

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/18/00478/WAS
FULL APPLICATION DESCRIPTION:	Anaerobic Digestion Plant
NAME OF APPLICANT:	Ener-G-Bio
ADDRESS:	Mount Huley Farm, Croxdale, Durham
ELECTORAL DIVISION:	Coxhoe
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 2.12 hectares (ha) within an essentially rural landscape, which is predominantly in use for agriculture. The wider farm holding extends to approximately 800 ha. The A167 road is a major feature in the area, providing a clear boundary between the developed areas of Spennymoor and Tudhoe to the west and the rural landscape to the east. The village of Hett lies approximately 1.3km to the north of the application site, Croxdale approximately 2.2km to the north west, Tudhoe approximately 900m to the west and Spennymoor (Durham Gate) approximately 300m to the west.
2. The steading area of Mount Huley Farm is situated to the immediate west of the application site and includes several farm buildings of varying ages, farmyard and 2 dwellings associated with the farm.
3. The application site comprises parts of three fields to the immediate east and south of the steading area of the farm, extending to an area of 2.12 hectares. The three fields are currently set to grass and comprise improved grassland. The general landform is an area of near level ground although to the immediate east of the farm buildings there is a natural depression approximately 4m below the surrounding ground level. The fields are bounded by a mix of hedgerow and post and wire fencing. The proposed development would be accessed via an existing field entrance from the A167.
4. The nearest Public Right of Way (PRoW) to the site is Footpath No.28 (Croxdale and Hett) located approximately 100m to the east. The A167 lies immediately to the west of the application site and is the main highway connection. The site is within a mix of High Risk and Low Risk Coalfield Development Areas. There are no landscape designations or designated heritage assets within or adjacent to the site. There are no nature conservation designations within or adjacent to the site. Within 5km of the site lie The Carrs Site of Special Scientific Interest (SSSI) 2.8km to the south east,

Butterby Oxbow SSSI 3.4km to the north and Thrislington Plantation SSSI 3.7km to the south east.

5. The nearest residential properties beyond those within the farmstead lie approximately 300m to the south at Thinford, 930m to the west at Hutton House, 600m to the south west at Spennymoor, 910m to the west at Tudhoe and 1.3km to the north at Hett. Commercial properties at Enterprise City and Greenhills Business Park are located 185m to the west.

The Proposals

6. This application is for an anaerobic digestion (AD) plant that would produce methane gas for distribution to the gas grid. The plant would produce up to approximately 8,000,000m³ of biogas per annum. The development would also include a small combined heat and power (CHP) unit for the parasitic load for the plant and heat for the tanks with excess heat being used on the farm. It is intended that the plant would operate continuously on a 24/7 basis, apart from scheduled maintenance operations when the plant would be completely closed down.
7. The proposed development would process approximately 43,435 tonnes of waste per annum consisting of processed food waste, farmyard manures and silage.
8. The farmyard manures and silage would be derived from Mount Huley Farm. The precise source of the food waste feedstock cannot be set out at this time but there are a number of food production businesses within County Durham producing food waste that could be utilised at the facility. The food waste would be imported to the site via heavy good vehicles (HGVs), including tankers, with a peak capacity of 8 (4 in and 4 out) per day during daytime hours. The site would be accessed directly from the A167 via an existing field entrance that widened with appropriate visibility splay and a central island that would force vehicles to enter and leave the site in a left in and left out arrangement.
9. The AD plant would comprise of a main and a secondary digester tank which would both have an internal diameter of 26m, a height of 8m and a total volume of 4,247m³. In addition there would be a digestate storage tank with an internal diameter of 36m, a height of 10m and a volume 10,000m³. There would also be three pasteurisation tanks with an internal diameter 2.95m, a height of 6.15m and a volume of 30m³. There would be a waste reception building measuring 30m by 20m with a height of 10m which would house a depackaging plant and liquid storage tanks. In addition to the AD plant there would also be a gas grid entry unit, gas purification and storage plant, technical container, office and laboratory, a CHP unit in a shipping container measuring 6m by 2m with a height of 2.5m and a 5m flare stack.
10. HGVs carrying solid food waste would enter the food waste reception building, operated under negative pressure, where the waste would be unloaded, de-packaged and sorted. The doors of the building would be kept closed at all times other than when HGVs enter or leave the building. Liquid food waste would be transferred via a sealed pumping system into one of four reception tanks for analysis. The tanks allow for wastes of different origins to be 'blended' together to provide the optimum mix for processing in the tanks. From the reception tanks the feedstock would be transferred into the primary fermentation tank either by an auger (solids) or by direct pipe (liquids). Straw would continue to be stored in bales on the farm, as per the current situation.

11. The material would be fermented in the tanks for between 40 and 90 days. Once all the methane has been extracted from the material, it would then be pumped into a pasteurisation facility which heat treats the material before it is then pumped into the digestate storage tank.
12. At this point in the AD cycle the digestate would no longer be a waste but a bio fertiliser, capable of being spread on land instead of conventional fertilisers. The digestate would be stored in a pumpable liquid form and would be removed from the site via a sealed pipework system connected to tankers or umbilical pipework direct to the fields. It would then be spread on land at Mount Huley Farm or taken off site for use at other farms instead of conventional fertiliser. Due to the seasonal demands for fertiliser as well as existing restrictions on application of material to land, the facility would incorporate up to 6 months storage of digestate on site.
13. An Environmental Permit from the Environment Agency would be required. In accordance with the permitting requirements, as well as sound environmental management practices, the site would be bunded behind concrete walls capable of holding 110% of the volume of the largest tank.
14. 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

15. Mount Huley Farm is a long established farm complex comprising of two dwellings, agricultural buildings, extensive farmyard area and surrounding land.

PLANNING POLICY

NATIONAL POLICY

16. 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.
17. 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.
18. 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.
19. 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.

20. *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.
21. *NPPF Part 3 – Supporting a Prosperous Rural Economy.* Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.
22. *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.
23. *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.
24. *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.
25. *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.
26. *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.
27. *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>

28. 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>

29. 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)

30. *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.
31. *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.
32. *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.
33. *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.
34. *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.

35. *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.
36. *Policy W21 – Archaeology* – Policy requires an archaeological assessment and field evaluation prior to the determination of a planning application where there is reason to believe important remains may exist within or in the vicinity of the site of a proposed waste development.
37. *Policy W22 – Archaeology* – Where nationally important archaeological remains, whether scheduled or not, and their settings are affected by a proposed waste development there will be a presumption in favour of their preservation in situ. Proposals for waste development that would have an adverse effect on regionally important archaeological remains will only be permitted where the need for the development outweighs the importance of retaining the site intact and no other suitable locations are available.
38. *Policy W23 – Archaeology* – Where the preservation of archaeological remains in situ is not appropriate, planning permission will not be granted unless satisfactory provision has been made for the excavation and recording of the remains.
39. *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
40. *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.
41. *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.
42. *Policy W29 – Modes of transport* – requires that waste development incorporate measures to minimise transportation of waste.
43. *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.
44. *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.

45. *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.
46. *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.
47. *Policy W43 – Aerobic and Anaerobic Digestion* – states that proposals for Anaerobic Digestion Plants which make a significant contribution to sustainable waste management in County Durham and which make the best practical use of by-products will be permitted where they can be satisfactorily located: a) on land identified for general industrial use or on previously developed land in sustainable locations; or where the proposal forms part of an integrated waste management facility.
48. *Policy W44 – Small Scale Aerobic And Anaerobic Digestion* – states that proposals for small scale aerobic and anaerobic digestion plants which make the best practical use of by-products will be permitted on general industrial sites; or on previously developed land in sustainable locations and where the processing of waste is appropriate in scale to an existing primary use of the site, or where they involve the re-use of appropriate rural buildings and hard standings, including as part of farm diversification.
49. *Policy W45 – Energy from Waste* – Proposals for the development of energy from waste facilities will be permitted where it can be demonstrated that they contribute to a sustainable waste management system for County Durham and where they can be satisfactorily located on land identified for general industrial uses, or on previously developed land in sustainable locations; or where the proposal forms part of an existing permanent waste management facility.

EMERGING POLICY:

50. 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.

The above represents a summary of those policies considered relevant. The full text, criteria, and justifications can be accessed at: <http://www.durham.gov.uk/article/3266/Whats-in-place-to-support-planning-and-development-decision-making-at-the-moment> (County Durham Waste Local Plan)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

51. *Highway Authority* – has raised no objections to the proposals.

52. *Environment Agency* – has raised no objections to the proposals but has provided advice in respect of amenity stating that the proposed development is in close proximity to housing and an expanding commercial area and that even with good standards of odour management there could still be incidents of nuisance odours.
53. *Drainage & Coastal Protection* – has raised no objections to the proposal but has requested details of surface water management through condition.
54. *Coal Authority* – has raised no objections subject to a condition being imposed requiring intrusive ground investigations to be carried out followed by remedial work, if necessary.

INTERNAL CONSULTEE RESPONSES:

55. *Landscape* – has raised no objections to the proposals. Officers have stated that the development would result in some harmful visual and local landscape effects as a consequence of the scale of development and the visibility in some views. However, these could be tempered by sensible choice of finishing colour for the plant and buildings and could be mitigated in time to varying degrees of structure planting, all of which could be secured by condition.
56. *Ecology* – has raised no objections to the proposal and consider the submitted information to be sufficient. Officers have requested that the recommendations set out in the Ecological Impact Assessment are secured by condition.
57. *Archaeology* – no objections are raised following the submission of a geophysical survey and trial trench evaluation.
58. *Environmental Health and Consumer Protection (Noise and Odour)* – has considered the proposal in relation to the Council's 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 noise emitted from fixed plant/machinery/vehicle movements on the site shall not exceed 51dB LAeq (1 hour) between 07.00-23.00 and 37dB LAeq (15 mins) between 23.00 - 07.00 at Mount Huley Farm, the Meadows and East Farm and that within 28 days of beneficial use a verification report shall be provided to the Local Planning Authority to demonstrate adherence with this level. Also, it is requested that there no movement of vehicles or deliveries associated with the development other than between the hours of 7am and 11pm.
59. In respect of odour, the submitted assessment demonstrates that odour emissions from the proposed plant would be within the threshold levels stated in the TANS. This is based on a number of uncertainties and reliance on the operators adhering to good practice. However, the site would be further regulated by the EA, and as such it is assumed that appropriate standards will be enforced. Officers do, however, state that due to the location and waste used, at times there is likely to be odour events/climactic condition which is likely to lead to increased odour and therefore potentially complaints. However, it is also recognised that this may also be true of the existing farm in close proximity and the further agricultural uses in the area.
60. *Environmental Health and Consumer Protection (Air quality)* – has raised no objections to the proposed development stating that the air quality assessment demonstrates that the impact on air quality pollutants at receptors would not be significant.

PUBLIC RESPONSES:

61. The application has been advertised in the press, by site notice and neighbour notification. One letter has been received from the planning agent acting on behalf of the DurhamGate site. Whilst not an objection the letter provides an assessment of the noise and odour impacts from the proposed development and requests that conditions be imposed to require the submission of an odour management plan and to supply a verification report to prove that the predicted noise levels are being achieved once the plant is operational.

APPLICANTS STATEMENT:

62. The Government has shown a clear commitment to increasing the proportion of the United Kingdom's energy requirements produced from carbon neutral or low carbon sources. Moreover, the Government is keen to diversify the mix of such energy sources and not to be over-reliant on wind power. Anaerobic Digestion (AD) plants are carbon reducing and the proposed development will therefore make a contribution towards achieving the Government's target of cutting CO₂ as well as diversifying the mix of renewable energy sources.
63. The proposed development accords with the National Planning Policy Framework, which urges local planning authorities to look upon proposals for renewable energy generation favourably. The DEFRA publication, the 'National Anaerobic Digestion Strategy and Action Plan – A commitment to increasing energy from waste through anaerobic digestion' (2011 & 2013), which indicates the government's strong support for anaerobic digestion facilities, offers significant encouragement for the proposal. The Waste Management Plan for England (2013) is also supportive of the proposal.
64. There is no conflict with local planning policy with reference to the extant development plan policies contained within the County Durham Waste Local Plan (2005).
65. The plant will process a combination of food wastes that would otherwise go to landfill together with energy crops, waste straw, farmyard manures/slurries and other liquid residues, to produce bio-gas. The bio-gas will then be both purified and compressed for injection into the Gas Grid with a small proportion being combusted in the CHP plant to provide electricity for the operation of the plant. The resultant bi-product from the process known as digestate, may be separated into its solid and liquid components. The liquid is a bio-fertiliser and the solid may be used as a fertiliser and soil improver. These odourless bi-products will be applied on the farm's fields via dribble bar instead of farmyard manure and imported nitrate fertiliser which are used at present.
66. The proposal represents an appropriate form of sustainable development at the site. Moreover, it has been demonstrated that the development will not result in a significant impact upon the landscape or visual amenity, will not cause noise or odour nuisance, will not give rise to traffic issues of any significance, will not harm the local ecology and will not impact any features of archaeological importance.
67. Furthermore, it has been concluded that the proposal will benefit the rural economy, and promote the Government's aim to diversify farms as opportunities present themselves.
68. On that basis, we hope officers and members will support this scheme.

PLANNING CONSIDERATIONS AND ASSESSMENT

69. 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, access and rights of way, agricultural land, flood risk and drainage and other matters.

Principle of Development

70. 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. The National Anaerobic Digestion Strategy and Action Plan outlines the Government's aim to increase energy from waste through AD, moving towards the 'zero waste' economy. It highlights the important role of AD in dealing with organic waste and avoiding greenhouse gas emissions that are associated with its disposal to landfill.
71. 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.
72. The proposed development would seek to import up to up to 43,435 tonnes per annum of food waste, manures and silage to produce up to 8,000,000m³ of biogas a year from the anaerobic digester. Capacity for anaerobic digestion is currently unknown as waste data showing available feedstocks is not readily available. Determining need based upon capacity is therefore currently an unreliable measure. Although no contracts are in place, the applicant has identified local sources for feedstocks and would be able to treat all of the waste on site, producing renewably sourced gas for the grid and bio fertiliser, both of which contribute to regional self-sufficiency and as there would be no waste at the end of the process the proposal would not amount to an unnecessary importation of waste into the County. Contracts with suppliers would

not normally be in place until planning permission has been secured to give certainty. The proposal would therefore broadly accord with WLP Policy W2 even though the need for the development is currently unknown.

73. Anaerobic digestion is specifically covered in the WLP under Policies W43 and W44. Policy 43 seeks to locate anaerobic digesters on general industrial or previously developed land; or in other situations where the proposal forms part of an integrated waste management facility. Policy W44 is broadly similar to W43 but allows for small scale facilities to be located on farms as a form of diversification. The WLP does not elaborate on what constitutes 'small scale' but the assertion is that proposals on farms would normally be permitted if they are only using feed stocks (including waste) produced within the same farm unit. The proposed facility at Mount Huley Farm would use feed stocks from the farm supplemented by imported waste. It is therefore considered that the proposal must be considered against Policy W43. As the development would produce useable electricity and heat it should also be assessed against Policy W45 relating to energy from waste. W45 has the same locational requirements as W43. The proposed development would involve the use of a relatively small field to the immediate east of the existing farm buildings for the construction of an AD plant. The proposal would not be located on an industrial estate, would not form part of an integrated waste management facility or reuse previously developed land and is therefore contrary to WLP Policies W43 and W45. WLP Policies W43 and W45 are considered to be consistent with the NPPF and can be given weight in the decision making process.
74. The supporting text in the WLP relating to aerobic and anaerobic digestion in the WLP was written at a time when the technology was in its infancy and few examples existed within the UK. It was understood that digestion facilities would primarily be used to produce compost from municipal waste with little regard to the potential for energy production. Technology has advanced and anaerobic digesters have become a recognised as a viable source of renewable energy as well as producing a useful product from waste material that would otherwise have been sent to landfill or incinerated.
75. WLP Policy W45 relating to Energy from Waste was also written without the knowledge of what future technological innovations may become available. The supporting text focuses upon energy recovery from waste via gasification, pyrolysis and incineration of municipal waste on an industrial scale. These processes are quite different from how energy is recovered in an anaerobic digester where a viable supply of renewable fuel can be obtained at a range of scales. The primary purpose of the AD plant would be to generate gas for the national grid. A small amount would be used for heat and power at Mount Huley Farm.
76. The proposed development would bring benefits to the wider area in that it would produce energy for the national grid from waste food, farmyard manure and excess silage that would otherwise need to be disposed of. The digested material could be used as a stable bio-fertiliser for use at Mount Huley Farm or taken off site for use at other farms, limiting the need for manmade fertilisers. The bio-fertiliser would be relatively odourless in comparison to the manure that is currently spread to land.
77. Whilst it is accepted that the proposed development would be a departure from WLP Policies W43 and W45 it is considered that these specific Policies have not kept pace with current technology and only limited weight can be attributed to them. The departure does not undermine the key aims of the development plan and would not need to be referred to the Secretary of State. Indeed, the proposal would comply with all other relevant local plan policies.

78. 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. WLP Policies W4 and W29 is considered to be consistent with the NPPF and can be afforded weight in the decision making process.
79. The proposed development would be located in close proximity to the A167 road and A1(M) and being able to access the site from this major road would be a benefit to the development. Feedstocks would be provided by activities on the farm and it is suggested in the application that there are food production businesses in County Durham that could direct waste to this facility. The site would therefore be in close proximity and well connected to the sources of the feedstocks and would therefore accord with WLP Policies W4 and W29 in terms of minimising transport of waste.

Residential Amenity

80. WLP Policy W3 requires proposals for waste development to demonstrate that the living conditions of local communities will be protected and where possible enhanced. WLP Policy W33 seeks to ensure that mitigation is provided to ensure that harmful impacts from development are kept to an acceptable level and Policy W36 sets out the need to fully contain waste management facilities within buildings or enclosed structures appropriate to the technology or process.
81. The proposed development would be located to the immediate east of the farmstead for the digester tanks with the reception building and silage clamps located further to the south east. The site has limited screening around its perimeter but there are sporadic plantations around the site that break up ranged views. The nearest residential properties beyond those within the farmstead lie approximately 300m to the south at Thinford, 930m to the west at Hutton House, 600m to the south west at Spennymoor, 910m to the west at Tudhoe and 1.3km to the north at Hett. 185m to the west are commercial properties at Enterprise City and Greenhills Business Park.
82. The proposed facility would store waste materials in tanks located within the buildings and also within the AD plant itself. Materials would be brought to and from the site by tractors and HGV's.
83. The key issues in terms of residential amenity are noise and odour and are addressed below.

Noise

84. Anaerobic digestion is a generally quiet activity with the majority of the process occurring within sealed tanks. The site is an active arable farm and use of tractors is a normal part of those operations and the internal transportation on the farm of manure and waste straw currently takes place. The main sources of noise from the facility would be HGV's travelling to and from the site, CHP plant, gas to grid equipment, digester loading and the biofilter. The applicant has submitted a noise impact assessment in support of the application. The assessment shows that the predicted noise levels from the development would result in no increase in day time noise levels at the nearest sensitive receptor (Mount Huley Farm) and a 4dB increase in night time noise levels at the nearest noise sensitive property. The assessment recommends

mitigation measures to be in put in place and in this case the applicant has proposed to erect a 3m acoustic fence around the active components of the plant.

85. Environmental Health and Consumer Protection officers have considered the proposal and have raised no objections but in order to ensure residential is protected they have recommended conditions to ensure that noise levels are not exceeded and that noisy activities are not carried out during night time hours (11pm to 7am). Officers have also requested that a verification report be submitted to confirm that predicted noise levels are being achieved once the plant is operational. This condition was also requested by the planning agent acting on behalf of DurhamGate. Subject to the imposition of these conditions it is considered that the proposal would not conflict with WLP Policies W3 and W33 and Paragraph 120 of the NPPF in respect of noise impact.

Odour

86. The proposed development would use manures and silage from the farm in combination with imported food waste as a feedstock, which by their nature are odorous materials. The farm already stores and manages silage and manure as part of normal operation. The imported food waste would be delivered directly to the reception and stored in sealed tanks before being used. Once feedstocks have entered the digester it is a sealed process until the resultant digestate is spread to land.
87. An Odour Assessment has been submitted in support of the application which considered the potential odour impact at the nearest receptors including the residential property at Mount Huley Farm, The Meadows, East Farm, Hett Moor, Coldstream House, Durham Gate Phase 3 (housing estate), Thinford House, Police Dog Kennels and Greenhills Business Park. The report assesses that the predicted odour impact ranges from negligible to slight at the majority of receptors with a moderate impact predicted at Mount Huley Farm. The report does, however, note that even a moderate impact falls below the benchmark level set by the Environment Agency as being acceptable. The assessment concludes that odour impact from the proposed development can be considered as not significant.
88. Environmental Health and Consumer Protection officers have considered the submitted details and assessed them against the relevant Council's Technical Advice Note (TAN). Officers have stated that the assessment demonstrates that the odour level arising from the proposed development would be within acceptable thresholds. However, this would depend on a large amount of factors and good practices, which if not adhered to could significantly alter the odour composition. The Environment Agency has raised no objections to the proposal but did state in its response that proposed development would be in close proximity to housing and an expanding commercial area and that even with good standards of odour management there could still be incidents of nuisance odours. It should be noted that the Environment Agency made this comment prior to the Odour Assessment being submitted. Due to the potential risk of odour being generated by the development it is recommended that a condition be imposed requiring an odour management plan to be submitted through condition. This condition was also requested by the planning agent acting on behalf of DurhamGate.
89. In conclusion, 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 the Environment Agency and Environmental Health and Consumer Protection officers raise no objection. In addition, the site would be subject to an Environmental Permit that would be issued and monitored by the Environment Agency. 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

90. The site is an existing agricultural holding within the open countryside. It lies in the Wear Lowlands County Character Area, specifically the Eastern Valley Terraces Broad Character Area which belongs to the Lowland Valley Terraces Broad Landscape Type. The landscape typically consists of gently rolling farmland between the incised valley of the River Wear and the Limestone Escarpment. It is an open landscape of largely arable farmland with sub-regular patterns of old hedges, fragmented in places, with scattered hedgerow trees and few woodlands. The landscape becomes more wooded towards the Wear where parklands and wooded estates spread onto the terraces at Lambton, Croxdale and Whitworth.
91. There are large areas of reclaimed colliery land and restored opencast land which contain young hedges, plantations and shelterbelts. Frequent mining towns and villages and the western outskirts of Durham City are connected by a network of busy modern highways and older, narrow, winding lanes. The area is crossed by the A1(M), the east coast main line and the Leamside line, and by major power lines. The escarpment forms a strong horizon to the east.
92. The site has a topography that falls to the east and is largely screened by the existing farm house and buildings adjacent the A167 road. Whilst hedges running adjacent to the A167 would help screen the development to some degree when approaching from south of the farmstead, when travelling from the north the hedges are clipped low and as the land rises slightly in this location the development will be seen on the skyline and extend the existing farmstead to the east. Whilst the proposal will be seen in the context of, and behind the existing farm buildings, the new additions would be larger in height. The proposed development would be clearly visible from the road into Hett village at the north of the site and from Footpath No. 28 (Croxdale and Hett) to the east. Long ranged views of the site would be possible across the valley from Coxhoe and Old Quarrington. The existing Anaerobic Digester at Old Quarrington is visible from the application site.
93. The proposed AD plant would inevitably have an industrial quality which would be out of keeping with the rural character of the area and would detract to some degree from the scenic qualities in the near and middle distance views. It would have a transformative effect on the site itself, essentially doubling the size of the farm complex. There would be some local harm to the quality of the landscape, given the proposals are on an industrial scale and that, against the background of the landscape setting, it would represent a prominent and intrusive addition to some views. The development would also result in the loss of sections of historic hedgerow, although this would be offset by proposed new hedgerow planting. The colours, finishes and final design of elements of the plant would be required by condition.
94. WLP Policy W7 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.
95. Landscape officers have raised no objections to the proposal subject to the submission of a landscaping scheme as it is considered that structure planting in locations at the north and east of the site would be required. A further condition requiring details of

colours and finishes is also recommended. In addition precise details of the reception building, gas purification and storage plant, gas grid entry unit, technical unit, office and laboratory building would be required through condition. Subject to the imposition of these conditions it is considered that the proposal would accord with WLP Policies W3, W6, W7 and W33 and Part 11 of the NPPF. 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.

Ecology

96. 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. WLP Policy W17 is considered to be consistent with the NPPF and can be afforded weight in the decision making process.
97. An Ecological Impact Assessment has been submitted in support of the application. The report states that the site is of low ecological value. No protected species were recorded. It notes that there is a moderate risk to nesting birds within the areas of hedgerow that are due for removal. The assessment recommends that hedgerows are removed outside of bird breeding season, or under ecological supervision, compensatory planting should be provided, low lighting implemented and air pollution monitored and managed post development.
98. The Council's Ecologist has confirmed that the supplied Ecological Impact Assessment is sufficient to inform this proposal and that no further survey work is required but has requested recommendations of the report are required by condition. Given their distance from the site no impacts upon distant SSSIs have been identified.
99. An Air Quality Report has been submitted with the application. The report confirms that the results of air quality modelling indicate that emissions from the digester plant are unlikely to significantly affect existing conditions at nearby sensitive ecological receptors. Environmental Health and Consumer Protection officers confirms that they are satisfied with the air quality prediction and offer no objection to the proposal.
100. It is considered that the proposal would not result in the loss of valuable habitat or harm to protected species and the structure planting to be agreed through condition has the potential to create biodiversity enhancement. The proposal would therefore not conflict with WLP Policy W17 and Part 11 of the NPPF.

Access and Traffic

101. 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.

102. The proposed development would be accessed via an existing field gate directly from the A167 road. This would be significantly widened and upgraded to accept HGV's into the site. The junction with the A167 would have central dividing island that would force vehicles to only be able to turn left in and left out of the site. It is recommended that a condition be imposed requiring the site access to be completed prior to the development being brought into use.
103. The proposal would generate approximately 8 vehicle movements per day (4 in and 4 out), not including tractors collecting digestate to spread to land. The vehicle movements from HGV's could be controlled by condition.
104. The Highway Authority have assessed the proposals and consider that the proposed access arrangements and vehicle movements would be acceptable. Subject to a condition setting a limit on vehicle movements it is 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 Regulation 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

105. 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.
106. The nearest Public Right of Way (PRoW) to the site is Footpath No.28 (Croxdale and Hett) located approximately 100m to the east. The submitted site layout plans indicate that there would be hedgerow planting on the perimeter of the site that would provide a visual screen to users of the Footpath No.28 (Croxdale and Hett) located as it would screen not only the proposed development but the farm as a whole, reducing its impact in the landscape. In addition, Landscape officers have requested further planting on the northern and eastern sides of the site to be agreed through condition. It is considered that the proposal would not conflict with WLP Policy W24 and Part 8 of the NPPF.

Agricultural Land

107. 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 W43 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 W43 are considered to be consistent with the NPPF and can be given weight in the decision making process.
108. The proposed development would be located on a greenfield site on the northern edge of the farmstead. The area of land to be developed amounts to just over 2ha and is

classed as being Grade 3 although the available information does not distinguish between 3a and 3b.

109. Whilst the applicant has not demonstrated that there is an overriding need to locate the proposed development on agricultural land the overall loss is relatively small in the context of the surrounding area. If it is assumed as a worst case scenario that the land is best and most versatile (Grade 3a) then the proposal not accord with WLP Policies W25 and W43 and Paragraph 112 of the NPPF. However, it is considered that the conflict is not sufficient to justify refusal of the planning application.

Flood Risk and Drainage

110. 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. The FRA identifies that the site is not at risk of flooding and as the digester area of the site would be bunded to prevent pollution incidents, any rainfall would be prevented from running off. Given the water intensive nature of the process any collected water would be used in the plant. The remainder of the site would be hardstanding but without bunding. Drainage and Coastal Protection officers have requested details of surface water management through condition. 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.
111. The Environment Agency and Drainage and Coastal Protection officers 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.

Archaeology

112. A geophysical survey and a trial trench evaluation have been undertaken. The results of the trial trenching found evidence of modern infilling of a former pond, field drains and furrows with no archaeological significance. Paragraph 135 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In this Archaeology officers have accepted the results of the trial trenching evaluation and raise no objections.
113. In accordance with WLP Policy W21 an archaeological assessment and evaluation has been carried out demonstrating that deposits are not of archaeological significance and there is no requirement for recording or mitigation. The proposal accords with WLP Policies W21 and W23 and Paragraph 135 of the NPPF. The proposal would not conflict with WLP Policy W22. WLP Policies W21, W22 and W23 are considered to be consistent with the NPPF.

Other matters

114. The site is with a mix of high and low risk coalfield development areas. The applicant has provided a mining risk assessment, which identifies ground investigation works to be carried out. The Coal Authority has considered the submitted information and raised no objections subject to a condition requiring the ground investigation works to be carried out and followed with any subsequent remedial works, if necessary. Subject to this condition being imposed the proposal would accord with Paragraphs 120 and 121 of the NPPF.

CONCLUSION

115. Planning policy is generally supportive towards sustainable waste management initiatives and seeks to locate AD plants on land identified for general industrial use or on previously developed land in sustainable locations. The proposed AD plant would not fit with this locational criteria but the proposal would support the existing farm business and in close proximity to the A167 and A1(M) the site is in a sustainable location. The encroachment onto agricultural land is regrettable but in the context of the site as a whole it is not considered to be a significant loss. The benefits in terms of sustainable use of waste for energy production and replacement of artificial fertiliser with biofertiliser are considered to outweigh the policy conflicts of the development.
116. Although no objections have been raised from neighbouring residents or businesses the potential impacts on local amenity associated with matters such as noise, odour and visual impact have been carefully considered and can be controlled through the implementation of appropriate mitigation measures and planning conditions.
117. The proposals are considered to broadly accord with the relevant policies of the County Durham Waste Local Plan and meet the aims of national planning guidance contained within NPPW and relevant sections of the NPPF.

RECOMMENDATION

That the application be APPROVED subject to the following conditions:

1. The development hereby approved must be begun no later than 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 accordance with the following approved plans and documents:

- Drawing No. 90-01 Rev. 01 'Proposed Site Layout'
- Drawing No. 20-10 Rev. 01 'Proposed Elevations'
- Drawing No. JN1536-Dwg-0006 'Proposed Site Access Arrangement With Swept Path Analysis'

Reason: To ensure the development is carried out in accordance with the approved documents.

3. Prior to the commencement of development precise details of the reception building, gas purification and storage plant, gas grid entry unit, technical unit, office and laboratory building shall be submitted and agreed in writing with the Local Planning Authority and thereafter be provided in accordance with those details.

Reason: In the interests of visual amenity (County Durham Waste Local Plan Policy W33 and Part 11 of the National Planning Policy Framework). Required to be pre-commencement to ensure details are appropriate to the development and its surroundings.

4. Prior to the commencement of development precise details of the colours and finishes for all buildings, fixed plant and machinery shall be submitted and agreed in writing with the Local Planning Authority and thereafter be provided in accordance with those details.

Reason: In the interests of visual amenity (County Durham Waste Local Plan Policy W33 and Part 11 of the National Planning Policy Framework). Required to be pre-commencement to ensure details are appropriate to the development and its surroundings.

5. Prior to the commencement of development a landscaping scheme shall be submitted to the Local Planning Authority and approved in writing. This scheme shall provide details of earthworks, tree planting and grass seeding. The approved scheme shall be implemented in the first available planting season following the commencement of development and shall be maintained for the life of the development.

Reason: In the interests of visual amenity (County Durham Waste Local Plan Policy W33 and Part 11 of the National Planning Policy Framework). Required to be pre-commencement as essential to the acceptability of the hereby approved development, and to be implemented at an early stage in order to achieve early and full effectiveness.

6. Prior to the commencement of development precise details of surface water control measures shall be submitted to the Local Planning Authority for approval in writing. The design of the control measures shall be supported by details of flood flow analysis during 1 in 100 year storm frequencies. The approved design shall be implemented and completed as part of the construction works prior to the development being brought into use. The surface water control measures shall be maintained in perpetuity.

Reason: To ensure that neighbouring land and property is not adversely impacted by surface water flooding in accordance with County Durham Waste Local Plan Policy W26 and Part 10 of the National Planning Policy Framework. Required to be a pre-commencement condition as these details are required to inform development works.

7. Prior to the commencement of development a detailed scheme of mitigation measures for the management of odour arising from the site shall be submitted to and approved by the local planning authority. The agreed mitigation measures will be implemented prior to beneficial use of the premises and adhered to thereafter.

Reason: In the interests of residential amenity (County Durham Waste Local Plan Policy W33 and Part 11 of the National Planning Policy Framework). Required to be pre-commencement as essential to the acceptability of the hereby approved development.

8. Prior to the commencement of development rotary probeholes shall be drilled to determine the exact depth to rockhead and the amount of rock cover compared to drift cover above the potential coal seams. If the investigation works confirm that remedial works are necessary then these must be also be carried out prior to commencement of development and the Waste Planning Authority notified of the remedial works to be undertaken.

Reason: In the interests of safety and limitation of coal mining risk (National Planning Policy Framework paragraphs 120 and 121 and County Durham Waste Local Plan Policy W33). This is a pre-commencement condition in order to fully assess the ground conditions prior to building work being carried out.

9. The development hereby approved shall be carried out in full accordance with the recommendations set out in Section 6 of the Ecological Impact Assessment produced by Naturally Wild reference EGB-17-01.

Reason: To ensure that impact upon biodiversity is minimised (County Durham Waste Local Plan W17 and Part 11 of the National Planning Policy Framework).

10. The development hereby approved shall not be brought into use until the plant has been fully constructed in accordance with Drawing No. 90-01 Rev. 01 'Proposed Site Layout' and Drawing No. JN1536-Dwg-0006 'Proposed Site Access Arrangement With Swept Path Analysis' and details approved under conditions 3, 4, 5, 6, 7 and 8, and in accordance with condition 7.

Reason: To ensure that the development is carried out in accordance with the approved plans. (County Durham Waste Local Plan W33 and Part 11 of the National Planning Policy Framework).

11. No feedstocks other than processed food waste (whey permeate, Ener-G Bio soup, wheat syrup and glycerol), farmyard manures (manure, broiler dung and pig slurry) and silage shall accepted at the site.

Reason: To provide certainty of the types of feedstock to be used at the site as other materials may have differing environmental impacts. (County Durham Waste Local Plan W33 and Part 11 of the National Planning Policy Framework).

12. No movement of vehicles or deliveries associated with the development shall be allowed on the site, other than between the hours of 7am and 11pm.

Reason: In the interests of residential amenity and highway safety (County Durham Waste Local Plan Policy W31 and W33 and Parts 4 and 11 of the National Planning Policy Framework).

13. Vehicle movements to the site in connection with the receipt and processing of waste material hereby approved shall be restricted to no more than 8 HGV movements per day (4 in/4 out). The operator shall maintain a record of all vehicles using the site in connection with these activities and a certified copy of this record shall be afforded to the Local Planning Authority on request within 2 working days of such a request.

Reason: In the interests of highway safety (County Durham Waste Local Plan Policy W32 and Part 4 of the National Planning Policy Framework).

14. All vehicles leaving the site shall be sufficiently cleaned in order to ensure that mud, dirt, and waste is not transferred onto the public highway.

Reason: In the interests of residential amenity and highway safety (County Durham Waste Local Plan Policy W31 and W33 and Part 11 of the National Planning Policy Framework).

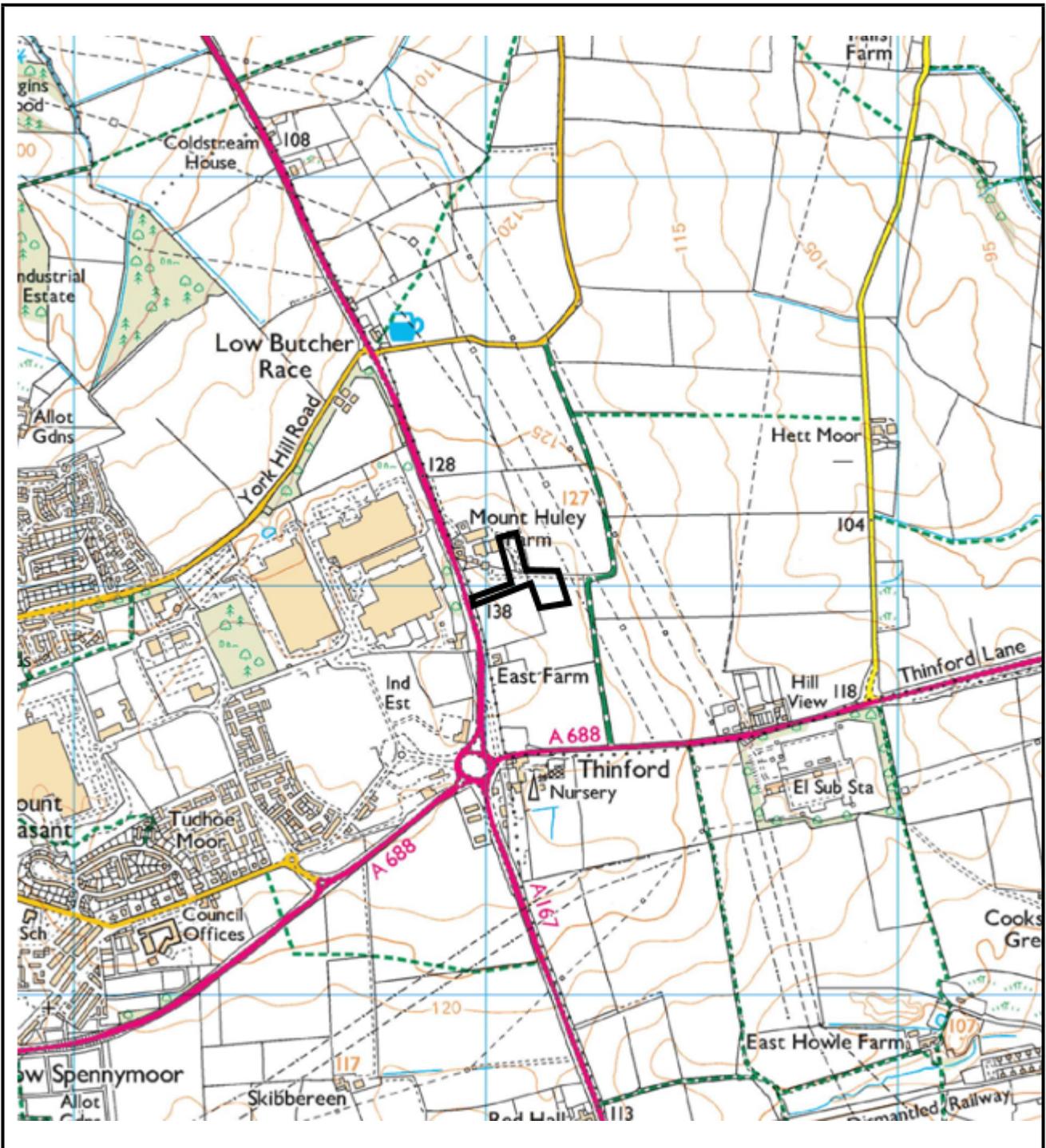
15. The rating level of noise emitted from fixed plant/machinery on the site shall not exceed 51dB LAeq (1 hour) between 07.00-23.00 and 37dB LAeq (15 mins) between 23.00-07.00 at Mount Huley Farm, the Meadows and East Farm. The measurement and assessment shall be made according to BS 4142: 2014. Within 28 days of the operation of the bio-digester a validation report shall be submitted to and agreed by the planning authority, to demonstrate adherence with the above levels.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its recommendation to approve 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



 <p>Durham County Council</p> <p>Planning Services</p>	<p>DM/18/00478/WAS Anaerobic Digestion Plant at Mount Huley Farm, Croxdale, Durham</p>	
<p>This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding. Durham County Council Licence No. 100022202 2005</p>	<p>Comments</p>	
	<p>Date May 2018</p>	<p>Scale Not to scale</p>