

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	CMA/6/54
FULL APPLICATION DESCRIPTION:	Proposed erection of 2 buildings, 1 storage lagoon, provision of weighbridge and change of use of existing slurry store to blending plant and laboratory/office to create fertiliser for agricultural use with associated access and hardstanding
NAME OF APPLICANT:	AWSM Farms
ADDRESS:	Land To West Of Lane Head Farm Lanehead Lane Hutton Magna Richmond DL11 7HF
ELECTORAL DIVISION:	Barnard Castle East
CASE OFFICER:	Chris Shields, Senior Planning Officer 03000 261 394, chris.shields@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The site occupies an area of approximately 1.1ha within an essentially rural landscape, which is predominantly in use for agriculture. The landscape is broken up by scatterings of farm buildings and small hamlets, including Lane Head, and the buildings in the area are typically a mix of traditional local stone buildings with slate roofs and modern agricultural buildings.
2. The A66 lies approximately 680m to the south of the application site and is the main highway connection for the site. The site is not located within an area designated for its landscape, ecological or heritage value. The nearest Area of High Landscape Value (AHLV) is located approximately 1.5km to the west. The nearest heritage assets are the Grade II listed Newsham Grange Coach House and Manor 550m to the west, Grade II listed Hutton Hall Farmhouse, Garden Walls, Outbuilding, Cartshed and Granary 1.3km to the north east and Grade II listed Church of St Mary and Cross Base also 1.3km to the north east.
3. The village of Hutton Magna lies approximately 1.2km to the north east of the application site, whilst the nearest main settlement is Barnard Castle, which lies some 7.5km to the north west.
4. The application site lies to the west of Lane Head Farm within an existing agricultural field. There is an existing slurry store located on the application site and this would form part of the proposed development, although it would require rebuilding. The proposed development would be accessed via an existing farm track from Lanehead

Lane that is shared with Bridleway No.3 (Hutton Magna Parish), which continues past the application site and joins with Bridleway No.13 (Wycliffe and Thorpe Parish) further to the north. Footpath No's.1 and 2 (Hutton Magna Parish) dissect the farm track approximately 180m to the north of Lanehead Lane.

5. There is a dense tree plantation to the west of the site and more sporadic tree cover to the north and east. The site has an open aspect to the south and is visible from the highway.
6. The nearest residential properties lie approximately 900m to the north east in the village of Hutton Magna. 700m to the south west is a group of properties close to the A66 Motel and a further group of properties at Rokeby Close 600m to the south, which are the closest to the site.

The Proposals

7. A full planning application for the erection of 3 No. buildings, 1 No. storage lagoon, provision of weighbridge and change of use of existing slurry store to blending plant and laboratory / office to create fertiliser for agricultural use with associated access and hardstanding was submitted in 2012. It was intended that the proposed plant would be capable of accepting, storing and physically treating waste products from producers in Durham, Cumbria and Teesside. Only waste materials deemed suitable by virtue of their nutrient and organic matter content would be used in the process to create a nutrient rich fertiliser. It was proposed that the product would be applied to approximately 1300 hectares of land farmed by the applicant within a 15-mile radius of Lane Head Farm.
8. The proposals were revised as a result of consultation responses and opportunity for partnership working. The proposals now involve the erection of a plant at Lane Head Farm that would be capable of accepting, storing and blending up to 70,000 tonnes per annum of farm crops / waste, including agricultural slurry, straw, silage, maize, fodder beat and farm yard manure and food waste from various sources in Durham, Cumbria and Teesside to blend into a feedstock suitable to be used in offsite anaerobic digesters. No information relating to the specific type of food waste has been provided. The biogas can be used directly in engines for Combined Heat and Power (CHP), burned to produce heat, or can be cleaned and used in the same way as natural gas or as a vehicle fuel. The resultant digestate would be used as a renewable fertiliser or soil conditioner.
9. The proposed facility at Lane Head would undertake the 'Pre-Treatment' phase, storing and blending farm waste / crops and other forms of food waste to feed AD plants in the area. Essentially, this involves mixing different types of waste to attain a nutrient balance. The proposed development would provide a consistent feedstock to AD plants which would be in the optimum condition for biogas production providing environmental, operational and efficiency benefits for AD plant operators, as well as for AWSM Farms, as it is intended that the digestate would be returned to AWSM Farms at the end of the process to be used as a fertiliser that would be applied to ASWM's landholding in the surrounding area.
10. The proposals now include the provision of 2 No. agricultural style buildings, which would measure approximately 30.6m x 22.3m and would be 5.56m in height to the eaves and 7.25m to the ridge. These buildings would incorporate a material storage facility and blending plant.
11. The blending plant would consist of 10 tanks, which would be 4.5m in diameter and 5.5m in height. The tanks would be arranged in two rows of five tanks and each tank

would have an approximate capacity of 87m³. The tanks would be housed in one of the aforementioned agricultural style buildings, which would incorporate a non-permeable sealed floor and the necessary bunding.

12. The second agricultural building would house 6 No. 5m wide storage bays for the storage of feedstock material both pre and post-blending. The proposals also include office and welfare facilities and a weighbridge.
13. The proposals also seek the retention of the existing slurry store that occupies the site, as well as the provision of an additional store of the same dimensions. The stores would be utilised for the storage of materials pre and post-blend, as well as digestate that would be returned to AWSM Farms to be used as fertiliser.
14. The proposed buildings and structures would be surrounded by a concrete hardstanding that would allow the movement of vehicles around the perimeter of the building for loading and unloading. The existing access from Lane Head Lane would be upgraded through widening and provision of appropriate visibility. Furthermore, the proposals include the provision of fencing to provide the realignment of the existing bridleway to run alongside but separate to the access track serving the development.
15. In order to limit the range that fertiliser stored at the proposed development is spread it is the intention of the applicant to agree the specific land holdings where it would be used and this would be written into a planning obligation secured under Section 106 of the Town and Country Planning Act 1990. The land holdings would all be within 15 miles of the application site.
16. The application is being reported to the County Planning Committee because it is for major waste development with a site area greater than 1ha.

PLANNING HISTORY

17. There is no known planning history for this site although there have been several applications for the Lane Head Farmstead relating to agricultural buildings and plant.

PLANNING POLICY

NATIONAL POLICY

18. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependent.
19. The NPPF does not contain specific waste policies as these are contained within the National Planning Policy for Waste (NPPW) document. However, the NPPF requires local authorities preparing waste plans and taking decisions on waste applications should have regard to policies in the NPPF so far as relevant.
20. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions

positively, utilising twelve 'core planning principles'. The following elements of the NPPF are considered relevant to this proposal.

21. In accordance with Paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below.
22. *NPPF Part 1 – Building a Strong, Competitive Economy.* The Government is committed to securing economic growth in order to create jobs and prosperity and to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. Decisions should support existing business sectors, taking account of whether they are expanding or contracting.
23. *NPPF Part 4 – Promoting Sustainable Transport.* States that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. It is recognised that different policies and measures will be required in different communities and opportunities to maximize sustainable transport solutions which will vary from urban to rural areas. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
24. *NPPF Part 7 – Requiring Good Design.* 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. Planning policies and decisions must aim to ensure developments; function well and add to the overall quality of an area over the lifetime of the development, establish a strong sense of place, create and sustain an appropriate mix of uses, respond to local character and history, create safe and accessible environments and be visually attractive.
25. *NPPF Part 8 – Promoting Healthy Communities.* Recognises the part the planning system can play in facilitating social interaction and creating healthy and inclusive communities. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
26. *NPPF Part 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy.
27. *NPPF Part 11 – Conserving and Enhancing the Natural Environment.* The planning system should contribute to, and enhance the natural environment by; protecting and enhancing valued landscapes, recognizing the benefits of ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity where possible, preventing new and existing development being put at risk from unacceptable levels of soil, air, water or noise pollution or land instability, and remediating contaminated and unstable land.

28. *NPPF Part 12 – Conserving and Enhancing the Historic Environment*. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

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

29. Accompanying the NPPF the Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This provides planning guidance on a wide range of matters. Of particular relevance to this development proposal is the practice guidance with regards to air quality, transport, flood risk, waste and use of planning conditions.

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

30. National Planning Policy for Waste sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. Waste Planning Authorities should only expect a demonstration of need where proposals are not consistent with an up to date Local Plan and should not consider matters that are within the control of pollution control authorities. Waste proposals should not undermine the objectives of the Local Plan and should be environmentally sensitive and well designed. Of further relevance is the Waste Management Plan for England, which also advocates the movement of waste up the waste hierarchy in line with the requirements of the European Waste Framework Directive (WFD). One such requirement is the 'proximity principle' (Article 16) which stipulates self-sufficiency; an 'integrated and adequate network of waste disposal installations' and that waste management should be at the nearest appropriate installations.

<https://www.gov.uk/government/publications/national-planning-policy-for-waste>

LOCAL PLAN POLICY:

County Durham Waste Local Plan (2005)

31. *Policy W2 – Need* – requires the demonstration of need for a particular development which cannot be met by an alternative solution higher up the waste hierarchy.
32. *Policy W3 – Environmental Protection* – states that proposals for new development will be required to demonstrate that the natural and built environment and the living conditions of local communities will be protected and where possible enhanced.
33. *Policy W4 – Location of waste management facilities* – states that proposals for new waste management facilities will be determined having regard to protection of the environment and local amenity, traffic impacts, opportunities to integrate with other facilities or developments which will benefit from the recovery of materials and to extend or develop existing waste management facilities.
34. *Policy W6 – Design* – requires new buildings for waste management uses to be carefully sited and designed to complement the location and existing topography. Landscape proposals should be incorporated as an integral part of the overall development of the site. Where appropriate, the opportunity should be taken to

illustrate best practice by incorporating sustainable design principles in new building, using recycled materials wherever possible.

35. *Policy W7 – Landscape* – states that proposals for waste development which would result in the loss of important landscape features or which would have a significant adverse effect on the character of the landscape will not be permitted.
36. *Policy W17 – Nature Conservation (Minimisation Of Adverse Impact)* – states that proposals should incorporate measures to ensure that any adverse impact on the nature conservation interest of the site is minimised.
37. *Policy W18 – Listed Buildings* – sets out a requirement to preserve Listed Buildings unless it can be demonstrated that there are no alternative sites available and there are imperative reasons of overriding public interest sufficient to outweigh the loss of or damage to the setting of the building.
38. *Policy W24 – Public Rights of Way* – States that waste development will be permitted where there will be no significant adverse impact upon the recreational value of the countryside, including the local path network, country parks and picnic areas
39. *Policy W25 – Agricultural Land* – States that proposals for waste development that would impact upon, or lead to the loss of high quality (best and most versatile) agricultural land will be strongly resisted unless there is a need for the development in this location.
40. *Policy W26 –Water resources* – Proposals for waste development which does not involve landfill or landraise will not be permitted unless it can be demonstrated that there will be no significant adverse impact or significant deterioration to: the quality of surface or groundwater resources; and the flow of surface or groundwater at or in the vicinity of the site.
41. *Policy W29 – Modes of transport* – requires that waste development incorporate measures to minimise transportation of waste.
42. *Policy W31 – Environmental impact of road traffic* – states that waste development will only be permitted if traffic estimated to be generated by the development can be accommodated safely on the highway network, the amenity of roadside communities is protected, the strategic highway network can be safely and conveniently accessed and the impact of traffic generated by the development on local and recreational amenity is otherwise acceptable.
43. *Policy W32 – Planning obligations for controlling environmental impact* – states that in granting planning permission for waste development, planning conditions be imposed to cover, in addition to other issues, the prevention of the transfer of mud, dust, or litter onto the public highway by measures including the provision of wheel cleaning facilities, suitably metalled access roads and the sheeting of laden vehicles.
44. *Policy W33 – Protecting local amenity* – requires that suitable mitigation measures are incorporated into proposals to ensure that any harmful impacts from noise, odour, litter, vermin, birds, dust, mud, visual intrusion and traffic and transport are kept to an acceptable level.
45. *Policy W36 – Locations for Waste Recovery Facilities* - states that unless it can be clearly demonstrated that any environmental impacts can be effectively mitigated proposals for new or the expansion of existing waste management facilities should

be fully contained within well designed buildings or enclosed structures appropriate to the technology or process and appropriate in scale and character to their surroundings.

46. *Policy W38 – Waste Transfer Stations* - states that proposals for Waste Transfer Stations and Materials Recovery Facilities will be permitted where it can be demonstrated that the development will assist the efficient collection and recovery of waste materials, and they can be satisfactorily located: a) on land identified for general industrial use ; or b) on previously developed land in sustainable locations; or c) as part of an existing waste management facility; or d) where the proposal forms part of an integrated waste management facility. It is also stated within this policy that provision will be made for new waste transfer facilities in Teesdale and Wear Valley.

Teesdale District Local Plan (2002) (TDLP)

47. *Policy ENV1 – Protection of the Countryside* – states that development in the countryside will be permitted for the purposes of agriculture, rural diversification projects, forestry, nature conservation, tourism, recreation, local infrastructure needs or an existing countryside use where there is a need on the particular site involved and the landscape and wildlife resources in the area are not unreasonably harmed.
48. *Policy ENV16 – Development Affecting Rivers or Streams and their Corridors* – seeks to resist development that would have a significant detrimental impact on natural features and wildlife habitats of rivers and streams or their corridors.

EMERGING POLICY:

49. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

50. *Richmondshire District Council* – initially objected to the proposal due to the impact from odour, particularly from land spreading, and the potential for groundwater contamination. Following the submission of additional information which confirmed that the proposal would involve the spreading of digestate rather than waste the objection was withdrawn.
51. *Hutton Magna (County Durham), Ovington (County Durham), Barningham (County Durham) and Dalton (North Yorkshire) Parish Councils* – have produced a joint objection to the proposal due to the inappropriate and unsustainable countryside location for the facility that would involve waste being transported multiple times over distances of 75 to 150 miles and imported unnecessarily into the County. The Parish

consider that the development would result in increased pollution from noise and odour that would be detrimental to residential amenity and tourism in the area. Concern is raised in relation to the potential impact to wildlife and their habitats from traffic emissions and leakage of slurry and waste products during transfer and while in storage. It is considered that the proposal conflicts with development plan policy in respect of sustainable development, need, amenity and location.

52. *Whorlton and Westwick (County Durham) Parish Council* – has objected to the proposal due to the impact on the bridleway, pollution of watercourses near to the site and impact on highways from large farm vehicles.
53. *Gayles (North Yorkshire) Parish Council* – has objected to the proposal due to the limited detail in the application regarding the construction of the buildings, how will waste will be stored and processed and the impact on highways from increased traffic movements. Concern is raised in relation to the types of waste that would be brought to the site and the odour that these materials have, which would affect the villages and tourism related businesses around the site.
54. *East and West Layton and Carkin (North Yorkshire) Parish Council* – has commented that whilst they are supportive of sustainable development of agricultural business it is important to minimise any negative impact and that new installations should be to be as unobtrusive as possible. Concern is raised regarding odour and it is requested that unpleasant odours should be efficiently controlled.
55. *Highway Authority* – has raised no objections to the proposals but has requested that additional passing places need to be created on the C171 Road. These works would be included in a Section 278 Legal Agreement.
56. *Environment Agency* – has raised no objections to the proposals but has provided advice to the applicant regarding the requirement for a bespoke Environmental Permit. Officers do, however, note that the site and existing slurry store are in a vulnerable location close to a watercourse. A serious pollution incident occurred in 2015 as a result of waste leaking from the existing store and the Environment Agency require information from the applicant to demonstrate that these structures comply with the SSAFO (Storage of Silage, Slurry and Agricultural Fuel Oil) Regulations 2010.
57. *Northumbrian Water* – advises that it has no comments to make on the proposals.

INTERNAL CONSULTEE RESPONSES:

58. *Spatial Policy* – state that the development is contrary to the sustainable waste strategy for the County and the proximity principle (incorporating self-sufficiency). It is also contrary to locational policies W4, and W36 and W38 of WLP and ENV1 of the TDLP. There has been no explanation of why the plant needs to be located there or why it needs to import material from elsewhere. Furthermore, its location in the open countryside presents potential conflicts with the NPPF; NPPW along with Policies W4, W36 and W38 of WLP and ENV1 of the TDLP. Officers advise that there are potential conflict with environmental protection policies unless adequate mitigation can be demonstrated.
59. *Landscape* – has raised no objections to the proposals stating that the site is not within any locally or nationally designated landscape. It is noted that the existing tree screening for the site is by a conifer plantation that would presumably be harvested eventually and it is therefore considered important that the proposed landscaping scheme for the site take this into consideration.

60. *Ecology* – officers raised concerns that the development has the potential to impact upon protected species including Great Crested Newts, Watervole and breeding birds. Further surveys were requested to address these issues. An eDNA test for Great Crested Newts was carried out in the waterbodies close to the site and this returned a negative result. Surveys for Watervole and breeding birds were not carried out and remain an outstanding issue. Ecology officers remain concerned that the facility could lead to pollution into the waterbodies abutting the site, which may lead to potentially damaging effects to protected species downstream.
61. *Access and Rights of Way* – has no objections to the proposals but note that Public Bridleway No.3 (Hutton Magna) would be directly affected and would need to be diverted.
62. *Environmental Health and Consumer Protection (Noise and Odour)* – has considered the proposal in relation to the relevant Technical Advice Notes (TANS) in respect of odour and noise. Officers advise that submitted details indicate that the development would not lead to an adverse impact or statutory nuisance subject to conditions. These conditions would require a scheme of odour management measures including the stack height and chosen abatement technology to be submitted prior to the commencement of development and also a condition restricting night time noise levels (1900 – 0700) to no more than 0dB LAeq (1 hour) above background (LA90, 1 hour) in accordance with BS4142.

PUBLIC RESPONSES:

63. The application has been advertised in the press, by site notice and neighbour notification. A further consultation was carried out in 2015 following the submission of additional information, which reduced the number of buildings on site from 3 to 2 and altered the process so that the material would all be taken to an AD plant prior to use, rather than being spread directly to land. The objections received prior to and after the additional information was submitted all raise the same issues.
64. A total of 89 letters of objection have been received. The issues raised relate to impacts upon highways, residential amenity, primarily from odour, noise and landscape, impacts to the water supply, risks to wildlife species and habitats, conflict with users of the bridleway and the overall suitability of the proposed site for the development. A question has also been raised in respect of the need for Environmental Impact Assessment (EIA).
65. Highways has been raised as a key issue by nearly all of the objections with the main issues being the number of vehicles, damage to verges, conflict with other road users and blocking of driveways. Concern is raised that the vehicle movement numbers are not correct and that there would in reality be significantly more than what has been quoted and also that more vehicles would travel through Hutton Magna than the suggested 3%.
66. Odour has been raised as an issue in every objection to the proposal with most being concerned that the lack of odour control on the existing slurry store will be representative of the proposed development. When the existing store was in use residents complained that they were unable to enjoy their gardens or open their windows because of the unpleasant smell. This was also having a detrimental effect on customers at the nearby restaurants. Objectors note that information regarding odour emissions and abatement is incomplete and does not demonstrate the facility is acceptable. Information in the abatement plan suggests that additional infrastructure would be required that is not part of the application.

67. In terms of noise, concern has been raised in relation to the need for electrical generators at the site as there is not currently a power supply. The worry is that these generators would be noisy and would be in operation for 24 hours per day. Objectors have stated that there is a lack of detail in the application regarding this issue. It has also been commented that generators that were in use while works were being done to widen the A66 could be heard in Hutton Magna, despite this being a greater distance away than the application site.
68. Objectors have criticised the proposed appearance of the facility stating that it is too industrial for the proposed location in the proposed countryside location and raise concerns that the combination of the buildings and potential stack for odour abatement would have a significant landscape impact.
69. The impact of the development on wildlife has been raised with many objectors noting the animal and bird species present around the site and also the habitats that are in close proximity. Previous pollution incidents that have killed fish in the water courses, caused by leakage from the existing slurry store have been cited.
70. Many objections have stated that the application appears to be incomplete and does not provide sufficient detail to properly assess the proposal. It has also been stated that there are contradictions in the information provided.
71. Finally, it has been questioned whether the application should have been accompanied by an Environmental Impact Assessment due to the type of development proposed. It has been suggested that the proposal falls within Schedule 5, Paragraph 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as an integrated chemical installation.
72. Open Spaces Society and Ramblers – have objected to the proposal due to the likely impact of the proposal on the environment, users of the local rights of way network from visual impact and foul odour and the impact to the local rural road system. Concern is raised in respect of a lack of detail in the application in relation to the construction, dimensions and use of the buildings; nature and source of the waste materials; effectiveness of the odour abatement system and control of possible leakage from the plant.

APPLICANTS STATEMENT:

73. The NPPF acknowledges that planning plays a key role in *'supporting the delivery of renewable and low carbon energy and associated infrastructure'* and the Government's AD Strategy & Action Plan sets out a clear commitment to increasing energy from waste through AD to support a move towards a *'zero waste'* economy and it is noted that previous Inspectors have been supportive of AD infrastructure in other open countryside locations across the County.
74. The proposed facility will blend a combination of waste streams to create a homogenous feedstock that will provide the optimum environment for micro-organisms to enable a stable gas output and will provide significant operational and efficiency benefits for AD plant operators, by eradicating issues associated with inconsistent feedstock which can impact negatively on gas output, as well as limiting contamination of the feedstock. The application site is ideally located in an area that has a significant amount of arable and grassland, as well as intensive livestock units, which produce materials that can be blended together to create a high quality and consistent feedstock. The proposed facility will handle approximately 70,000 tonnes of material per annum, the majority of which will be in the form of farm crops /

manure. This material will be sourced from our extensive landholdings in the local area and nearby livestock units and the site therefore represents an entirely suitable and sustainable location for the proposed facility. This material will be supplemented by an element of food waste, which would otherwise be directed to landfill and, accordingly, the proposals will drive waste up the waste hierarchy in accordance with national guidance.

75. The application proposals also represent further diversification of our business and will create a number of additional job opportunities for local people. Furthermore, in addition to producing energy, the AD process produces digestate, which is a valuable biofertiliser. The digestate produced will therefore be used on our extensive landholdings as a fertiliser, considerably reducing our reliance on industrially produced forms of fertiliser thereby enhancing the sustainability credentials of the business and reducing costs associated with sourcing man-made fertilisers. The digestate is also virtually odourless and, accordingly, the application of the product to the land as a fertiliser will have a beneficial impact on amenities of local residents through a reduction in odours associated with existing lawful landspreading activities.
76. In summary, the proposed development will provide clear support for the local AD sector through the provision of a homogenous feedstock that will provide significant operational and efficiency benefits for AD plant operators. A high proportion of the value derived from the feedstock will arise from farm crops / waste sourced from AWSM Farms and other local livestock units, which is evidently highly sustainable and would be supplemented by food waste that would otherwise be directed to landfill. The proposals would also represent further diversification of the business and such forms of development are offered clear support within the NPPF. Moreover, a secondary product of the AD operation will be the use of digestate as an odourless fertiliser that will reduce our reliance on man-made fertilisers thereby enhancing the sustainability credentials and reducing overheads of the business. It is therefore evident that the principle of development is acceptable in the context of guidance contained within the adopted Development Plan and national planning guidance.

PLANNING CONSIDERATIONS AND ASSESSMENT

77. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with Paragraph 212 of the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should 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: principle of development, residential amenity, landscape impact, ecology, access and traffic, agricultural land, flood risk and drainage and other matters.

Principle of Development

78. National and local planning policies are generally supportive towards sustainable waste management initiatives and seek to promote the movement of materials up the waste hierarchy. The Government's 'Waste Strategy for England 2007' set out the Government's objectives to reduce waste and increase recycling of waste and energy recovery. The Waste Review of 2011 sets out the Government's aims for a 'zero waste' economy. The direction of travel set by the Review is a new focus in national policy on the use of materials throughout the economy; the integration of business and household waste; a smaller and different role for central government;

and more focus upon the householder or business and the importance of this agenda – from waste prevention to waste management – for the “green economy”. Waste is considered a valuable resource.

79. The NPPW sets out in the waste hierarchy that prevention of waste and re-use of materials should be considered before recycling, recovery and final disposal of waste. This is reflected in WLP Policy W2 requiring developments to demonstrate an established need for the facility and to show that they would make a contribution to the County’s sustainable waste strategy and achieve overall environmental benefits, and move waste up the Waste Hierarchy. Furthermore, the Policy seeks to prevent unnecessary importation of waste into the County. Policy W2 is considered to be consistent with the NPPF and can therefore be afforded weight in the decision making process.
80. The proposed development would seek to import up to 70,000 tonnes of farm crops / waste, including agricultural slurry, straw, silage, maize, fodder beat and farm yard manure and food waste from various sources in Durham, Cumbria and Teesside to blend into a feedstock suitable to be used in offsite anaerobic digesters. No information relating to the specific type of food waste has been provided. The digestate produced by the anaerobic digesters would then be brought back to Lane Head Farm to be stored in the proposed development for use as a fertiliser on land within a 15 mile radius of the site. The process as a whole would process and treat waste but the storage and blending at Lane Head Farm would not, in itself, move waste up the Waste Hierarchy and as waste would be imported from unknown sources the development would not necessarily contribute to a sustainable waste management strategy for County Durham. In addition, importing waste that would not be treated or used at the site until after treatment elsewhere is considered to be unnecessary and the proposal therefore conflicts with WLP Policy W2.
81. Paragraph 7 of the NPPW states that the need for new waste development must be demonstrated where the proposal is not consistent with an up to date local plan. Paragraph 7 goes on to state that in such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need. As set out above and later in this report, the proposal is considered to conflict with relevant Policies in the WLP and TDLP. The applicant has not provided any evidence to demonstrate that there is a need for the facility in this location and the proposal therefore fails this test. As need has not been established in this case there is no requirement to demonstrate capacity elsewhere.
82. WLP Policy W4 refers to the location of new waste management facilities and criteria to be considered including protection of local amenity, minimising the transportation of waste, integration with other facilities, environmental benefits and the safe and free flow of traffic on the highway network. These criteria are reflected in Appendix B of the NPPW which also includes protection of water quality and resources, land instability, landscape and visual impact, nature conservation, traffic and access, air emissions, odours, noise and light. Those applicable to this development and location are considered in this report. WLP Policy W29 reinforces the need to minimise the transportation of waste.
83. The proposed development would be located in close proximity to the A66 trunk road and being able to access the site from this major road would be a benefit to the development. The application states that waste materials would be sourced from nearby farms and landholdings, as well as food producers from Durham, Cumbria and Teesside. The waste materials would therefore be sourced from a wide variety of locations and the end treatment destination, other than being Anaerobic Digestion (AD) plants in the area, is unknown. It cannot, therefore, be demonstrated that the

development would minimise the transportation of waste and is in conflict with WLP Policy W4. Conversely, the intermediary storage of waste at the proposed site, rather than taking it directly for processing would increase the distance that the material would have to travel.

84. WLP Policy W38 states that proposals for the recovery of waste materials will be permitted provided they can be satisfactorily located at existing waste transfer stations, on land identified for general industrial use, on previously developed land in sustainable locations or as part of an integrated waste management facility. In addition supporting text supporting Policy W38 states that these facilities will normally require industrial style buildings and accommodate a large tipping hall to deposit and load material and accommodate equipment to process the materials. . The proposal would see waste being pumped into tanks within industrial style buildings and there would be adequate space to do this. However, the proposal fails in relation to the locational criteria of the Policy as the site is an isolated green field in the open countryside. No justification has been provided for the proposed location and the proposal therefore conflicts with WLP Policies W4, and W38. WLP Policies W4 and W38 are considered to be consistent with the NPPF and can be afforded weight in the decision making process.
85. WLP Policy W38 also states that provision will be made for new waste transfer facilities in Teesdale and Wear Valley. The purpose of this part of the policy, as explained in the supporting text, was to provide additional capacity for handling municipal waste in these parts of the County. Within Teesdale a waste transfer station for municipal waste was developed at Stainton Grove and is operational. There is no need to provide any further municipal waste capacity within Teesdale through this provision in WLP Policy W38.
86. TDLP Policy ENV1 seeks to restrict the types of development in the countryside to uses including agriculture and farm diversification, forestry, nature conservation, tourism and recreation. The proposal, whilst close to a farm and partly using farm waste, is not agricultural and the industrial nature of the activity places it beyond what would be expected from farm diversification. It is therefore considered that the proposal conflicts with TDLP Policy ENV1. TDLP Policy ENV1 is considered to be partially consistent with the NPPF as the NPPF is more permissive toward development in the countryside.

Residential Amenity

87. The proposed development would be isolated from the Lane Head farmstead in the corner of an arable field. The site has existing tree screening to the north and west and partial screening to the east. The field within which the site is located is relatively flat but has hedgerows around the perimeter that afford a degree of screening. The nearest residential properties lie approximately 600m to the south of the site at Rokeby Close, followed by properties close to the A66 Motel approximately 700m away and the village of Hutton Magna is approximately 900m to the north east.
88. The proposed facility would store waste materials in tanks located within the buildings and also a significant amount in 2 open stores adjacent to the buildings. Materials would be brought to and from the site in tankers drawn by either HGVs or tractors.
89. The key issues in terms of residential amenity are noise and odour. These issues were raised in many of the objection letters and are addressed below.

Noise

90. The proposed facility would not be connected to a mains power source due its remote location and would therefore be powered by an on-site internal generator. Other noise sources from the facility would include equipment for pumping and mixing the waste materials, although the main noise is likely to be tractors and other vehicles travelling to and from the site. Objectors have raised noise as an issue and are particularly concerned that the generator would cause a noise nuisance.
91. Noise from the installation may impact on the surrounding amenity. No noise data has been submitted with the application nevertheless, Environmental Health and Consumer Protection officers have considered the proposal and raised no objections in relation to noise but have requested that a condition be imposed restricting night time (1900 – 0700) noise levels to 0dB LAeq (1 hour) above background (LA90, 1 hour) in accordance with BS4142. This requires noise from the installation to be assessed using BS4142 and ensures a low impact rating based on the given background noise level. Officers also advise that the suggested condition would be sufficient to mitigate against the potential of a statutory nuisance. On this basis it considered that the proposal would not conflict with WLP Policies W3 and W33 and Paragraph 120 of the NPPF in respect of odour impact.

Odour

92. The proposed development would import farm waste, slurry and food waste, which by its nature is odorous material. The existing outdoor open store at the site has been used for the storage of these materials in the past and has generated complaints and it is the view of objectors that the proposed development, using the existing open store and an additional identical store, would continue to cause nuisance odour. The indoor storage tanks could also produce odour if not properly sealed.
93. An Odour Control Strategy has been submitted in support of the application which concludes that, subject to the implementation of appropriate mitigation measures, the proposed development is very unlikely to cause any statutory odour nuisance or adverse impact upon amenity in accordance with the Council's Technical Advice Notes. The document contains an abatement strategy which proposes the use of a carbon bed and discharge stack. It should be noted that the discharge stack required for odour abatement does not form part of this application and would need to be considered separately, should planning permission be granted.
94. Environmental Health and Consumer Protection officers have considered the submitted details and assessed them against the relevant Council's Technical Advice Note. Officers consider that the submitted details meet with the required thresholds in terms of preventing statutory nuisance subject to a condition being imposed to secure a scheme of odour management measures in accordance with the submitted Odour Control Strategy prior to the commencement of development. Without such controls officers advise that the development would lead to a significant impact.
95. The Environment Agency has advised that a bespoke Environmental Permit for the intended activities would be required. As part of the permit suitable odour control measures would need to be in place as the incoming wastes have the potential to be extremely odorous. Officers consider it likely that the new facility would need to comply with the principles of secondary containment for the treatment and storage facilities in case of a containment failure

96. Although residents have raised concerns regarding the odour potential of the proposed development, it is considered that the applicant has adequately demonstrated that odour from the development could be controlled to a point at which it would not cause statutory nuisance or a significant adverse impact on amenity and Environmental Health and Consumer Protection officers raise no objection subject to condition. The proposal would therefore not conflict with WLP Policies W3 and W33 and Paragraph 120 of the NPPF in respect of odour impact.

Landscape and Visual Impact

97. The application site is not within any locally or nationally designated landscapes but is located in the Tees Lowlands landscape character area. The lowlands of the Tees form a broad plain that merges with the gentle dip slope of the Magnesian Limestone escarpment and the low hills of the Pennine fringe in the north. The topography is gently rolling or undulating with low lying 'flats' and 'carrs' and areas of more undulating terrain relating to pockets of fluvio-glacial sands and gravels. Soils are heavy drift-derived surface water gleys, with pockets of brown earths on gravels, and earthy peats in poorly drained carrs.
98. Agricultural land use is mixed but predominantly arable in the area. Field systems are 'sub-regular' in pattern and largely date from the enclosure of open town fields in the 16th and 17th Centuries. They have been heavily fragmented by the amalgamation of arable fields in the 20th century. Hedgerows tend to be cut low and regularly trimmed. Tree cover is generally low with scattered hedgerow trees, principally Ash and Oak, though some areas are rich in trees. In the carrs field boundaries are water-filled ditches, often supplemented by fences.
99. Paragraph 109 sets out key areas for conserving and enhancing the natural environment. This is reflected in WLP Policy W7, which seeks to resist development that would have a significant adverse impact on the character of the landscape and promotes the restoration or enhancement of the landscape where possible. WLP Policy W6 and W36 promote the careful siting and design of new buildings appropriate to the waste process proposed that complement the proposed location and topography with landscape proposals integrated into the scheme. TDLP Policy ENV1 seeks to restrict development in the countryside that would cause harm to the landscape.
100. The proposed development would be located in the north east corner of an arable field. The topography of the immediate area is relatively flat, rising slightly towards the settlement of Hutton Magna to the east and the A66 to the south. Field boundaries are delineated by hedgerows and there is an evergreen plantation to the immediate west of the site, which would offer partial screening. The proposal would comprise of 2 agricultural style buildings and 2 slurry stores bounded by a 2.5m high soil mound that would be planted with trees. The elements of the development that would be visible above the soil mound are the top 4.75m of the 2 buildings as the slurry stores would be obscured from view. The agricultural design of the buildings, although detached from the farmstead, would not be incongruous in the rural landscape. Landscape officers have considered the proposal and do not expect it would have a significant adverse impact on the landscape but note that the conifer plantation may be harvested in the future and the landscape proposals should take this into account. These details can be agreed through condition post-determination, should planning permission be granted.
101. Due to the topography of the area and intervening hedgerows and trees, the only residential properties with a direct view of the site are 600m to the south at Rokeby Close. Whilst concerns from objectors in relation to the appearance of the facility are

understood it is considered that at such a distance, with the proposed screening and the generally agricultural appearance of the buildings that the development would not have a significant visual impact. Landscape officers have raised no objections to the proposal subject to the submission of a landscaping scheme and it is therefore considered that the proposal would accord with WLP Policies W3, W6, W7 and W33, TDLP Policy ENV1 and Part 11 of the NPPF in this respect. WLP Policies W3, W6, W7 and W33 are considered to be consistent with the NPPF and can be afforded weight in the decision making process. TDLP Policy ENV1 is considered to be partially consistent with the NPPF as the NPPF is more permissive toward development in the countryside.

Ecology

102. The presence of protected species is a material consideration, in accordance with Circular 06/2005 (Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System) and Paragraph 119 of the NPPF. In addition under the requirements of the Conservation of Habitats and Species Regulations 2010 (amended in 2012) (referred to as the Habitats and Species Regulations hereafter) it is a criminal offence to (amongst other things) deliberately capture, kill, injure or disturb a protected species, unless such works are carried out with the benefit of a licence from Natural England. Regulation 9(3) of the Conservation of Habitats and Species Regulations requires local planning authorities to have regard to the requirements of the Habitats Directive in exercising their functions. Case law has established that local planning authorities must consider whether the applicant might obtain a protected species licence from Natural England.
103. Paragraph 109 of the NPPF sets out the Government's commitment to halt the overall decline in biodiversity by minimising impacts and providing net gains where possible with Paragraph 118 stating that development should be refused if significant harm to biodiversity cannot be avoided, mitigated or, as a last resort, compensated for. WLP Policy W17 requires all waste development to incorporate appropriate measures to ensure that any adverse impact on nature conservation is minimised. TDLP Policy ENV16 seeks to resist development that would have a significant detrimental effect on the habitats of rivers and streams or their corridors. WLP Policy W17 and TDLP Policy ENV16 are considered to be consistent with the NPPF and can be afforded weight in the decision making process.
104. The applicant has submitted an extended Phase 1 Habitat Survey in support of the application. The survey considers the site to consist of predominantly poor semi-improved grassland and identifies that there are no statutory or non-statutory designated sites within a 2km radius of the site centre. The survey considers that the area to be developed is of low ecological value but notes that marshy grassland 20m to the north has the potential to support a variety of faunal species, which is at risk of pollution events from construction activities without appropriate mitigation. Species at risk during the construction phase include ground nesting birds, grass snakes, otter and water voles. The survey recommends that site clearance works are to be carried out at a time to avoid the main bird nesting season, or employ an ecologist to check the site prior to works commencing; the grassland should be maintained to a height of less than 15cm to encourage grass snakes to disperse into more suitable habitats; maintain 5m buffers from offsite ditches to protect water vole and; ensure any construction trenches left open overnight have ramps to allow otter to escape.
105. Ecology officers initially raised concerns that the development has the potential to impact upon protected species including Great Crested Newt as well as the identified water vole and breeding birds. Further surveys were requested to address these

issues. An eDNA test for Great Crested Newts was carried out in the waterbodies close to the site and this returned a negative result. Surveys for water vole and breeding birds were not carried out as the applicant stated that they would be done pre-commencement and would accept a condition to this effect. Ecology officers remain concerned that the facility could lead to pollution into the waterbodies abutting the site, which may lead to potentially damaging effects to protected species downstream. However, it must be assumed that the development would be carried out correctly and that future pollution incidents would not occur and a cautionary approach should not be adopted.

106. It is considered that although no biodiversity enhancement is offered, the proposal would not result in the loss of valuable habitat or protected species. The proposal would therefore not conflict with WLP Policy W17, TDLP ENV16 and Part 11 of the NPPF.

Access and Traffic

107. Paragraph 32 of the NPPF states plans and decisions should take account of whether: opportunities for sustainable transport modes have been taken up; safe and suitable access can be achieved; improvements can be undertaken to limit significant impacts of development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The Locational Criteria in NPPW Appendix B include traffic and access considerations: 'Considerations will include the suitability of the road network and the extent to which access would require reliance on local roads, the rail network and transport links to ports'. WLP Policy W29 seeks to ensure that measures are incorporated into developments to minimise the transportation of waste and Policy W31 requires proposals to demonstrate that traffic generated by the development can be safely and conveniently accommodated on the highway network without causing detrimental impact to local amenity. WLP Policy W32 sets out means of mitigation that should be secured to ensure that development does not result in harm to the highway network.
108. The proposed development would be accessed via an existing farm track connecting to the C171 Road known as Lanehead Lane. This is unmarked single track road for much of its length up to the junction with the A66 to the west and to Lanehead Farm to the east where it widens into 2 lanes. There are 2 signed passing places on the single track section of the road. The site would accept up to 70,000 tonnes of material per annum. All material to be processed at the site would need to be imported and exported via the C171 Road and access track. Material would be imported and exported using 26 tonne capacity HGV's.
109. The proposal would generate approximately 20 vehicle movements per day (10 in and 10 out), not including tractors collecting digestate to spread to land, however, as there would be only 3000 tonnes of digestate brought to the site per annum it is expected that movements from spreading operations would be relatively low. The vehicle movements from both HGV's and tractors could be controlled by condition.
110. Concerns relating to the highways have been a common theme amongst objections to the proposal. The main issue is the number of vehicles that would be accessing site but issues are also raised in relation to the size of the vehicles and the speed at which they travel, the damage that is being done to verges and blocking of driveways.
111. The Highway Authority has assessed the proposals and considers that the proposed access arrangements and vehicle movements would be acceptable subject to

conditions. Improvements to the road by adding two additional passing places should reduce the impact of additional vehicle movements and limit the need to overrun verges. The size of vehicles is a consequence of modern farming practice that can't be controlled by planning and the way in which the vehicles are driven is for the Highway Authorities and Police to regulate. It is therefore considered that the proposal would accord with WLP Policies W29, W31 and W32 and Part 4 of the NPPF. WLP Policies W29 and W31 are considered to be consistent with the NPPF and although W32 is only partially consistent, as it does not fully reflect Section 122 of The Community Infrastructure Levy Regulations 2010, there is no conflict in relation to these proposals and therefore can be afforded weight in the decision making process.

Access and Rights of Way

112. Part 8 of the NPPF seeks to promote healthy communities with a key reference being towards the protection and enhancement of public rights of way and access. WLP Policy W24 requires proposals to demonstrate that there would not be a significant impact upon the recreational value of the countryside, including the local path network. WLP Policy W24 is considered to be consistent with the NPPF and can be given weight in the decision making process.
113. The proposed development would be accessed via an existing farm track from Lanehead Lane that is shared with Bridleway No.3 (Hutton Magna Parish), which continues past the application site and joins with Bridleway No.13 (Wycliffe and Thorpe Parish) further to the north. Footpath No's.1 and 2 (Hutton Magna Parish) dissect the farm track approximately 180m to the north of Lanehead Lane. The proposal seeks to realign Bridleway No.3 immediately to the west of the farm track to avoid conflict between bridleway users and vehicles accessing the site. Access and Rights of Way officers raise no objections to the proposal but note that the existing bridleway would be directly affected and would need to be diverted, as proposed and this would be required through a planning obligation secured under Section 106 of the Town and Country Planning Act 1990.
114. Whilst diverting and realigning the bridleway to the immediate west of its current position would alleviate the physical impact and prevent direct conflict, it would not fully address the potential harm to users. Many of the objections to the proposal raise concerns in relation to the impact on users of the bridleway, including horses being frightened by heavy vehicles, and the odour emanating from the facility. Given the nature of the proposal odour is likely to be generated, however, the applicant has demonstrated to the satisfaction of Environmental Health and Consumer Protection officers that odour from the site can be adequately controlled.
115. There would be an impact upon users of the public rights of way network due to a footpath diversion and a greater volume of traffic using the adjacent track however this would be for a short section of the rights of way network and it is not considered that this would be an unacceptable adverse impact sufficient to justify refusal of the application. Access and Rights of Way officers do not object to the proposed development. It is therefore considered that the proposal would not conflict with WLP Policy W24 and Part 8 of the NPPF.

Agricultural Land

116. Paragraph 112 of the NPPF seeks to protect best and most versatile land, prioritising the use of lower quality land where it has been demonstrated that development of agricultural land is necessary. WLP Policy W38 sets a higher test, requiring waste development to be located on industrial land or previously developed land and, more

importantly, WLP Policy W25 seeks to strongly resist any proposals that would impact on or lead to the loss of best and most versatile agricultural land. WLP Policies W25 and W38 are considered to be consistent with the NPPF and can be given weight in the decision making process.

117. The proposed development would be located on a greenfield site on the northern edge of 2 fields separated by a farm track, which is also a Bridleway. The area of land to be developed amounts to just over 1ha. The site has not been in use for agriculture for approximately 6 years as it has been partially occupied by a slurry store and ad hoc storage of solid waste. The site and land around it, amounting to approximately 26 hectares, has been assessed by Natural England as being Grade 3A 'best and most versatile' agricultural land.
118. Whilst the applicant has not demonstrated that there is an overriding need to locate the proposed development on best and most versatile land the overall loss is relatively small in the context of the surrounding land. It is therefore considered that although the proposal does not accord with WLP Policies W25 and W38 and Paragraph 112 of the NPPF the conflict is not sufficient to justify refusal of the planning application.

Flood Risk and Drainage

119. The application site is located within Flood Zone 1 and as the development covers an area of more than 1ha a Flood Risk Assessment (FRA) has been submitted in support of the application. There are numerous small watercourses in the vicinity of the site with the nearest being immediately adjacent to the northern boundary of the site. The FRA concludes that the proposal would not have a significant impact upon flooding in the area in accordance with WLP Policy W26 and Part 10 of the NPPF. The Environment Agency and Northumbrian Water have raised no objections to the proposal. WLP Policy W26 is considered to be consistent with the NPPF and can be afforded weight in the decision making process.

Other Matters

120. There are several listed buildings within 1.5km of the site, however, the nearest is at a distance of 550m and none of which would suffer any harm from the proposed development. It is therefore considered that the proposal would not conflict with WLP Policy W18 or Part 12 of the NPPF. WLP Policy W18 is considered to be consistent with the NPPF and can be afforded weight in the decision making process.
121. It has been questioned whether the application should have been accompanied by an Environmental Impact Assessment due to the type of development proposed. It has been suggested that the proposal falls within Schedule 5, Paragraph 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as an integrated chemical installation. This category covers installations for the manufacture on an industrial scale of substances using chemical conversion processes, in which several units are juxtaposed and are functionally linked to one another. The application was screened for Environmental Impact Assessment (EIA) when it was received. The screening opinion found that the development fell within Schedule 2, Part 11(b) of the Regulations as an installation for the disposal of waste and although the threshold for site area (more than 0.5 hectare) was exceeded it was considered that on balance EIA was not necessary.

CONCLUSION

122. Planning policy is generally supportive towards sustainable waste management initiatives and seeks to locate waste management facilities on land identified for general industrial use or on previously developed land in sustainable locations. The proposed facility would be located on an isolated greenfield site in the open countryside and therefore fails to meet locational criteria for new waste development.
123. The proposed waste blending facility is intended to provide an intermediary storage and processing centre between waste sources from Durham, Cumbria and Teesside and anaerobic digestion plants. No justification is provided for why the facility is needed in this location and it is considered that the proposal would result in unnecessary importation of waste into the County.
124. The proposals have generated significant public interest with objections reflecting the issues and concerns of local residents affected by the proposed development. Careful consideration was given to the concerns raised throughout the consideration process and these have been taken into account and addressed in detail within the body of the report. Whilst impacts such as visual intrusion, highway safety, odour and noise could be adequately mitigated with appropriate planning conditions, the principle of the development in terms of need and location is contrary to the development plan.
125. The proposals are considered to conflict with the relevant key policies of the County Durham Waste Local Plan and national planning guidance contained within NPPW and relevant sections of the NPPF.

RECOMMENDATION

That the application be **REFUSED** for the following reasons:

1. The Local Planning Authority considers that the proposed development does not fulfil and established need and would result in unnecessary importation of waste into County Durham in conflict with County Durham Waste Local Plan Policy W2 and Paragraph 7 of the National Planning Policy for Waste.
2. The proposed development would constitute inappropriate development in the countryside in conflict with the locational criteria set out in the County Durham Waste Local Plan Policies W4 and W38, Teesdale Local Plan Policy ENV1.

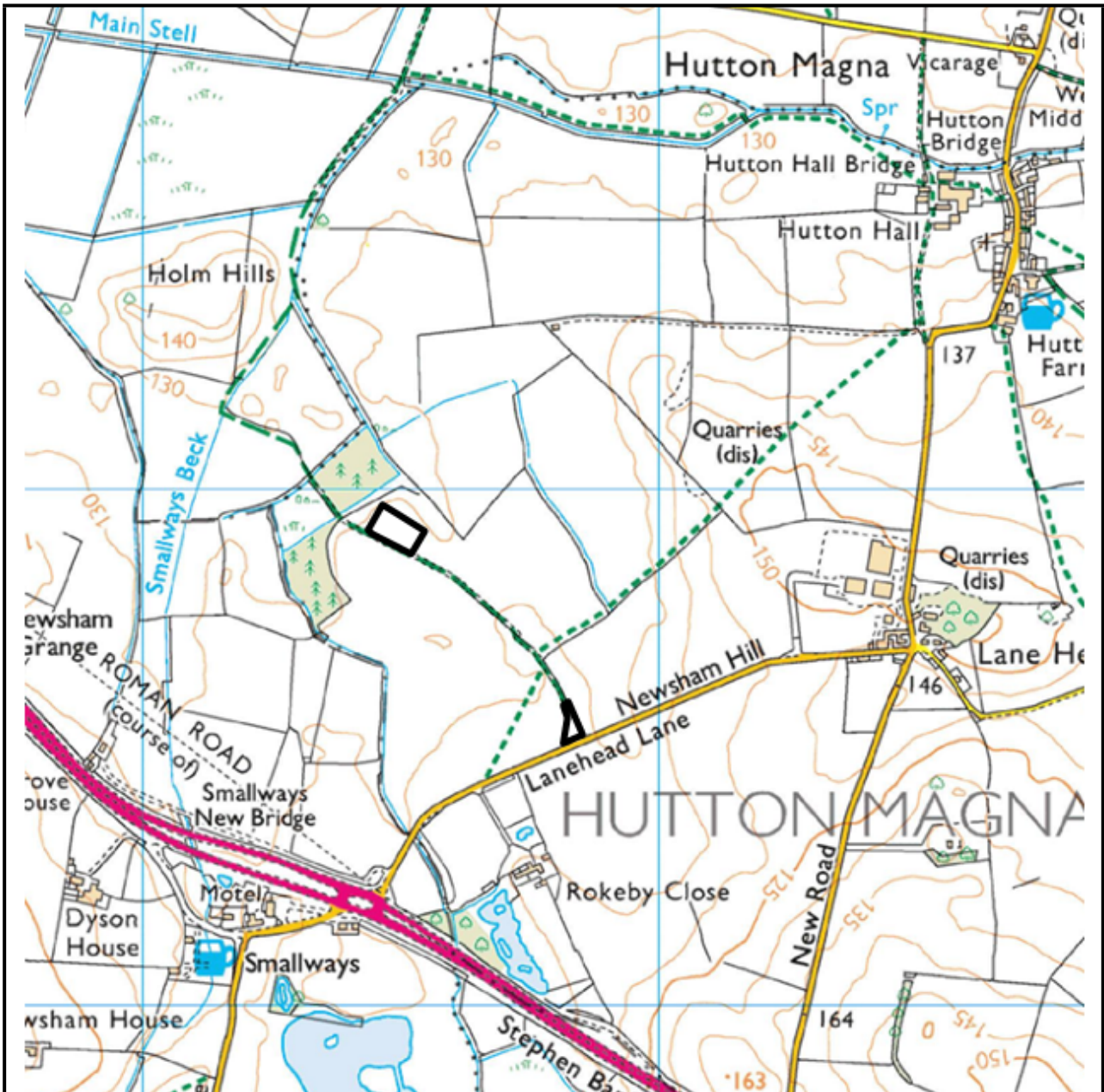
STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its recommendation to refuse this application 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. (Statement in accordance with Article 35(2) (CC) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.)

BACKGROUND PAPERS

- Submitted application forms, plans supporting documents and subsequent information provided by the applicant.
- The National Planning policy Framework (2012)

- National Planning Policy for Waste (2014)
- County Durham Waste Local Plan (2005)
- Statutory, internal and public consultation responses



Planning Services

CMA/6/54

Proposed erection of 3 buildings, 1 storage lagoon, provision of weighbridge and change of use of existing slurry store to blending plant and laboratory/office to create fertiliser for agricultural use with associated access and hardstanding at Land To West Of Lane Head Farm Lanehead Lane Hutton Magna Richmond

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Comments

Date June 2017

Scale Not to scale