agricultural land, will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits. All development proposals relating to previously

undeveloped land must demonstrate that soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice.

29. *Policy 21 - Delivering Sustainable Transport.* Requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. Development should have regard to Parking and Accessibility Supplementary Planning Document.
30. *Policy 25 - Developer Contributions.* Advises that any mitigation necessary to make the development acceptable in planning terms will be secured through appropriate planning conditions or planning obligations. Planning conditions will be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Planning obligations must be directly related to the development and fairly and reasonably related in scale and kind to the development.
31. *Policy 26 – Green Infrastructure.* States that development will be expected to maintain and protect, and where appropriate improve, the County's green infrastructure network. Advice is provided on the circumstances in which existing green infrastructure may be lost to development, the requirements of new provision within development proposals and advice in regard to public rights of way.
32. *Policy 28 - Safeguarded Areas-* Within safeguarded areas development will be subject to consultation with the relevant authority and will be permitted where it can be demonstrated that it would unacceptably adversely affect public safety, air traffic safety, the operation of High Moorsley Meteorological Officer radar.
33. *Policy 29 – Sustainable Design.* Requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out detailed criteria which sets out that where relevant development is required to meet including; making a positive contribution to an areas character and identity; provide adaptable buildings; minimise greenhouse gas emissions and use of non renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; providing suitable landscape proposals; provide convenient access for all users; adhere to the Nationally Described Space Standards (subject to transition period).
34. *Policy 31 - Amenity and Pollution.* Sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that they can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.
35. *Policy 32 - Despoiled, Degraded, Derelict, Contaminated and Unstable Land.* Requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to

the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.

36. *Policy 35 - Water Management.* Requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SuDS and aims to protect the quality of water.
37. *Policy 36 - Water Infrastructure.* Advocates a hierarchy of drainage options for the disposal of foul water. Applications involving the use of non-mains methods of drainage will not be permitted in areas where public sewerage exists. New sewage and waste water infrastructure will be approved unless the adverse impacts outweigh the benefits of the infrastructure. Proposals seeking to mitigate flooding in appropriate locations will be permitted though flood defence infrastructure will only be permitted where it is demonstrated as being the most sustainable response to the flood threat.
38. *Policy 39 – Landscape.* Proposals for new development will only be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals are expected to incorporate appropriate mitigation measures where adverse impacts occur. Development affecting Areas of Higher landscape Value will only be permitted where it conserves and enhances the special qualities, unless the benefits of the development clearly outweigh its impacts.
39. *Policy 40 - Trees, Woodlands and Hedges.* Proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges or provide suitable replacement planting. The loss or deterioration of ancient woodland will require wholly exceptional reasons and appropriate compensation.
40. *Policy 41 - Biodiversity and Geodiversity.* Restricts development that would result in significant harm to biodiversity or geodiversity and cannot be mitigated or compensated. The retention and enhancement of existing biodiversity assets and features is required as are biodiversity net gains. Proposals must protect geological features, have regard to Geodiversity Action Plans and the Durham Geodiversity Audit and where appropriate promote public access, appreciation and interpretation of geodiversity.
41. *Policy 43 - Protected Species and Nationally and Locally Protected Sites.* Development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided or the proposal meets licensing criteria in relation to European protected species.
42. *Policy 44 Historic Environment* seeks to ensure that developments should contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage

assets. The policy advises on when harm or total loss of the significance of heritage assets can be accepted and the circumstances/levels of public benefit which must apply in those instances.

43. *Policy 45 - Durham Castle and Cathedral World Heritage Site* - seeks to ensure that developments within the world heritage site sustain and enhance the significance of the designated asset, are based on an understanding of, and will protect and enhance the outstanding universal values (OUVs) of the site in relation to the immediate and wider setting and important views into, and out of the site. Any harm to the OUVs will not be permitted other than in wholly exceptional circumstances.

NEIGHBOURHOOD PLAN:

44. The application site falls within the Sherburn Neighbourhood Plan area. However, this plan has not progressed further than the area being designated.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

45. *Coal Authority* – No objections. The submitted information and the professional opinions contained therein are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development
46. *Highway Authority* – Sufficient information provided in support of the proposals. The application does not propose an increase in throughput, and no net increase in HGV vehicle movements. A condition is recommended to limit HGV movements, with some flexibility in line with the HGV movements noted in the planning statement. A further condition is requested in relation to the Construction Management Plan. Sufficient parking would be made available. No highways objection offered in relation to the proposals.
47. The submission of the additional Transport Statement has been assessed but makes no changes to the original comments received.
48. *Drainage and Coastal Protection* – Sufficient details provided and no objection is offered.

EXTERNAL CONSULTEE RESPONSES:

49. *County Durham and Darlington Fire and Rescue Services* – No issues with fire safety arrangements at the site. The Fire Authority is always consulted during the Building Regulations stage of the project and have no further comments in relation to the planning application.
50. *High Moorsley Met Office* – The proposals are approximately 2900 m from the Met Office radar at High Moorsley and below the beam of the radar at its lowest elevation. There will be no impact on data derived from the radar, so there are no objections to the proposal.

INTERNAL CONSULTEE RESPONSES:

51. *Environment, Health and Consumer Protection (Contaminated Land)* – Advise that all reports have been received and are acceptable. A Phase 4 Verification Report should be provided post occupation.

52. *Environment, Health and Consumer Protection (Nuisance Action Team)* – A full detailed assessment has been undertaken of relevant reports received, in relation to noise, lighting and dust during both operational and construction phase. The Principal Public Protection Officer is satisfied, based on the information submitted with the application, and with the addition of suitably worded conditions, that the operational phases of the development are unlikely to cause a statutory nuisance. In relation to the Construction Environment Management Plan (CEMP), they are satisfied that appropriate measures can be employed to ensure that statutory nuisance does not arise. Further details contained within the main body of the report. No objection was raised to the slight repositioning of the acoustic barrier to southern boundary.
53. *Environment, Health and Consumer Protection (Air Quality)* – Information received sufficient to inform the application. A condition will need to be applied in relation to provision of further information as part of the Construction and Environment Management Plan in relation to the construction phase. No objections raised with regards impact on air quality from operational phase given no net increase in vehicle movements.
54. *Durham County Council Landscape Section* – The application was submitted with a detailed Landscape Visual Impact Assessment and fully assessed. The proposals would result in harm to the intrinsic character and beauty of the countryside. Mitigation has been proposed, but it is recognised that this would only be beneficial progressively over time. Conditions are recommended for adherence to the proposed planting plans and for details of materials schedule and colour to be submitted. Further details contained within the main body of the report.
55. *Durham County Council Public Rights of Way Section* – Note the Inspectors decision allowing the diversion of the Public Rights of Way 38 and 5. They confirm that there would be adverse impacts on future footpath users, but a long term planting schedule is proposed which would mitigate these impacts. No objection offered to the scheme.
56. *Durham County Council Heritage and Design Section* – Assessed the latest assessment submitted in relation to potential impacts on the Outstanding Universal Values associated with the World Heritage Site. The assessment demonstrates as best as possible that no harm will result from the proposal.
57. *Durham County Council Archaeology Section* – All reports and survey work completed. No conditions required to be applied to any approval granted.
58. *Durham County Council Ecology Section* – Sufficient information received; no objections offered to the scheme. A condition should be applied to ensure adherence to the Biodiversity Monitoring and Management Plan submitted.

PUBLIC RESPONSES:

59. The application has been advertised by way of a site notice and individual notification letters to neighbouring residents. Six letters of objection have been received, including one from the local ward member. The following concerns are raised:
60. The ward member (Cllr Kellett) commented as follows:
- Company has long history on this site and they have admitted to not abiding by Council decisions in the past.
 - Difficulty in enforcing conditions applied to any approval.

- Concerns over dangerous nature of the work on site, making it difficult to have full open access to problem areas.
- One major concern relates to vehicular traffic using the site, in particular the huge multi wheel wagons carrying logs, taking place 24 hours a day, 7 days a week. Large truck travel along country lanes which are not designed for such vehicles.
- Request that limitations be placed on number of wagons using the site, but still concerned it will not be possible to measure accurately.

61. Other residential comments include:

- Issues regarding noise/light pollution:
 - Concerns that the site has made an immense amount of noise causing many complaints in the past.
 - Concerns that an increase in the size and production of the company will be detrimental to the local community as the noise level could double with a new sawmill and the traffic load will increase with more employees and deliveries.
 - Note that noise has increased with new log grader installed. Whilst efforts by Taylormade have been undertaken to alleviate, there continues to be noise emanating from the site. The new proposals raise significant concern with these residents as mitigation by means of planting may not be sufficient.
 - Raise concern that the Noise management plan omits projection as to impact on Littleton and Littleton House.
 - Request that planning be refused unless firm guarantees are given around amelioration of any noise include during the construction and operation phase.
 - Company has expanded hugely and has become a massive concern by comparison to operations in the early days.
 - Issues with lights being on which were visible from Sacriston. Lighting at the site has impacted on wildlife.
 - Concern over noise from trucks which can be heard away from the main roads.
 - Issues with noise and reversing vehicles.
 - The size of the expanded site will almost be the size of Sherburn Hill.
- Issues around highway safety:
 - Roadways around the local area have been damaged by the excess amount of HGVs which is caused by the company.
 - HGVs do not abide by local speed limits and have no concern for safety.
 - Concern that the application does not include a Transport Statement even though it was intended to be included. This is despite a 900% increase in production since moving into the site.
 - No details provided in relation to construction traffic and suggested routes.
 - Concerns over how future HGV site traffic numbers can be monitored if current figures not available.
 - Concern that although some information available in terms of noise and lighting is provided, the issues with HGV traffic and its continuing detrimental impact on local communities continues to be ignored.
 - Concerns over new access road to the north-north east of the site. Concerns over impact of construction period as well as the loss of trees to make way for it. New trees to be planted would take 10 years to mature before they would be able to provide buffer required.
 - Concern that the vehicles are travelling through small villages at speeds and concerns that logs could be dislodged when trucks go over road bumps
 - Trucks often dump debris on the pavements which causes a mess with paths rarely swept allowing weeds to grow.
 - Reference made to an incident in relation to a log load being unstable next to shop, causing traffic to be diverted.
 - Roads unable to take existing traffic and with larger processing plant, this is going to double.

The above is not intended to repeat every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at: <https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QU6BIIGD0BK00>

APPLICANTS STATEMENT:

62. The proposal is to replace an outmoded sawmill central to the site, this upgrade will improve efficiencies, health and safety, environmental practices and also protect the business and employment for the future.

The proposals are part of a wider plan to upgrade and modernise the site whilst enabling the continuation of production. The main force behind the plan is not to significantly increase production output, but instead to drive efficiencies, minimise risks of obsolescence (which is a major issue to the business), and lower production costs, which is essential in a highly competitive market place. The business faces a number of key pressures, including increased competition from other countries, as well as those within the UK. It is for these reasons that the failure of this planning application would threaten the future of the Taylormade Timber business at Sherburn Hill and all those it employs directly and the local supply chain.

There are a range of benefits associated with the proposal, not least the survival of the business and the employment and economic benefits associated with it. It should be noted that in the last few years, the business has worked extensively with the Authorities to bring about improvements to site working practices outside of the scope of this application.

Solar panels are proposed on the roof of the proposed new sawmill building and this system is projected to result in a saving of 300,561 kg / year CO2 emissions.

Whilst an additional 7 hours is proposed on Fridays compared with current operating hours, there is an overall reduction of 14 hours on a weekend, with no Sunday working. This is a significant improvement for local residents.

The new sawmill, due to a number of factors detailed in the application will result in an overall reduction in noise emissions from the site.

As overall site output will not be increased, there will be no material increase in traffic movements or heavy goods vehicles using the local road network or travelling through the local villages. In response to a local objector, a transport statement was provided which confirmed that this was the case.

Community involvement was central to the preparation of the application. In addition to a thorough public consultation exercise, extensive pre- and post-application discussions took place with officers. This has meant that the development has an acceptable impact on the landscape, biodiversity, and heritage assets.

The public benefits of the scheme as detailed in the application are significant, and a powerful material planning consideration weighing in favour of the proposed development. We therefore hope that Members will support this application.

PLANNING CONSIDERATIONS AND ASSESSMENT

63. As identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004 the key consideration in the determination of a planning application is the development plan. Decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should also be taken into account in decision making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to the principle of the development, impact on the character of the area, including landscape and visual impacts and impact on heritage assets, residential amenity, highway safety and access, PROW, ecology, flooding and drainage and other issues.

Principle of the Development

64. The County Durham Plan (CDP) was adopted in October 2020 and as such represents the up-to-date local plan for the area and the starting point for the determination of this planning application. The NPPF is a material planning consideration. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay.

65. The proposal would therefore need to be assessed for conformity with the CDP unless material considerations dictate otherwise. One such material consideration is the NPPF. Relevant paragraphs include but are not limited to:

66. NPPF Para. 81 - Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

67. NPPF Para. 84. Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses;

68. NPPF Para. 85. Planning policies and decisions should recognise that for sites to meet local business and community needs in rural areas, they may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport;

69. The existing timber yard falls within Sherburn Hill Industrial Estate which is protected employment land under Policy 2 of the CDP. Policy 2 is permissive towards B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution) uses unless specifically stated on both protected and allocated employment sites. It is important to recognise that within the updates to the use class order, whilst B2 and B8 uses remain unchanged, B1 uses now fall within the new Class 'E' (Commercial, Business and Service)

70. Some of the proposed development as part of the masterplan is contained within the employment site. However, significant elements of the proposal, including the new sawmill and finished storage area are situated to the west of the protected employment land, with the co-products bunkers lying to the north of the tree belt (which lies to the

north of the existing sawmill) and therefore is also located outside of the protected employment site. These elements of the proposal are located within the countryside and as such Policy 10 of the CDP would be relevant to the determination of the application.

71. The CDP requires that sites which are not allocated in the Plan or in a Neighbourhood Plan are carefully considered in the context of both Policy 6 (Development on Unallocated Sites) and Policy 10 (Development in the Countryside). Policy 6 could apply for sites that are either (i) within the built-up area; or (ii) outside the built-up area but well-related to a settlement. In such instances such proposals will be permitted provided the proposal accords with all relevant development plan policies and criteria a) to j). However, the proposal is not within the built-up area and is not well-related to the settlement. Whilst the proposed new sawmill lies just to the west of the existing sawmill and lies to north of the village it is not functionally well related and lies in open and upon elevated land. The co-products bunkers are distant from the settlement. On this basis Policy 10 would be applicable.
72. Policy 10 states that development in the countryside will not be permitted unless allowed for by specific policies in the Plan or where the proposal relates to one or more of the stated exceptions. It is considered that the timber business which is directly connected with forestry is a rural land based enterprise. Criterion a) is permissive towards “the provision of new or the extension of existing buildings, structures or hard standings required for the functioning of the enterprise”. The policy also advises that, “In all instances the resulting development must be of a design, construction and scale which is suitable for and commensurate to the intended use. In respect to (a), (b) and (c) any resulting buildings, other structures and hard standings must be well related to the associated farmstead or business premises unless a clear need to ensure the effective functioning of the business for an alternative location can be demonstrated by the applicant”.
73. Whilst not specifically referring to businesses relating to forestry, CDP paragraph 5.76 appears specifically relevant to the approach which should be given to all rural land based industries, it advises: “As well as providing leisure and recreational opportunities, the countryside is a constantly changing workplace. It is necessary to balance and integrate the requirement to protect the countryside with the need to sustain and encourage the vitality and viability of the rural economy including through agriculture and tourism. The modernisation and diversification of existing activities as well as the creation of new activities, will be supported where this can be achieved in a sustainable manner and, where applicable, will enable their retention as a viable use. New, and improvements to existing, infrastructure will also be supported especially where this will bring about wider economic and social benefits”.
74. The site area to the west of the existing sawmill site, which is identified for the proposed new sawmill building, already benefits from planning permission from 2019 to provide a sawn timber and log storage area which has been implemented. The site therefore is established as an expanded part of the sawmill operations. The proposals seek to erect a new large building to house new, modern and updated sawmill equipment to replace the existing sawmill which is deemed to be outmoded. As clarified within the Planning Statement submitted in support of the application, the new equipment will allow for greater efficiencies in process and improve health and safety and environmental practices. The proposals equate to a significant investment into the business at the site to protect its future operations and employment in the area.
75. The building proposed to house the new sawmill equipment is large and extensive in size equating to an approximate footprint of 9,500 square metres, with an additional 400 square metres office block to the side. Design drawings of the internal sawmill equipment were provided upon request to help understand the need for a building of

this magnitude and it is accepted in this case that the proposed design, construction and scale is suitable for and commensurate to the intended use. The milling equipment requires a sizeable area to allow a linear processing line from input of logs, through various operational phases to the final output of finished cut timber. Sufficient space would also be required above the equipment to allow for cranes to be installed allowing for maintenance as required.

76. The proposed office block is to be attached adjacent to the west elevation of the proposed sawmill building and would be associated with the management and functioning of the business, with the proposed location allowing visibility over the working area of the sawmill equipment. At present an existing office area exists in a similar location next to the existing sawmill building allowing ready visible access and inspection of the operations of the sawmill plant. A similar overlooking relationship is now sought between the proposed new office and sawmill, with the western elevation identified by the applicant as providing the most suitable location relative to the wider operations of the site. Having assessed the proposed location, it is accepted that the western elevation provides the most suitable siting for the building, due to the plant and equipment on the eastern elevation, and access doors to the north and south elevations.
77. The proposed new office space is noted as being larger than what currently exists adjacent to the existing sawmill, but it is understood that office accommodation in the wider complex is spread across several locations, including temporary portocabins. The proposed new space is to rationalise the office accommodation within a single building with suitable access to meeting rooms and other office facilities. Overall, the addition of the new office accommodation, in terms of its size and scale, is considered to be commensurate to the business function.
78. The co-products building located to the north would introduce a northern extension of operations onto a former farmstead area. The footprint of the proposed building and hardstanding area would be largely located on the footprint of the former farmstead dwellings, outbuildings and yard area. The co-products building would be used in direct connection with the sawmill, by means of a connecting overhead sealed 'tubulator' that would carry bark, chip and sawdust from the sawmill for storage within bunkers within the co-products building. The principle of introducing this new building within this area as part of the functioning of the wider enterprise would be considered acceptable in principle and in line with NPPF and CDP policies as already identified.
79. A range of other significant engineering works are proposed within the site, including large areas of hardstanding surrounding the proposed sawmill and to the front of the co-products building as well as a new access road leading to this building and a car parking area beyond this. New landscape bunding is also proposed to help screen and nestle the building into the sloped landform. These aspects of the development are also directly related to the functioning of the enterprise, facilitating operations on site as well as helping to mitigate the impacts of the development, in line with policy 10 of the CDP.
80. In consideration of the proposals outlined above, as a rural land-based industry, there is policy support for the development in this open countryside location as part of policy 10 and the NPPF. Subject to other considerations below, the proposals are considered acceptable in principle.

Impact on the character and appearance of the area

81. Key policies in consideration of impacts on the character and appearance of the area include Policies 29 (Sustainable Design) and 39 (Landscape), as well as Policy 44

(Historic Environment) and Policy 45 (Durham Castle and Cathedral World Heritage Site). Further design principles are highlighted within Policies 10.

82. Policy 10 sets out a series of general design principles for new development in the countryside, including requirements for development, by reason of their siting, scale, design and operation, not to give rise to: unacceptable harm to the heritage, biodiversity, intrinsic character, beauty or tranquillity of the countryside either individually or cumulatively, which cannot be adequately mitigated or compensated for; result in merging of settlements or ribbon development; impact adversely upon the setting, including important vistas or form of a settlement which cannot be adequately mitigated for.
83. Policy 29 requires that development contributes positively to an area's character and landscape features with development proposals required to respond creatively to topography and to existing features of landscape interest and wildlife habitats. The policy further requires landscape proposals, in the case of edge of settlement development, to provide for an appropriate level of structural landscaping to screen or assimilate the development into its surroundings and provide an attractive new settlement boundary.
84. Policy 39 states that proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape and visual affects. The policy further requests that development proposals should have regard to the County Durham Landscape Character Assessment and County Durham Landscape Strategy and contribute, where possible, to the conservation or enhancement of the local landscape. The remainder of the policy relates to Area of Higher Landscape Value areas, which is not applicable in this case.
85. Policy 40 relating to trees, woodlands and hedges, states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges or provide suitable replacement planting.
86. Views of the Durham Cathedral and Castle World Heritage Site (WHS), located 6.2 kilometres away, can be attained from the application site. Policy 44 relating to the Historic Environment requires that development sustains the significance of designated heritage assets, including any contribution made by their setting. Policy 45 in relation to the Durham Castle and Cathedral World Heritage Site seeks to ensure that developments within the world heritage site sustain and enhance the significance of the designated asset, are based on an understanding of, and will protect and enhance the outstanding universal values (OUVs) of the site in relation to the immediate and wider setting and important views into, and out of the site. Any harm to the OUVs will not be permitted other than in wholly exceptional circumstances.
87. The CDP policies accord with relevant parts of the NPPF, in particular para. 174 in relation to landscape protection and para. 197 and 201 relating to heritage assets.

Landscape impacts

88. A key issue for assessment relates to the impact of the proposed new sawmill building on the wider visual amenities of the area. It is considered that the proposed development for a building of substantial size, both in terms of height and volume has potential to have significant impacts which will need to be carefully considered and

addressed, in particular taking into account whether the proposed location of the building is optimally sited so as to minimise potential impacts in this regard.

89. As already outlined within the Principle of Development section above, there is policy support for new buildings, hard surfaces and extensions to existing rural land-based enterprises as exists here. However, given the size of the building proposed, a key consideration relates to whether the proposed building is to be suitably located within the site itself. In discussions with the applicant, it is acknowledged that there is a business requirement for the existing sawmill to remain fully operational during the process of constructing the new sawmill, with a period of overlap where both are running to allow a smooth transition to the new sawmill before decommissioning the old mill. With this in mind a substantial area of the site would therefore be unavailable for development. From further assessing the current layout of operations on site, including the newly commissioned log grader to the north-east of the site, it is clear that no alternative locations are available within the current operational area. The area to the north of the log grader, adjacent to the former farmstead, was deemed a potential option, given it sits low in the landscape and maximises distance from nearest residents. However, upon further assessment, it is accepted this area would have limited space to be able to fully accommodate the required size and width of the building along with the required concrete apron to allow access for trucks for loading and unloading logs from the building. In addition, the location of the building at this part of the site would make it highly exposed along the public roadways with limited opportunity to provide landscape mitigation. On this basis the proposed location to the west of the existing site provides a suitable option to accommodate the new sawmill building.
90. Notwithstanding this, there are considered to be significant landscape impacts associated with its location at this western part of the site, given the topography of the land and its visibility from numerous points in the wider area. A full detailed Landscape and Visual Impact Assessment (LVIA) was submitted in support of the application along with a series of visualisations. The LVIA sought to determine the significance of change in the landscape, by assessing the value and nature of the landscape and its sensitivity to change, against an assessment of the type of effect of the development and magnitude of the resultant change. Detailed assessment was provided comparing impacts of the development on various viewpoints in the short and long term, taking into account mitigation associated with the proposed planting plan within and around the site. The LVIA was assessed by the Principal Landscape Officer and considered to be undertaken to an appropriate methodology, taking into consideration all recommended viewpoints to assess the impacts. The Landscape officer views are summarised below.
91. The proposed building to house the new sawmill is positioned on site to make use of the topography allowing it to be set into the existing slope. In doing this, however, the proposals would still entail a substantial modification of the natural topography to accommodate this with excess material used in a screening bund. This has been designed with moderate outer slopes to help assimilate the building but would remain a notably engineered feature. It is proposed to plant the mound comprehensively which would help to assimilate it further over time. The proposed co-products bunker to the north of the site would have a much lesser impact on landform, with minor mounding proposed at this point. The access road would entail additional areas of cutting and embankment. These would be largely in areas where the landform was affected by the colliery reclamation and would also be planted to assimilate them over time.
92. It is noted that a substantial number of trees would be removed to facilitate the development, the majority being conifers in the edges of woodlands in the north and east of the site that would be felled to construct the access road together with some

trees around the site of the farm and tree lines along the edges of the former Lambton Railway in the centre-north of the site. The majority of these are in poor condition although a small number are of better quality. Around 200m of hedge would also be removed to accommodate the sawmill building and associated earthworks. The loss of some individual trees as well as the hedgerow would be regrettable, but it is not anticipated that their loss would be significant in wider views.

93. In mitigation substantial areas of new woodland are proposed north and west of the sawmill, north of the co-product building, and north and east of the access. New hedges are proposed on the western boundary of the site and adjacent to the diverted bridleway.
94. The effects on landscape character in accordance with the LVIA are deemed by the landscape officer to be broadly accurate. The LVIA highlighted that the application site itself is assessed as being of low sensitivity due to the nature of existing and approved uses. The effect of the development is assessed as highly negative due to the scale of the proposed sawmill building. The overall significance of change is therefore seen as being low.
95. By comparison, the local landscape surrounding the application site is assessed as being of moderate sensitivity. The effect of development is assessed as being moderately negative. The significance of the effect is therefore assessed as being moderate, due to the fact that the development would not completely overshadow the original landscape features identified in the local area, which would still prevail. The LVIA acknowledges that due to the size and scale of the new sawmill and additional buildings in the development, initially, in the short to medium term, there would be a significant detrimental change to a limited area within the wider landscape character area. However, recent and proposed planting along with the earthmounds once established will help in the long term to assimilate the development and the potential impact will be reduced.
96. Further analysis was undertaken to assess impact on long viewpoints of the proposed sawmill building, noting that it would be prominent and incongruous in many views of the local landscape. In views from the north, it would sit below the skyline and would be seen against rising ground. The proposed visually recessive dark green cladding would help assimilate it into the view. In these views the visualisations submitted in support of the application demonstrate that a light coloured cladding for the offices would make them conspicuous. A darker colour closer in weight to the main cladding colour would reduce that impact. A condition for final colour finish for the main building and the office block would be deemed required in this case.
97. In views from the west, the proposed building would be more often seen close to, on or partly above the skyline. The dark green colour would help assimilate it against the rising ground but would make it conspicuous where it was seen against the sky. The offices would again be better assimilated in these views in a darker colour. The proposed planting would offer less mitigation when viewing the building from higher ground than lower ground.
98. To summarise this element of the landscape assessment, Landscape section consider the impact to equate to a medium-high negative effect in the short-medium term (moderate/substantial significance) falling progressively to around medium negative in the longer term (moderate significance).
99. Assessing the close-range visual effects from surrounding footpaths and residential properties, the Landscape Officer comments that the findings highlighted in the LVIA are also deemed broadly accurate.

100. There would be some locally significant effects on visual amenity and particularly on users of nearby footpaths and residents of properties on the northern and western edge of the village. Mitigation planting would reduce those effects over time in varying degrees, but there would be likely to be some significant residual effect in the long term (>10 years). A medium negative effect is predicted for properties at Kell Crescent and properties on the western edge of Sherburn Hill. A major negative effect is predicted for PROW 38/5 which will follow the site boundary to the west and south and medium negative effects are predicted for PROW 33 and 35 located southwest of the site.
101. In discussion with the applicant, it has been agreed that some minor amends to boundaries adjacent to PROW 38 could be made to improve the visual amenities at this point, and this would include moving the close board fence back from the footpath boundary and provide a planting belt to soften the appearance of the high fence at this point. An updated Planting Plan has been submitted to reflect this.
102. Additional planting was also sought for an exposed area of the existing operational site where its southern boundary directly abuts property nos. 29-33 Kell Crescent with no visual barrier between the two. Whilst this area of land falls beyond the application site boundary, an updated planting plan was submitted indicating inclusion of new planting at this point to improve the visual amenities and outlook for these residents.
103. Further to this, discussions separate to the planning process have taken place seeking surface improvements works to footpath 33 to the southwest of the site. Although the applicant is agreeable to undertake these works, should planning permission be granted, it is considered beyond the remit of this planning application to require such works by means of condition. Such a requirement would not meet the appropriate tests for applying conditions, with the works not considered to be necessary or directly relevant to the current scheme.
104. Overall, the Principal Landscape Officer concludes that the mitigation proposed in respect of the colour of the main building, earth mounding and tree planting is appropriate. It is unlikely that the effects of the proposals could be reduced further by minor design changes as they flow primarily from the scale and location of the new sawmill building. As noted above the colour of the cladding to the sawmill building and office building would further help to assimilate into the surroundings and a condition would be applied for precise details on this. Given the importance of planting in helping to mitigate harm associated with the development a condition will be applied ensuring strict adherence to the latest planting plan, received 23 November 2022. In addition to ensure the planting scheme is successful, a separate pre commencement condition will be required for details on soil handling, ensuring suitable storage of sub and top soils is undertaken and appropriate construction of mounds for future planting.
105. Assessing the proposals against policy 10, it is considered that they would entail some harm to the intrinsic character and beauty of the countryside which would only be mitigated progressively over time and then not fully. Whether that level of harm would be considered acceptable in respect of criterion L would depend on the wider planning balance. There would be some adverse impact on the setting of the village in wider views from the north and west and immediate views from properties and footpaths on the northern edge of the village, and in this regard, there would be some conflict with criterion O of the policy.
106. Against policy 39, the proposals would cause some harm to the character and quality of the local landscape. Appropriate mitigation measures are proposed but would only reduce the level of harm progressively over time. Again, whether that level of harm would be considered acceptable would depend on the wider planning balance. The Principal Landscape Officer assessed the effect on the local landscape as being

medium-high negative in the short-medium term (moderate/substantial significance) falling progressively to around medium negative in the longer term (moderate significance). Given that there remains some conflict with the policy, this aspect will need to be weighed as part of the wider planning balance to determine whether the benefits of the scheme overcome concerns raised in this regard.

107. With regards policy 40, the proposals would not entail loss of trees of high landscape or amenity value but would nonetheless involve the loss of trees and woodland. This would be compensated for by replacement planting of a substantially larger area and would be consistent with that element of Policy 40. Around 200m of hedgerow would be lost. The hedges are not of particularly high landscape value. The loss would be compensated for by a greater length of new hedgerow and would be consistent with that element of Policy 40. Similarly, the extent of planting proposed would be considered to accord with policy 29) in relation to provision of an appropriate level of structural landscaping to screen or assimilate development into its surroundings.

Impacts on World Heritage Site (WHS) and Heritage Assets

108. As the proposals are extensive in nature, it has been identified that there is potential for impact on heritage assets and their setting at close and medium range. It has already been noted that there are distance views of the Cathedral Towers attainable from the application site at a distance of 6.2km away, and on this basis, a detailed analysis has been sought to determine potential for harm resulting from the proposals.
109. In relation to the WHS, the applicant was requested to provide a detailed impact assessment, taking into account key public vantage points (as recommended by DCC), where intervisibility between the application site and the WHS has the potential to occur. In particular, an assessment was required to take into account views where the proposed development may form part of the backdrop to views and/or including both the WHS and the proposed development. These locations included both historic pilgrim routes and topographical high points. Design and Conservation assessed the details submitted and confirmed that sufficient analysis had been undertaken to establish the potential impact of the development proposal.
110. Having reviewed the information submitted in relation to the impact of the development on the setting of, and the associated Outstanding Universal Value's of the WHS, it has been demonstrated as best as possible that no harm will result from the proposal. It is clear that unexpected and glimpsed views of a development of this scale may occur if consent is granted, however, these would not result in any degree of harm to those most readily identifiable and appreciated key views. It is considered that the application accords with the requirements of Policy 45 of the CDP and on this basis no objection is raised from Heritage standpoint.
111. With regards nearest heritage assets, these include the War Memorial at Sherburn Hill, some 560 metres away to the south and the Conservation Area and listed buildings associated with Hallgarth, 1000 metres to the north. The War Memorial would have no visual links with the proposed development and would not be harmed or impacted as a result. The LVIA addresses impacts on the listed structures and Conservation Area at Hallgarth and notes that there would be visibility across to the application site from this area. However, the development would not negatively impact on the setting of the heritage assets or be harmful to their distinctive qualities. In this regard there is no conflict with policy 44 in relation to protection of heritage assets, and the LPA is considered to have discharged its duty under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing these assets as part of their planning function.

112. Given the above, plus how broad in scale the heritage assets are, the overall impact would be judged as being minor and not at a level that would create harm to the designated heritage assets significance nor setting in accordance with NPPF Section 16 and County Durham Plan Policy 44 and Sections 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
113. To conclude in relation to the impacts on the character and appearance of the area, some conflict has been identified in relation to parts of policy 10 and 39, and the extent to which these would warrant a refusal of the scheme will have to form part of the wider planning balance. However, any approval is recommended subject to conditions as already referenced above. Subject to this, the proposals are considered to accord with requirements set out in parts of policy 10 and 39, as well as policies 29, 40, 44 and 45 of the CDP.

Impact on residential amenity

114. Policy 10 states that development should not impact adversely upon residential or general amenity. Policy 29 seeks for development to provide high standards of amenity and minimise the impact of development upon the occupants of existing adjacent and nearby properties.
115. Policy 31 (Amenity and Pollution) sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that they can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised.
116. Nearest residential properties to the application site are located along Kell Crescent with property nos. 23 to 28 directly abutting the south boundary of the site. These properties would be approximately 115 metres away from the rear or south elevation of the new sawmill building. Property nos. 29 to 34 Kell Crescent abut the existing operational area of the business, east of the application site. Further east from Kell Crescent lies North View, a line of terraced dwellings, that currently overlook agricultural fields, with oblique views west to the existing Taylormade site. Southwest of the application site lie properties along Hastings Close and these are approximately 280 metres away from the proposed new building.
117. North of the site, nearest residential properties of Littletown House would be located about 700 metres from the northern most elevation of the new sawmill, with the settlement of Littletown itself a further 200 metres away. To the north/northwest, Littletown Farm and a series of stable blocks are located 700 metres away, with the settlements of Hallgarth and Pitlington over a kilometre away from the site. Nearest properties at Sherburn Village are also over a kilometre away to the west.
118. It is noted that from objections received concerns were raised with regards noise from the site, noting that there had been an immense amount of complaints with regards noise in the past. Concerns were raised that with the increase in the size of the operational area, there could be an increase in noise from production at the site as well as from HGVs coming and going from the site.
119. The application was submitted with a suite of documents assessing impacts of noise, dust and lighting associated with the new development. An assessment is provided below in relation to each element, with impacts considered separately in relation to operational phase and construction phase.

Noise – Operational Phase

120. The submitted noise impact assessments contain an analysis of noise associated with the operation of the new sawmill, assessing the various functions associated with the plant and primary sources of noise from it. This includes noise from extractor units, in and out feeds and roller doors. Ambient noise levels were monitored and an analysis was undertaken of various noise barrier specifications as required. Noise monitoring was undertaken at various locations, identifying nearest sensitive receptors (NSR), which encompassed over 300 properties from within Sherburn Hill as well as Littletown House and a separate assessment for the settlement of Littletown itself.
121. A further Noise Management Plan document was submitted to determine ambient noise threshold levels to allow management and monitoring of noise propagating at the boundary of the site. This document is noted as a 'live' document, allowing updates as required during the course of operations on site, to allow improvements to operations and further actions to be put in place where new issues arise. The document is also intended to provide a means of communication with the public to handle complaints should they arise.
122. The Principal Public Protection Officer (PPO) assessed the details and undertook a site visit as part of the assessment. He confirmed that the information submitted indicates that the development is likely to breach the thresholds within the Technical Advisory Notes (TANS) in relation to noise and dust, which would indicate that the development may, without further controls, lead to a significant impact. In assessing the documents received, he confirmed that the various assessments have been undertaken by appropriately qualified and competent consultants and that they have followed appropriate methodologies.
123. As part of the review the PPO notes that the company's operations are undertaken on a site of historical industrial use and as such the noise from the site forms part of the acoustic character of the area. Notwithstanding this, the site is within very close proximity to sensitive receptors to the south and the company has been subject to many complaints relating to operational noise over many years, which has resulted in the service of abatement notices in relation to noise from some operations impacting upon residents both to the north and south of the current site. It should be noted that the former site of Cooks Hold Farm is now within the ownership of the company the buildings have since been demolished with the land being incorporated into the current proposed development.
124. The PPO further comments that whilst the company undertook appropriate steps to comply with previous abatement notices, and developed an effective noise management plan, intended as a dynamic document and submitted with the application, complaints relating to noise recur, with some being as recent as July 2022. These complaints were considered to amount to annoyance rather than nuisance. Nevertheless, the PPO confirms that in his role as a regulatory inspector of the site for many years in relation to Environmental Permitting controls, following the site visit on 28 July 2022, it is acknowledged that there is a marked improvement in relation to noise from the existing operations on the site. It is accepted however, that noise can continue to be an issue for nearby sensitive receptors, even though this would not equate to a statutory nuisance.
125. Notwithstanding the above, the noise assessment associated with the new sawmill and processes demonstrates that there is likely to be a marked improvement in operational noise impact upon sensitive receptors, provided that the mitigation measures described within the reports are implemented and followed. The decommissioning of the old sawmill provides significant opportunity to improve efficiencies and processes to optimise noise mitigation within and beyond the site. In

particular the proposed benefits of the new sawmill by comparison to the existing operations are outlined within the planning statement and include the following improvements:

- The sawmill infeed at present is not situated within a building and as such is one of the noisier areas within the site. As part of the new development, this area is to be enclosed.
- The existing sawmill building is not insulated. The proposed new building would be fully insulated which offers benefits in terms of noise emission.
- The position of the outfeed from the proposed new sawmill has been designed to be able to take advantage of the natural slope of the land to the west and to mitigate any noise from the outfeed behind a significant noise bund.

126. The noise bund, referenced in the last point above, relates to the installation of a 4 metres high absorptive noise barrier to the south of the sawmill, which would be located between the residents of Kell Crescent and the outfeed location of the proposed sawmill. The barrier would be approximately 78 metres north of nearest residents, with the rear elevation of the sawmill a further 30 metres at its nearest point. Given that level differences drop significantly from south to north, with ground floor level of dwellings at Kells Crescent at a height of approximately 123m AOD dropping to a finished floor level at the sawmill of 116m AOD, the natural topography also provides a mitigating factor at this point.

127. Overall, the noise impact assessment has been able to demonstrate that nearest properties to the development will benefit from a reduction in overall daytime site noise, equating to an estimated average fall of 70 per cent in sawmill generated noise. Further to this, there is an intention to change the operating hours which would see an increase in operational hours on a Friday but a cessation of operations on a Sunday, the predicated noise assessment demonstrates that the change on a Friday, whilst being noticeable it is not likely to amount to an adverse impact and will certainly lead to an improvement on a Sunday. The new hours are outlined below:

- Monday – Thursday – 6am until 12 midnight – no change
- Friday – 6am until 11pm – an additional 7 hours
- Saturday – 8am until 6pm – reduction in 2 hours
- Sunday – No operations – reduction in 12 hours

128. The development would also require a phase of operations that would involve both the existing sawmill and the new sawmill to be in operation at the same time. The noise impact assessment demonstrates that this phase (Phase 1) will not lead to a detrimental impact upon NSRs by way of operational noise and will also likely lead to a reduction in noise impact upon receivers.

129. The PPO is in agreement with the findings and conclusions of the consultant's reports relating to noise and following a full review of the documents which includes repositioning of the acoustic barrier previously approved. No objection is therefore raised in relation to the proposal from a noise perspective, or to the change in hours of working at the new sawmill. Any approval would need to ensure a condition is attached for the mitigation measures put forward in the noise assessment to be implemented and maintained in perpetuity. This includes references to the attenuation measures for the new sawmill building and the Absorptive Noise Barrier, with the noise barrier constructed as described within the report and maintained in perpetuity. In addition to this a condition is also requested for an updated Noise Management Plan & Thresholds detailing the precise means of noise attenuation and working practices across the site to be submitted to and agreed in writing by the Local Planning Authority. Any plan would also need to include an appropriate means to monitor the level of noise generated by the site post development.

130. Although objections have raised general issues with regards to noise at the site, the PPO's review of the history of the site has highlighted that abatement notices have been served for these existing operations and are now considered to be adhered to. As stated previously, the PPO comments that there remains potential for some outstanding noise issues that nearby residents can experience from the site, but these would not be considered to amount to a statutory nuisance, and where they are, there are legislative means to address these. In any case, the existing operations on site fall outside the current red line application boundary and cannot be controlled by means of this current scheme.
131. That said, in relation to the current application site, the submitted reports have demonstrated a reduction in noise resulting from the new sawmill, and alongside a further reduction in weekend working, it is considered that there would be an overall improvement in the noise environment associated with operations on site, particularly when the old sawmill is decommissioned. The instalment of the new sawmill offers an opportunity to bring about these benefits and improvements to the wider area.
132. A further point of objection was raised with regards noise from the log grader machinery approved in 2019 and recently installed to the north-east area of the site. It should be noted however that this equipment lies outside the application site boundary and is subject to its own set of conditions in relation to hours of operation and adherence to its own specific noise management plan. The objector raising concerns with regards to this plant has been directly contacted by Environmental Health and offered the opportunity to submit a formal complaint that would be fully investigated. At the time of writing, it is understood the Council's EHO is not considering any complaint in this regard. The applicant has also met with the concerned resident to seek to address issues raised.

Traffic Noise – Operational Phase:

133. The supporting Planning Statement comments that there is no intention as part of the proposals to increase onsite production significantly, and consequently there would be no increase in vehicular movements involved with the operational phase of the development. There would be a rerouting of some traffic within the northern part of the site, along the proposed new access track that would lead to the co-products bunker and the new staff car parking area. The new internal track would be contained behind a 55 metres wide planted tree belt, that would help to screen these movements. In terms of noise implications, the roadway would be situated at the furthest point from nearest residents at Kell Crescent and North Terrace, located some 400 metres to the south and southeast respectively, and 460 metres from Littleton House to the north.
134. Given these distances and the fact that there would be no material change in traffic movements to and from the site, there is no requirement for a noise impact assessment in relation to this element of the proposals. Further details on traffic movements to and from the site is discussed in the highways section below.

Dust – Operational Phase

135. At present, collection of timber products, such as bark, chippings and sawdust, takes place adjacent to the existing sawmill. Whilst there has been some recent investment in a new extraction system to collect these products within sealed trailers, there remains two bunkers that are not enclosed. The proposals seek to move these bunkers to relocate within a new co-products shed, north of the site, on the footprint of the former Cookshold Farm. This shed would ensure that the bunkers would be enclosed on 3 sides. However, the applicant has been advised that sawdust from sawmill operations must be discharged to a fully enclosed container, transferred pneumatically

and should never be moved with the use of open loading shovels. It is noted that the transfer of these products would take place along a fully enclosed tubulator, extending from the proposed sawmill building across to the co-products store.

136. Controls in relation to dust are regulated as part of a Part B permit subject to the Environmental Permitting (England & Wales) Regulations 2016. The Part B permit contains conditions which control emissions of dust to air, and the PPO has recommended an advisory for the company to liaise with the Environment Protection Team in relation to proposed variations to the existing Part B permit to ensure that all operations are in compliance with the EP Regulations.
137. The relocation of the co-products collection point at the northern end of the site is considered an improvement to the existing situation, keeping these elements of the process further from residential properties to the south. This element of the proposals is considered acceptable and in accordance with policy 31 of the CDP and para. 188 of the NPPF which notes that planning decisions should focus on whether proposed development is an acceptable use of land, rather than the control of processes, as controlled by separate permitting regimes.

Lighting – Operational Phase:

138. The application was submitted with a full lighting strategy, along with a series of visualisations to demonstrate light intensity and extent of light spill. Given the location of the site at the edge of the settlement adjacent to both residential properties and open countryside, the scheme has been designed to comply with 'Environmental Zone – E2' which sets a standard for appropriate levels of lighting pursuant to the area. In this case, E2 refers to rural areas, where there is low district brightness often associated with village or relatively dark outer suburban locations. The standards limit the extent of sky glow for these areas as well as extent of light intrusion and luminaire intensity.
139. The PPO assessed the details of the documents submitted and is satisfied that they meet the requirements set out for this Environmental Zone and adhere to the Technical Advice Notes in relation to lighting. A condition is requested to be applied to any approval granted requiring full compliance to these documents to ensure that lighting is installed as detailed. A further condition will be applied limiting hours of operation of the lighting to be within the limits of general operation hours on site. However, it is noted that as part of the 2019 planning permission for the extension of the storage area to the west of the site, part of which encompasses the south of the current application site, a condition has been applied limiting the hours of working and lighting, that differs from the proposed hours of operation of the proposed new sawmill. These hours are more restrictive, ending earlier in the evening times, but do allow for some Sunday working. For consistency, it is considered appropriate to apply a different time limit to operations within the southern storage area in line with the 2019 permission. This limits hours of working to 07:00 to 20:00 Monday to Friday, 08:00 to 19:00 Saturday 09:00 to 14:00 Sundays, Public and Bank Holidays.
140. Although an objection was raised noting that lighting from the existing operation could be seen from a sizeable distance, with reference to Sacriston some 10 km to the northwest, based on the details associated with the current application, the detailed lighting scheme is deemed to be within acceptable parameters, and designed to minimise light spill suitable to its edge of settlement/ rural location.
141. Subject to the imposition of the conditions referenced above, the proposals meet with the requirements set out in policy 31 which requires that development minimises light pollution and demonstrates that the lighting proposed is the minimum necessary for the functional purposes of the development proposed on site.

Construction Phase:

142. Further information was submitted in relation to the construction phase and included a detailed Construction Noise and Vibration impact assessment and Construction and Environment Management Plan (CEMP).

Construction Noise & Vibration-

143. The SBS-Construction Noise and Vibration Impact Assessment submitted in support of the application demonstrates that noise and vibration associated with the construction works and combined worst case ambient noise will not exceed the thresholds provided in BS 5228 during the three phases of the construction period of the development. The assessment has been prepared by suitably qualified and competent consultants, has followed appropriate methodologies and has considered a robust worst-case scenario. The report has assumed that works will be restricted to the hours of 0800 to 1800 Monday to Friday and 0800 to 1400 on Saturday with no construction works taking place on Sunday or Bank Holidays.
144. In relation to vibration from piling operations, it has yet to be determined whether piling operations will be required for this development, however the assessment has erred on the side of caution and piling vibration has been considered within the impact assessment which has determined that the impact of ground borne vibration on sensitive receptors is negligible, the closest receptor will be in excess of 75m (120m at Kell Crescent). The PPO concurs with the conclusions within the impact assessment and raises no objections. The document would be included as an approved plan subject to any grant of permission.

Construction & Environmental Management Plan-

145. A draft Construction & Environmental Management Plan was submitted in support of the application. The PPO sought amendments to the report for additional information as well as to ensure reference to appropriate and up to date standards is included. The latest report was submitted on the 23 November 2022 to address these points and are deemed acceptable. Nonetheless, the document is unable to provide a full suite of details of construction works pre decision and on this basis a pre commencement condition would be applied to any approval granted seeking an updated version of the document. A separate condition would also be applied to limit hours of construction works.
146. The PPO has confirmed, subject to these conditions, having assessed the environmental impacts which are relevant to the development in relation to their potential to cause a statutory nuisance, as defined by the Environmental Protection Act 1990, he is satisfied, based on the information submitted with the application, that the operational phases of the development are unlikely to cause a statutory nuisance. In relation to the CEMP, he is satisfied that appropriate measures can be employed to ensure that statutory nuisance does not arise.
147. To summarise impacts on residential amenity, having assessed documents received in support, comments received from the PPO and received from objectors, it is considered that the submitted documents have demonstrated an overall improvement to the noise environment at the site, through installation of modern equipment, fully contained within an insulated building, that would reduce noise output associated with these operations. In addition, noise complaints previously raised associated with existing operations have been addressed through various on-site improvements to operations and these aspects are being monitored as part of a Noise Management Plan for the site. With a proposed reduction in operation hours with no working on

Sundays, it is considered that the proposals offer a significant benefit overall and subject to conditions as detailed above including an updated Noise Management Plan, the proposals are considered to accord with policies 10r), 29e) and 31 of the CDP.

Highways Safety and Access

148. NPPF Paragraph 111 advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
149. NPPF Paragraph 113 advises that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
150. CDP Policy 10p) states that development in the countryside will not be permitted where it would significantly intensify accessibility by unsustainable modes of transport. New development in countryside locations that is not well served by public transport must exploit any opportunities to make a location more sustainable including improving the scope for access on foot, by cycle or by public transport. In addition, 10q) does not permit development that would be prejudicial to highway safety.
151. Policy 21 (Delivering Sustainable Transport) requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. NPPF sets out at Paragraph 110 that safe and suitable access should be achieved for all people.
152. A significant area of concern noted in the objections received relate to the impact of the proposals on traffic. In particular, issues were raised with regards the routes taken by HGVs to access the site from main roads and how this involves large trucks passing through villages, causing noise nuisance, deterioration of roads and impacts on highway safety where speed limits are not adhered to. Concerns are raised that proposals would make the existing situation worse, and that insufficient information was submitted in support of the application in relation to traffic.
153. The supporting Planning Statement states that the intentions behind the proposed new development and updated sawmill machinery is to improve efficiencies, whilst reducing the significant maintenance costs associated with the upkeep and repairs to the existing aging machinery, mitigating against a risk of the equipment becoming obsolete before time. On this basis it is not proposed that the new sawmill would result in a significant increase in throughput. The Statement further asserts that any modest increase in throughput would be off-set by the fact that there would no longer be a requirement for the business to import sawn timber to site. The new more advanced machinery with associated scanner would also enable increases in the yield per log, reducing the amount of co-product produced and consequently the number of co-product vehicles that would leave the site. Accordingly, there would be no material increase in traffic movements or heavy goods vehicles using the local road network or travelling through the local villages.
154. The Highway Authority has assessed the information submitted with the application, including the Transport Statement. They comment that the business has been in operation at this location for a considerable time. During this period but particularly

over the last decade or so, there have been issues raised by the local people of surrounding villages regarding the passage of the log delivery vehicles. It is understood that the business has worked with the Council and operates an informal arrangement where vehicles are dispersed over available routes to reduce the impact on any one route.

155. In relation to vehicle movements, The Highway Authority notes that the size of the proposed sawmill is considerably larger than the existing sawmill which would suggest that capacity would be increased or that it could be increased at some point in the future without requiring further planning approval. However, the Planning Statement clarifies that there would be no significant increase in throughput, and further explains that the proposed operation is intended to offset any increase of raw timber deliveries with removal of sawn timber deliveries. This is analysed within the Planning Statement and the Transport statement with an accompanying table on traffic volumes. The applicant has calculated that approximately 23,110 loads came into and out of the site in 2016 (the last 'normal' year), with the proposal expected to generate 23,038 vehicle movements. The table indicates that the overall vehicle movements are similar to year 2016 and that there is no net increase in HGV vehicle movements. The Highway Authority is satisfied with the information shown, which is deemed sufficient to remove the need for any further analysis.
156. Taking into consideration the issues raised within the objections with regards highway safety, Highways Officers undertook an analysis of personal injury accidents over the previous 10 years. This indicates that there have been no incidents involving HGVs on the C60, C12a and B1283 roads between Low Pittington, Sherburn and Sherburn Hill. Vehicle speeds through Pittington have been considered and previous traffic surveys show very good compliance with the speed limit. Highway structures on these routes are capable of carrying normal highway loading therefore there would be no justification to restrict vehicle movements along any of these routes.
157. Notwithstanding the above, and taking into consideration local concerns and the potential for increased capacity at the site (although this is not intended as part of the application), it is considered warranted that a condition be applied limiting HGV movements into and out of the site, with an allowance for peaks in production and, if practicable, a limit on the timings of those movements to non-antisocial hours. Such a condition would be considered reasonable and necessary and directly relevant to the proposal. To ensure it is enforceable, the applicant would be required to keep a record of all HGV movements, with ready access for inspection by the LPA when required.
158. In relation to other aspects of the scheme, Highways Officers note that no additional highway access to the site is proposed, and reference is made within the supporting statement that the existing access to Cooks Hold Farm would be extinguished. In general, the proposed access to the site via the recently improved existing access onto the C60 classified road north of East View is wholly acceptable and this single access would be sufficient for the purposes of operations on the site. However, there is no detail on any submitted drawings showing the closure of the Cooks Hold Farm access and any approval would require a condition to be attached for the part-metalled part-unmade road, stone walls at the rear of the highway and access to be removed and the highway verge reinstated to grassed verge to DCC adoptable standards prior to occupation of the new sawmill building.
159. The proposal includes additional parking provision which will increase the number from 115 to 215. The number of employees on the site is indicated to remain fundamentally unchanged at circa 160. The additional provision will allow for shift changeover and is welcomed from a highway perspective.

160. The applicant has provided an initial Construction Management Plan however as indicated within the CMP, it will require further information once the proposal progresses further towards the construction phase. A condition will therefore be required for a complete CMP to be submitted prior to commencement of any works on site. This should include, but not be limited to, details of the routing of delivery vehicles, delivery times, the control of deliveries to avoid peak periods, the protection of the public during site works, avoidance of mud and detritus being deposited on the public highway, highway works traffic management etc.
161. On the basis of the above assessment, the proposals would not lead to a material increase in the quantum of traffic accessing and leaving the site and accident history on the surrounding road network has not raised any issues with regards road safety. Highways Officers offer no objection to the proposals from a highways perspective, the proposals therefore considered to satisfy the requirements set out in policies 10 and 21 of the CDP and part 9 of the NPPF, subject to the inclusion of the conditions referenced above.

Public Rights of Way (PROW)

162. In relation to PROWs, CDP Policy 26 states that development will be expected to maintain or improve the permeability of the built environment and access to the countryside for pedestrians, cyclists and horse riders. Proposals that would result in the loss of, or deterioration in the quality of, existing Public Rights of Way (PROWs) will not be permitted unless equivalent alternative provision of a suitable standard is made. Where diversions are required, new routes should be direct, convenient and attractive, and must not have a detrimental impact on environmental or heritage assets.
163. PROW Officers have commented that PROW nos. 5 and 38 are directly affected by the proposals. At the time the application was submitted, PROW 5 was subject to a legal temporary closure order and diversion application which was referred to the Planning Inspectorate for determination. A decision was issued in August 2022 confirming approval of the diversion and the PROW is now established following a more westerly route connecting Sherburn Hill to Cooks Hold Lane and further PROWs heading northwards. The PROW is noted as being hard surfaced with new hedgerow and tree planting in place along its length.
164. In relation to PROW 38, which runs along the south boundary of the site adjacent to Kell Crescent, at present a 4 metres high acoustic fence directly abuts this PROW, however, as noted in the latest Planting Plan, the fence would be moved back from the boundary and new planting would be established to improve amenities of future users of the footway.
165. In general, the PROWs as existing and diverted are considered to be suitably protected, and although there would be visual impacts as a result of the development as highlighted in 'Landscape Impact' section above, the usability of the footpaths would remain intact, with mitigation planting expected to improve visual amenities over time.
166. Overall, there is not considered to be conflict with requirements set out in policy 26 in this regard.

Ecology

167. NPPF Paragraph 174 advises that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing

net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

168. CDP Policy 41 states that proposals for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or, as a last resort, compensated for. Proposals for new development will be expected to minimise impacts on biodiversity by retaining and enhancing existing biodiversity assets and features and providing net gains for biodiversity including by establishing coherent ecological networks. Measures should be appropriate, consistent with the biodiversity of the site and contribute to the resilience and coherence of local ecological networks. In addition, Criterion i) of CDP Policy 10 does not permit development in the countryside that would give rise to unacceptable harm to biodiversity.
169. No parts of the application site are located within any national or local wildlife designations. A detailed Preliminary Ecological Appraisal and Biodiversity Assessment were submitted in support of the application. Ecology assessed the information and were satisfied with regards the information and findings therein. A Biodiversity Monitoring and Management Plan (BMMP) was requested to be submitted to provide details on long term management and monitoring of ecological features within the site, and in order to deliver the Biodiversity Net Gain. This was received and confirmed a suitable management plan over the next 30 years in line with the Environment Act 2021. A condition will be applied seeking full adherence to this document.
170. Subject to the imposition of this condition, the proposals are considered to accord with the requirements of policies 10 and 41 of the CDP and part 15 of the NPPF.

Sustainability

171. Policy 29c) and d) require that development minimises greenhouse gas emissions and seeks to achieve zero carbon buildings and provide renewable low carbon energy generation, whilst also minimising the use of non renewable and unsustainable resources during construction and use. The policy further requires that all major non-residential development should achieve Building Research Establishment Environment Assessment Method (BREEAM) minimum rating of 'very good'.
172. The proposals have provided details of a large photovoltaic array on the roof of the proposed sawmill building and the south facing pitch of the co-products building. Given the size and extent of roof space across these two buildings, it is considered that a significant level of energy generation would be achieved by renewable means and it is considered that this would sufficiently address requirements set out in part c) of policy 29.
173. In terms of construction works, all excavated earth as part of the reprofiling of the land is to be redistributed within the site to create screening mounds. A condition is to be applied for a suitable soil handling strategy to ensure soil resources on site are managed and conserved in a viable condition. The proposals also include extensive woodland and hedgerow planting with SUDS attenuation ponds to improve the sites capacity to handle water run off whilst also providing suitable habitat on site.
174. A condition is to be applied to any approval granted for details to ensure the proposals can achieve the relevant BREEAM rating as required by policy.
175. Subject to conditions, the proposals are considered to accord with relevant parts of policy 29 in this regard.

Flood Issues

176. Policy 35 (Water Management) requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SuDS and aims to protect the quality of water. Part 14 of the NPPF also provides detailed advice on flooding stating that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
177. In addition, Policy 10s) of CDP states that new development in the countryside must minimise vulnerability and provide resilience to impacts arising from climate change, including but not limited to, flooding.
178. The application site does not lie within a flood risk area or an area known for historic flooding, or an overland flow route, however, given the size of the site the management of surface water via SUDS has been assessed with a Flood Risk and Drainage assessment submitted in support of the application.
179. Drainage and Coastal Protection Officers have commented on the scheme, noting that the principles for surface water management are acceptable with hydraulic calculations providing the required attenuation and flow restriction. Further information was sought in relation to treatment of surface water from the yard and parking areas and confirmation sought that suitable mitigation would be provided in the event of a high pollution hazard level.
180. Additional details were submitted demonstrating specific measures to address any potential pollution hazards from surface water runoff from these areas. The mitigation was deemed acceptable and in line with best practice. A condition would be applied to any approval granted requiring the development to be undertaken in accordance with the submitted documents.
181. Subject to the imposition of this condition, the proposals are considered to accord with the requirements set out in policy 35 and part 14 of the NPPF.

Contaminated Land

182. Policy 32 (Despoiled, Degraded, Derelict, Contaminated and Unstable Land) requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
183. A phase 1 and 2 report and assessment were submitted in support of the application along with a phase 3 remediation strategy. Further details were also provided in relation to potential coal mining legacy at the site. All details were fully assessed by the Contaminated Land Officer as well as the Coal Authority. The information submitted was considered acceptable moving forward. No further assessments are required, but a Phase 4 Verification Report would be required prior to use of the site commencing. Subject to this the proposals would accord with policy 32 in relation to land contamination.

Archaeology

184. CDP Policy 44 states that in determining applications which would affect a known or suspected non-designated heritage asset with an archaeological interest, particular regard will be given to the following: i. ensuring that archaeological features are generally preserved in situ; and j. in cases where the balanced judgement concludes preservation in situ should not be pursued, it will be a requirement that they are appropriately excavated and recorded with the results fully analysed and made publicly available.
185. As the majority of the site comprises open fields, below ground remains will not have been substantially disturbed. As such the applicant was advised that a geophysical survey should be carried out in this area followed by trial trenching agreed in advance with DCC Archaeology Section, with the results of the evaluation submitted as part of the application. These works have all been undertaken and the evaluation found no significant archaeological remains. On this basis all required works have been completed with reports submitted for archive. Archaeology Section assessed the details and raise no objections and require no conditions for any further works. The proposals comply with the relevant section of policy 44 in this regard.

Other issues

186. CDP Policy 28 (Safeguarded Area) would be applicable due to the sites location within the Meteorological Safeguarded Area. The policy requires that within safeguarded areas, as shown on the policies map, development will be subject to consultation with the relevant authority and will be permitted: c) within the defined safeguarding area around the High Moorsely Meteorological Office radar site where it can be demonstrated that there will be no unacceptable adverse impact upon the operation of the site.
187. The application site lies within the defined safeguarding area around the High Moorsely Meteorological Office Radar Station and involves a new large sawmill facility and building. Consultation was undertaken with the Meteorological Office and they confirmed the building would be below the beam of the radar and would therefore not impact on data derived. No objections are therefore raised.
188. Upon request, the Fire Authority were consulted for their views of operations on site. They confirmed that they had no objections and had undertaken recent Health and Safety checks on site, noting operations were well run and organised. Any further assessment by the Fire Authority would be undertaken as part of a Building Control assessment. On this basis they had no further comments on the planning application.

Planning Balance

189. The proposals have been assessed against all relevant material planning considerations above. In general, the proposals are considered to accord with policies in relation to the majority of these considerations, but it is acknowledged that there is a noted conflict with policies 10 and 39 in relation to impacts on the intrinsic character of the countryside and the setting and form of the settlement edge. The extent of planting and landscaping proposed is considered to be extensive, but the benefits of this would only be realised in the medium to long term, and given the scale of the building, it appears unlikely that full mitigation of visual impacts could be achieved, although it is accepted over time the building would be much better assimilated into the landscape.
190. On this basis the harm identified needs to be weighed against the wider planning balance in its aim to achieve sustainable development through the overarching objectives of economic, social and environmental benefits. These are identified below:

Economic:

- Proposals would amount to a significant investment at the site, allowing continuity of an established timber business and continued employment of 160 employees on site which might otherwise be lost to alternative sites outside of the county.
- Contributions to the local economy, through construction and operational phase with workers making use of local services.

Social:

- Continued availability of local employment in the area.
- Reduction in overall noise generated from the site due to modern equipment contained within an insulated building.
- As part of the upgrade, the infeed to the new sawmill would be contained within a building, which is not currently the case, assisting in the overall noise reduction at the site
- Reduction in operation hours at the sawmill, with no Sunday working, which would help reduce noise over the weekend.
- The new co-products bunker would be enclosed on three sides and moved to the northern end of the site, furthest from residents along Kell Crescent, reducing dust emissions.
- Improved health and safety for workers, through upgraded machinery and further rationalisation of processes separating co-products operations from the main log grading areas.

191. Against these identified benefits, it is considered that the harm identified to the character and appearance of the area and associated conflict with policies 10l) and o) and 39 are judged to be outweighed by the wider economic, social and environmental benefits associated with continued viability of the business and retention of jobs, reduction of noise on site and extensive tree planting, that in time will bring about environmental improvements to the area. On balance it is considered a recommendation of approval would be warranted, despite the noted conflict with policy.

CONCLUSION

192. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up to date development plan without delay (paragraph 11 c).

193. In terms of impacts on the character and appearance of the area, it is acknowledged that the proposals would result in harm and whilst substantial landscaping is proposed to ensure adherence to policies 10, 29, 39 and 40, this mitigation would only provide improvements in the medium to long term, and would not fully mitigate visual impacts from a building of this size and scale. There is an overall conflict with parts of policy 10l) and o), and 39 in this regard.

194. Impacts on residential amenity have been assessed with detailed reports and assessments indicating an overall improvement to the noise environment at the site, due to a new modern sawmill machine contained within an insulated building. Other aspects of the operation have been moved further from residential areas including the co-products building that contains timber by-products, such as sawdust and chippings. Lighting has been designed to minimise glare and any overspill. With an overall improvement to noise levels resulting from the development, it is considered that the

proposal would not result in a level of harm to the amenities of local residents such that a refusal of planning permission would be warranted. The proposals accord with policies 10r), 29e) and 31 in this regard.

195. Considerations in relation to impacts on the highway are considered acceptable with clarification provided that there would be no material increase in vehicle movements to and from the site. All other matters in relation to access and parking are considered acceptable in line with policy 10q) and 21 of the CDP.
196. The proposals are considered acceptable in respect of heritage assets, ecology, public rights of ways, flooding and drainage. There are no further requirements in relation to archaeology or contamination. The proposals accord with policies 10, 29, 26, 32, 35, 41, 44 and 45 of the CDP.
197. The principle of the development is deemed acceptable and falls within the exceptions highlighted within policy 10 which allows for the provision of extensions to existing rural land based enterprises. The proposals are considered to be a substantial investment into the site, which would allow continuity of business on site and retention of a considerable volume of local jobs.
198. The application has generated some public interest. The concerns and issues raised, particularly in relation to noise and highways impacts have been addressed as detailed within the report, but are not sufficient to warrant a refusal in this case. In the overall planning balance, the adverse impacts identified are considered outweighed by the positive aspects of the development as highlighted above. Given the above considerations, it is considered that proposals are acceptable, and the application is recommended for approval.

Public Sector Equality Duty

199. Section 149 of the Equality Act 2010 requires public authorities when exercising their functions to have due regard to the need to i) the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct, ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share that characteristic.

RECOMMENDATION

That the application be **APPROVED** 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: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the approved plans listed in Part 3 - Approved Plans.

Plan	Drawing No.	Date Received
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**Further plans to be included		
Proposed Sawmill Elevations	AA7089/P/101 Rev O	28/11/22
Proposed Chip and Dust Elevations	AA7089/P/102 Rev G	28/11/22
Planting Plan 2	2149.310 A	23/11/22
Tree constraints plan	22_5837_07_03_TCP_v1	29/07/22
Tree protection plan	22_5837_07_03_TPP_v1	29/07/22
Proposed floor layout plans	AL(0)010 (Rev B)	29/07/22
Proposed first floor plan	AL(0)011 (Rev A)	29/07/22
Proposed floor layout plans	AL(0)012 (Rev C)	29/07/22
Proposed elevations	AL(0)015-1	29/07/22
Tree Survey Report		29/07/22
Site access road general arrangement	AA7089/P/104	22/06/22
Sawmill, bunkers and yard general arrangement	AA7089/P/105 (Rev B)	22/06/22
Roof layout	AA7089/P/109 (Rev C)	22/06/22
ASD lighting position types		22/06/22
ASD lux levels model		22/06/22
Lighting Mill infeed yard area		22/06/22
Lighting overhead 1		22/06/22
Lighting overhead 2		22/06/22
Lighting visual whole development from Cookshold Farm		22/06/22
Lighting whole development from North West 1		22/06/22
Lighting whole development from North West 2		22/06/22
Proposed masterplan	009 (Rev P05)	22/06/22
Red line OS Base		22/06/22
PV Mounting Datasheet		22/06/22
PV Panel Datasheet		22/06/22

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy(ies) 10, 29, 39 of the County Durham Plan and Parts 12 of the National Planning Policy Framework.

3. In relation to the internal new access road from the site entrance to the co-products bunker site, no development shall commence, other than the felling of trees identified for removal within the approved documents 'Tree Survey Report' and the 'Tree Assessment Plan' (received 29 July 2022), until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:
 - 1.A Dust Action Plan including measures to control the emission of dust and dirt during construction.
 - 2.Details of methods and means of noise reduction/suppression.
 - 3.Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
 - 4.Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site.
 - 5.Designation, layout and design of construction access and egress points.
 - 6.Details for the provision of directional signage (on and off site).

7.Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure.

8.Details of provision for all site operatives for the loading and unloading of plant, machinery and materials.

9.Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period.

10.Routing agreements for construction traffic.

11.Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.

12.Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

13.Management measures for the control of pest species as a result of demolition and/or construction works.

14.Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The management strategy shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: To protect the residential amenity of existing and future residents from the development in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre commencement to ensure that the whole construction phase is undertaken in an acceptable way.

3A. Notwithstanding the requirements set out in Condition 3, no further development, beyond construction of the internal new access road, shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:

1.A Dust Action Plan including measures to control the emission of dust and dirt during construction.

2.Details of methods and means of noise reduction/suppression.

3.Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.

4.Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site.

5.Designation, layout and design of construction access and egress points.

6.Details for the provision of directional signage (on and off site).

7.Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure.

8.Details of provision for all site operatives for the loading and unloading of plant, machinery and materials.

9.Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period.

10.Routing agreements for construction traffic.

11.Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.

12.Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

13.Management measures for the control of pest species as a result of demolition and/or construction works.

14.Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The management strategy shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: To protect the residential amenity of existing and future residents from the development in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre commencement to ensure that the whole construction phase is undertaken in an acceptable way.

4. No development shall commence, other than the felling of trees identified for removal within the approved documents 'Tree Survey Report' and the 'Tree Assessment Plan' (received 29 July 2022), until a detailed soil handling strategy, indicating methods for soil stripping, storing of sub soils and separate storing of top soils, methods for construction of mounds ready for planting, has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details thereafter.

Reason: In the interests of the amenity of the surrounding areas in accordance with Policy 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework. Required as a pre-commencement condition to ensure that the implications of soil stripping and storage are properly considered and accounted for in the development.

5. Notwithstanding any details of materials submitted with the application no development shall proceed beyond damp proof membrane until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policy 29 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

6. Notwithstanding the details contained within the Noise Impact Assessment, prior to the first occupation the development hereby approved, precise details of the specification and location of the Absorptive Noise Barriers, shall be submitted to and approved in writing by the Local Planning Authority. The Absorptive Noise Barriers shall be constructed and maintained in accordance with the approved details in perpetuity.

Reason: In the interests of the amenities of the area and to comply with Policy 29 and 31 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

7. Remediation works shall be carried out in accordance with the approved remediation strategy. The development shall not be brought into use until such time a Phase 4 Verification report related to that part of the development has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the remediation works are fully implemented as agreed and the site is suitable for use, in accordance with Policy 32 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

9. Prior to the use of the sawmill hereby approved, an updated Noise Management Plan & Thresholds document detailing the precise means of noise attenuation and working practices across the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall also include an appropriate means to monitor the level of noise generated by the site post development. Thereafter the development shall be carried out wholly in accordance with the mitigation and monitoring measures detailed in the approved plan.

Reason: In the interest of the amenity of existing and future occupants in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

10. Notwithstanding the approved drawings submitted, prior to the use of the sawmill building hereby approved, the former access to Cook's Hold Farm, taken from Cookshold Lane, including the part-metalled part-unmade road and stone walls at the rear of the highway and access shall be removed and the highway verge reinstated to grassed verge to DCC adoptable standards.

Reason: In the interests of highway safety in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

11. Prior to the use of the sawmill and office buildings hereby approved, a sustainability assessment demonstrating that a BREEAM Rating of "Very Good" has been achieved for that building shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the proposed development achieves the required sustainability rating in accordance with Policy 29 of the County Durham Plan.

12. Prior to the use of the development hereby approved, details of all means of enclosure of the site shall be submitted to and approved in writing by the Local Planning Authority. The enclosures shall be constructed in accordance with the approved details thereafter.

Reason: In the interests of the visual amenity of the area and to comply with Policy 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

13. The development hereby approved shall be undertaken wholly in accordance with the mitigation measures highlighted within the following noise assessment reports:

SBS-New Sawmill -Noise Impact Assessment- version 02 dated June 2022
SBS-Noise Impact Assessment for Littletown- version 1 dated June 2022

The mitigation measures contained within these reports shall be implemented and maintained in perpetuity and shall include the attenuation measures for the new sawmill building.

Reason: In the interest of residential amenity in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

14. The lighting proposals as part of the development hereby approved shall be installed wholly in accordance with the following detailed External Lighting Report received 22 June 2022: ASD Lighting- External Lighting Project reference PROJ-000650 dated 17/05/22. The external lighting shall be erected and maintained in accordance with these approved details thereafter.

Reason: In order to minimise light spillage and glare, in accordance with Policy 31 of the County Durham Plan and Local Plan and Part 15 of the National Planning Policy Framework.

15. No development shall take place unless in strict accordance with Flood Risk and Drainage Assessment received 22 June 2022 and the SUDS Water Treatment Document received 17 August 2022.

Reason: To ensure that surface water are adequately managed and treated, in accordance with Policies 35 and 36 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework.

16. No development shall take place unless in strict accordance with the Biodiversity Management and Monitoring Plan v1.3 by Durham Dales Ecology, received 23 November 2022. The recommendations and monitoring scheme shall be fully adhered to, with reporting mechanisms to Durham County Council undertaken as required.

Reason: In order to ensure that Biodiversity Net Gain is delivered, and habitats are retained and improved in accordance with Policies 41 and 43 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

17. No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, indicated on the approved tree protection plan (drawing number 22_5837_07_03_TPP_v1 'Tree Protection Plan' Received 29 July 2022) as to be retained, are protected by the erection of fencing, placed as indicated on the plan and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar approved in accordance with BS.5837:2010.

No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place inside the fences, and no work is to be done such as to affect any tree.

No removal of limbs of trees or other tree work shall be carried out.

No underground services trenches or service runs shall be laid out in root protection areas, as defined on the Tree Constraints Plan.

Reason: In the interests of the visual amenity of the area and to comply with Policies 29 and 40 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

18. All planting, seeding or turfing and habitat creation as shown on the approved landscaping plan (Drawing No. 2149.310 A entitled 'Planting Plan 2', received 23 November 2022) shall be carried out in the first available planting season following the practical completion of the development.

No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats.

Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges.

Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species.

Replacements will be subject to the same conditions.

Reason: In the interests of the visual amenity of the area and to comply with Policy 29 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

19. In undertaking the development that is hereby approved:

No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1400 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays.

For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

Reason: To protect the residential amenity of existing residents from the development in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

20. The log handling machine, main sawmill and processing operations within the former sawmill building shall not operate outside of the hours of 0600hrs to 0000hrs Monday to Thursday, 0600hrs to 2300hrs Friday and 0800hrs to 1800hrs Saturday, with no operations on Sunday and Public/Bank Holidays.

Reason: In the interests of the residential amenity of surrounding properties in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

21. No working (including the operation of vehicles and machinery) shall take place within the southern storage areas outside the hours of 07:00 to 20:00 Monday to Friday, 08:00 to 19:00 Saturday 09:00 to 14:00 Sundays, Public and Bank Holidays.

Reason: In the interests of consistency with the terms of the planning condition applied to planning permission DM/19/02394/FPA which seeks to protect the residential amenity of surrounding properties in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

22. The lighting scheme hereby granted consent shall not be illuminated outside of the working hours identified within Conditions 19 and 20 for those relevant parts of the site.

Reason: In the interests of the amenity of the surrounding area and neighbouring properties, in accordance with Policy 29 of the County Durham Plan.

23. The total number of loaded HGV vehicles delivering to/from the site shall not exceed a weekly total of 480, as averaged over a period of a month. A record of all loaded HGV vehicles entering and leaving the site shall be maintained by the operator and a copy of this record shall be afforded to the Local Planning Authority within 2 working days of such a request.

Reason: To protect residential amenity and ensure highway safety in accordance with Policy 21 and 31 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

25. Prior to the use of the sawmill and office buildings hereby approved, a scheme detailing the timetable for the decommissioning of the existing sawmill and associated equipment, along with details for the removal of surplus office accommodation, shall be submitted to and agreed with the Local Planning Authority. The works for their removal shall thereafter be undertaken in accordance with the approved details and timetable.

Reason: In the interest of residential amenity in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

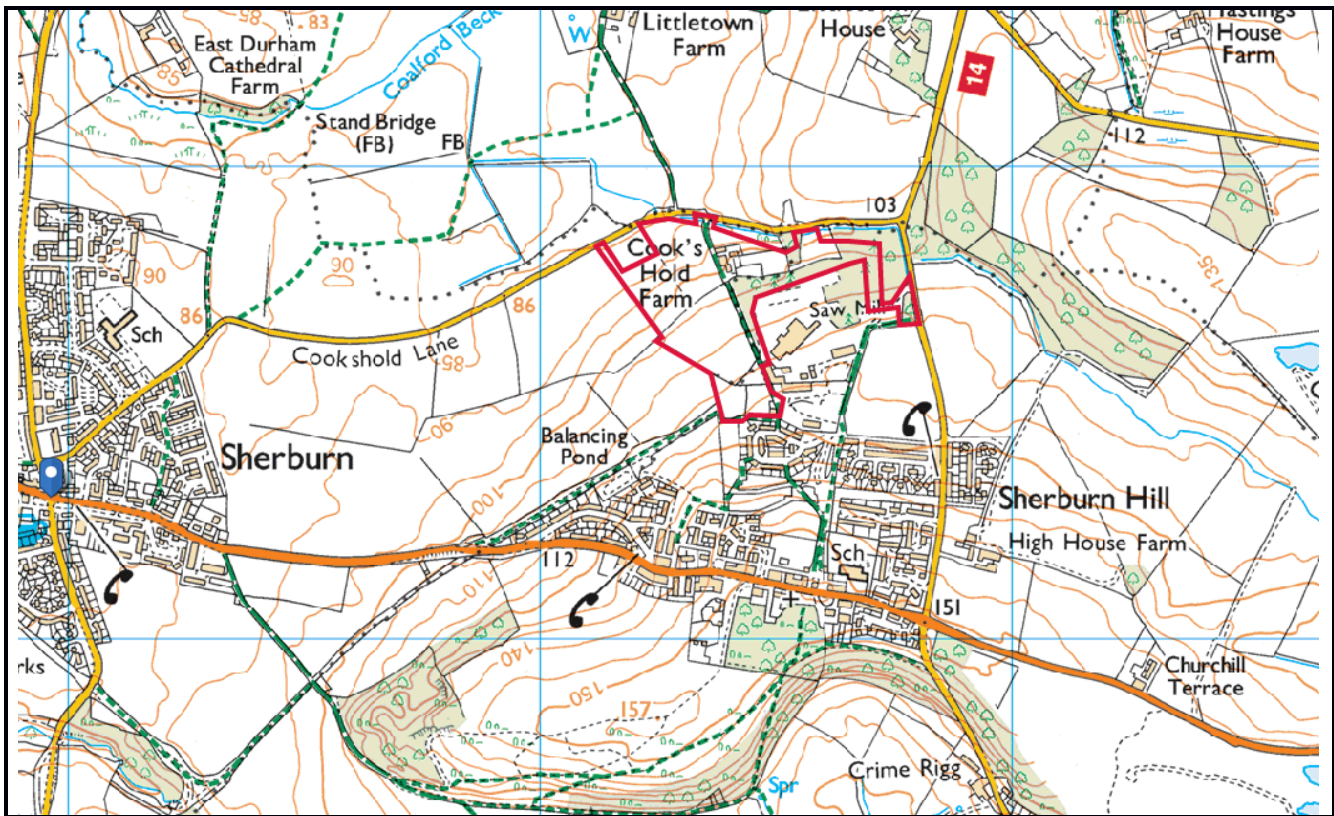
STATEMENT OF PROACTIVE ENGAGEMENT

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF.

BACKGROUND PAPERS

- Submitted application form, plans supporting documents and subsequent information provided by the applicant.
- The National Planning Policy Framework (2021)
- National Planning Practice Guidance notes.

- County Durham Plan 2020
- Statutory, internal and public consultation responses



Planning Services

Replacement sawmill to west of site, construction of co-products bunkers to north at former Cooks Hold Farm site, new access road from site entrance to co-product bunkers, with associated landscape, drainage and car park

Taylormade Timber Products, Old Colliery Yard, Sherburn Hill, Durham, DH6 1PS

Ref: DM/22/01830/FPA

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Date 13 December 2022

Scale Not to Scale