

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/17/03546/FPA
FULL APPLICATION DESCRIPTION:	Proposed upgrade of existing poultry unit including the demolition of 12 existing poultry sheds and the erection of 4 poultry sheds.
NAME OF APPLICANT:	Amber Real Estate Investments Ltd
ADDRESS:	Hurworth Burn Farm, Wingate
ELECTORAL DIVISION:	Wingate
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 application site is an existing poultry farm located on the C24 Hurworth Burn Road, approximately 3km to the east of Trimdon. At the north west edge of the site closest to the road is a bungalow occupied by the site operator. The majority of the site is occupied by the 12 existing poultry sheds. The existing sheds each measure 48.8m by 13.7m and have a total capacity for 165,000 broilers (chicken raised for meat).
2. The site is bounded by tree planting on all sides with views of the development restricted to the highway access. The site is not within any landscape or ecological designations and there are no public rights of way within, or in close proximity to the site. Hurworth Burn Reservoir Local Wildlife Site (LWS) is located approximately 300m to the north east of the site and Pike Whin Bog Site of Special Scientific Interest (SSSI) is located approximately 900m to the east. There are no heritage assets close to the site. The site is entirely within a Coalfield Development Low Risk area.
3. The nearest residential properties to the proposed development are Hurworth Burn Farm located approximately 177m to the east, Hurworth Burn House and Hurworth Burn Cottage approximately 380m to the east, Red Hurworth Farm 460m to the north and East Holling Carr 750m to the west.

The Proposal

4. It is proposed to demolish the 12 existing poultry sheds and replace them with 4 new sheds. The existing sheds are all identical in size and shape and each measure 48.8m by 13.7m. The new sheds would all be 24.4m wide and 5.6m in height to the ridge (2.4m to the eaves). 2 of the sheds would measure 115.8m in length and the other 2 would be slightly shorter at 103.7m. Each of the 4 sheds would be supplied by three 20 tonne capacity feed bins (240 tonnes total on site).
5. The sheds would be constructed with timber walls and profiled steel sheeting roof. Polycarbonate windows would be fitted to the roof to allow natural lighting when available
6. Construction works would involve demolition and clearance of existing sheds and breaking up of existing concrete pads for use as a base for the new concrete floor.
7. The combined capacity of all 4 sheds at a stocking density of 38kg/m² would be approximately 240,000 birds. The operation of the site would be based on a 42 day growing cycle; birds (broilers) would be purchased as day old chicks consisting of a mixture of males and females. The sheds would be pre-warmed and the floors spread with a litter of wood shavings and straw to a depth of 20mm. Birds will be kept in the sheds for up to 42 days before being removed from the site. The litter would be disposed of by HGV prior to the site being power washed, disinfected and dried ready for the next cycle. Based on this process the site would accept approximately 6.5 cycles per annum.
8. The application is accompanied by an Environmental Statement (ES). This report has taken into account the information contained in the ES, additional environmental information and that arising from statutory consultations and other responses.
9. This planning application is being reported to the Strategic Planning Committee because it is a major development.

PLANNING HISTORY

10. The application site has been in use as a poultry farm with manager's cottage for approximately 50 years. Prior to this the site was in agricultural land.

PLANNING POLICY

NATIONAL POLICY

11. A revised National Planning Policy Framework (NPPF) was published in July 2018. The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
12. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section

of the report. The following elements of the NPPF are considered relevant to this proposal.

13. *NPPF Part 2 - Achieving sustainable development.* The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
14. *NPPF Part 4 - Decision-making.* Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
15. *NPPF Part 6 - Building a strong, competitive economy.* The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.
16. *NPPF Part 9 - Promoting sustainable transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
17. *NPPF Part 11 - Making effective use of land.* Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
18. *NPPF Part 12 - Achieving well-designed places.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
19. *NPPF Part 14 - Meeting the challenge of climate change, flooding and coastal change.* The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
20. *NPPF Part 15 - Conserving and enhancing the natural environment.* The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at

unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.

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

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

21. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; conserving and enhancing the historic environment; design; flood risk; natural environment; noise; transport assessments and statements; use of planning conditions and; water supply, wastewater and water quality.

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

LOCAL PLAN POLICY:

Easington District Local Plan 2001(EDLP)

22. *Policy 1 – General Principles of Development.* Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with a range sustainable development principles and criteria while benefiting the community and local economy.
23. *Policy 3 – Protection of the Countryside -* Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.
24. *Policy 16 – Protection of Sites of Nature Conservation Importance, Local Nature Reserves and Ancient Woodlands.* Advises that development which is likely to adversely affect such a site will only be approved where is no alternative solution and the development is of national interest.
25. *Policy 18 – Species and Habitat Protection.* Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.
26. *Policy 19 – Management of Areas of Nature Conservation Interest -* Areas of nature conservation interest, particularly those of national importance will be protected and enhanced. Measures include, encouraging landowners to adopt sympathetic management regimes, creation of habitat in development proposals and controlling inappropriate development in accordance with policies 14-18.
27. *Policy 35 – Design and Layout of Development -* The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

RELEVANT EMERGING POLICY:

The County Durham Plan

28. Paragraph 48 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. An 'Issues & Options' consultation was completed in 2016 on the emerging the County Durham Plan (CDP) and the 'Preferred Options' was approved for consultation at Cabinet in June 2018. However, the CDP is not sufficiently advanced to be afforded any weight in the decision making process at the present time.

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> (Easington District Local Plan)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

29. *Highway Authority* – Has raised no objections. Officers have advised that an additional 10 HGV/tractor movements (5 in, 5 out) over the existing is not seen as being significant.
30. *Drainage and Coastal Protection* – Has raised no objections. Officers have noted that the design of the system has not been proven to flood during the required storm frequencies but any flooding experienced would be limited to the site itself before draining to the watercourse.
31. *Environment Agency* – Raise no objections. Advice is provided to the applicant in relation to their existing environmental permit and the requirement to vary it.

INTERNAL CONSULTEE RESPONSES:

32. *Landscape* – Has raised no objections. Officers have advised that the site is within a Landscape Conservation Priority Area where the strategy is to conserve and enhance
33. *Arboriculture* – Raise no objections. Officers have noted that the proposed development is close to trees on the eastern boundary and there is a risk of damage occurring during construction. It is therefore requested that the tree protection measures are secured by condition.
34. *Ecology* – Raise no objections. Officers have requested that the mitigation and biodiversity enhancement measures set out in Sections 7 and 8 of the Preliminary Ecological Appraisal are secured by condition.
35. *Environmental Health and Consumer Protection (Air Quality)* – Raise no objections. Officers have advised that as there no relevant receptors within 100m of where the poultry sheds would be located there is no requirement to screen for PM10 particulates, undertake monitoring or carry out a more detailed assessment by dispersion modelling.
36. *Environmental Health and Consumer Protection (Pollution Control)* – Raise no objections. Officers have considered the proposal in relation to the relevant Technical

Advice Notes (TANs) for odour and noise and advise that there would be no greater impact than the existing site.

PUBLIC RESPONSES:

37. The application has been publicised by way of press notice, site notice, and individual notification letters. 1 letter of representation has been received from Durham Bird Club, advising that the area is important for the many birds that use the habitats surrounding the Castle Eden Walkway. It is noted that the proposal would be likely to bring about environmental improvements for the area but it is requested biodiversity enhancements be made by installing nest boxes within the fabric of the building or on towers around the site.

APPLICANTS STATEMENT:

38. The poultry industry is going through an intense period of investment in new and replacement facilities with increased demand for chicken.
39. A large number of poultry farms were built in the 1960's and 70's and have now come to the end of their operational life. They therefore require investment and upgrading to bring them in line with modern environmental standards and best techniques for operation. All large scale poultry units have to have an environmental permit to operate, and customers expect them to operate in line with best available techniques. Therefore on older sites upgrade has become essential. This is the case with the present site.
40. Even with recent investment the UK still imports roughly 40% of its poultry meat requirement. Some of the larger supermarkets still import chicken from Brazil and Thailand, particularly for sandwiches and ready meals, with meat imported frozen for onward processing.
41. With the uncertainty of BREXIT, and future international trade, the ability to grow more food in this country relying less on imports is of significant importance. As well the issue of food security there are clear environmental and animal welfare benefits of not importing food from around the world.
42. The proposed site is well suited for a poultry unit, given its existing use as a poultry unit, and the fact it is away from residential areas. The proposed upgrade will allow for modern buildings which meet the current high environmental standards. Due to modern ventilation and management systems, plus better insulation, many of the issues traditionally associated with poultry units, particularly of the age of the present unit, won't be factors going forward.
43. The proposal is for significant investment by the owners of the site. This will ensure its long term viability and protect and expand the current employment at the site.
44. Poultry rearing involves many industries and units such as this will support numerous jobs in the supply chain including feed companies, hatcheries, cleaning companies and transporters. Without new units the UK will have to continue to rely on more imported meat.
45. The application has involved a number of specialist inputs via the Environmental Impact Assessment process. All consultees within the process are happy with the proposal having regard to issues such as airborne pollution risks, transport, water disposal and ecological factors.

46. Any queries raised during the application, of which there have been few, have been addressed.
47. One of the major advantages of the site is that it is existing, and the distance from residential and other sensitive development. In summary the site is ideally placed for the proposed upgrade scheme, this will ensure minimal environmental impact as demonstrated in the application, and is supported by planning policy. Therefore the proposal should be approved.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OI2O4RGDKFH00>

PLANNING CONSIDERATIONS AND ASSESSMENT

48. 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: the principle of the development, design, landscape and visual impact, highway safety and access, ecology, residential amenity and flood risk and drainage and other matters.

The Principle of Development

The Development Plan

49. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The Easington District Local Plan (EDLP) remains the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. However, the NPPF advises at Paragraph 213 that the degree of weight to be afforded to existing Local Plans is dependent upon the degree of consistency with the NPPF.
50. The EDLP was adopted in 2001 and was intended to cover the period to 2006. However, NPPF Paragraph 213 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. Notwithstanding this, it is considered that a policy can be out-of-date if it is based upon evidence which is not up-to-date/is time expired depending on the circumstances.

The NPPF

51. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise):
 - approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Policies in this Framework taken as a whole.

52. The key policies for the determination of this application are EDLP Policies 1 (General Principles of Development) and 3 (Protection of the Countryside). The site is located within an agricultural field and which clearly forms part of the open countryside. Policy 3 states that development outside of defined 'settlement limits' will be regarded as development within the countryside and will not be approved unless allowed by other policies. Due to this very restrictive approach the Policy is considered to be only partially consistent with the NPPF, which does not place strict barriers on development in the countryside. Instead, emphasis is placed upon balancing harm of development against the prospective benefits. Policy 1 is considered to be consistent with the NPPF in most respects but is also overly prescriptive in terms of locational criteria. Policies 1 and 3 are therefore not fully consistent with the NPPF and the weight to be afforded to the policies must be reduced as a result. The prescription of how much weight should be given to these policies in the decision is a matter for the decision-maker, having regard to advice at Paragraph 213 of the NPPF. Also, because the evidence base which underpins these policies is not up to date, they must also be considered to be out of date policies with the result that the presumption in favour of granting planning permission contained in paragraph 11 of the NPPF applies.
53. Part 6 of the NPPF provides support for the development of agricultural businesses and provides allowances for this type of development to not necessarily be in, or adjacent to existing settlements, or in locations that are well served by public transport. The proposed development is located on a remote site approximately 3km to the east of the nearest settlement. Notwithstanding this, the C24 road provides an adequate connection to the A19 trunk road to the east and no objections have been received from Highways officers in response to the continued and intensified use of the site. Paragraph 83 of the NPPF supports the development and growth of agricultural businesses with well-designed new buildings that respect the character of the countryside.
54. The proposed development would be an expansion to an existing agricultural business utilising new buildings that would be in keeping with the type normally associated with agricultural and, in particular, poultry farming. It is therefore considered that the proposal would accord with the NPPF in terms of the principle.

Design

55. EDLP Policy 35 seeks to ensure that the design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers. Paragraph 127 of the NPPF supports developments that function well and add to the quality of the area for the lifetime of the development.
56. The proposed development would replace old buildings that are no longer fit for purpose with new structures that would meet current environmental and welfare standards whilst retaining an agricultural appearance similar to the existing. The buildings would have a functional appearance but even with the proposed increase in

capacity they would not expand beyond the existing site boundaries. Public viewpoints are limited due to perimeter screening and a relatively flat topography. The main viewpoint available would be from the C24 road and from this point all that would be seen would be the gables of the buildings and from this view the appearance would be typical of agricultural sheds.

57. The design of the proposed sheds is considered to be acceptable and fit for purpose and would accord with EDLP Policy 35 and Part 12 of the NPPF. Policy 35 is considered to be consistent with the NPPF and can be afforded weight in the decision making process.

Landscape and visual impact

58. EDLP Policies 1 (i) and 3 seek to protect the visual amenity and openness of the countryside by setting development limits around existing settlements, and restricting developments unless under special circumstances. As set out above, although these policies are considered broadly consistent with the NPPF, they do not rely on up to date evidence, and as such, they are considered out of date, thereby triggering Paragraph 11 of the NPP and can also only be afforded limited weight. EDLP Policies 35 and 1(iv) seek to promote a high standard of design and landscaping which relates well to the natural and built features of the site, the surrounding area and have no serious effect on visual intrusion.
59. The application site is screened on all sides by tree planting with a gap on the northern boundary with the highway where the access and managers house are located. This screening would remain in place, however, the development would be close to the adjacent trees on the eastern boundary and it is likely that some removal would be required to facilitate the build.
60. There are no public rights of way in close proximity to the site and there is no pedestrian footpath on the C24 road as a result the only views of the site would be fleeting glances by motorists through the gap at the site entrance. The proposal to replace the existing large sheds with alternative large sheds would be unlikely to register as a significant change from this viewpoint and it is considered that the visual impact would be minimal.
61. Landscape and Arboricultural officers have raised no objections to the proposal. Subject to tree protection measures being secured by condition it is considered that the proposal would not have an adverse landscape or visual impact in accordance with EDLP Policies 1 and 3 and Part 15 of the NPPF.

Highway Safety and Access

62. EDLP Policies 1 and 36 require that development proposals achieve a satisfactory means of access onto the wider highway network, seek to protect highway safety in terms of vehicle movements and traffic generation. These Policies are considered compliant with the NPPF which also seeks to promote accessibility by a range of methods while ensuring that a safe and suitable access can be achieved and therefore can be given full weight in considering the application. In addition, Paragraph 109 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe.
63. The site would continue to utilise the existing access onto the C24 road. The site has a wide entrance with good visibility. Average weekly HGV movements for the existing site are 23.

64. The proposed development would operate on 42 day cycles with relatively fixed volumes in terms of goods in and out. On average, there would be 33 HGV movements per week (16.5 in, 16.5 out), however, in practise there are higher numbers at the beginning and end of the cycle. In week 1 there would be 22 movements to account for the delivery of chicks, feed and gas for heating and at week 7 there would be 112 movements when the majority of the birds are collected. In the intervening weeks there would be between 6 and 14 movements per week for feed deliveries and 2 for collection of dead birds.
65. Highways Officers have raised no objections to the proposal stating that the average weekly increase of 10 HGV movements is not significant. The scheme is there considered to accord with EDLP Policies 1 and 36 in this respect and Part 9 of the NPPF.

Ecology

66. EDLP Policies 16, 18 and 19 seek to protect sites of nature conservation importance, and protected species and their habitats whilst seeking to promote the creation of habitats within in developments. These Policies are considered consistent with Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests, whilst seeking to archive a biodiversity gain.
67. The applicant has submitted a preliminary ecological appraisal in support of the application. The appraisal includes a desk study, phase 1 habitat survey and tree roost assessment. The appraisal identifies that the site itself and buildings to be demolished are not of habitat value for bats, nesting birds, Great Crested Newts or reptiles. It is identified that the wider landscape, rough grassland and hedgerows may provide habitat for nesting birds, bats, amphibians and reptiles and it is recommended that lighting on site be restricted, works carried out to avoid nesting bird season and vegetation within the site regularly mown to deter reptiles and amphibians. It is also recommended that bat and bird boxes be fitted to the boundary trees as a biodiversity enhancement measure.
68. The Council's Ecology officer has raised no objections to the proposal provided that the mitigation and biodiversity enhancements proposed are secured by condition. The installation of bird boxes around the site would also meet with the request received from Durham Bird Club. Subject to this condition being imposed the development is considered to accord to EDLP Policies 16, 18 and 19 and Part 15 of the NPPF.

Residential Amenity

69. EDLP Policies 1 and 35 require the design and layout of development to have regard to the amenity of those living or working in the vicinity and take into account existing land uses. These Policies are considered to be consistent with the NPPF. Part 15 seeks to prevent both new and existing development from contributing to or being put at unacceptable risk from unacceptable levels of pollution.
70. The nearest residential properties to the proposed development are Hurworth Burn Farm located approximately 177m to the east, Hurworth Burn House and Hurworth Burn Cottage approximately 380m to the east, Red Hurworth Farm 460m to the north and East Holling Carr 750m to the west. Trimdon is the nearest settlement located 3km to the west of the application site.
71. The application is accompanied by assessments for noise and odour. The assessments conclude that although the proposed facility would house a greater

number of birds the environmental improvements would reduce noise and odour emissions. Improvements in the plant and machinery on site, including ventilation fans and feed silos would reduce noise levels over the existing, old equipment. Likewise, the new buildings would be designed and operated in a manner which reduces odour generating conditions, such as reducing moisture in the litter.

72. During the construction period it is likely that there could be localised impacts from additional vehicle movements, noise and dust. To mitigate these issues it is recommended that a construction management plan be required by condition.
73. Environmental Health and Consumer Protection officers have raised no objections to the proposal noting that it would be acceptable in relation to noise, odour and air quality and it is therefore considered that the scheme would comply with EDLP Policies 1 and 35 and Part 15 of the NPPF.

Flooding Risk and Drainage

74. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment.
75. The application is accompanied by a Flood Risk Assessment (FRA), which highlights that the application site is within Flood Zone 1 with a low flood risk probability. Details of the drainage system have also been provided. Drainage and Coastal Protection officers have assessed the proposal and commented that the system would control flows offsite at the agreed discharge limit, however, this may result in the site flooding during storm conditions. As any overflow would find its way quickly to the River Skerne and there would be no harm to any neighbouring land owners, no objections are raised. The Environment Agency also has no objections to the proposal and it is therefore considered that development would accord with Part 14 of the NPPF.

Other Matters

76. The applicant has submitted an archaeological desk based assessment in support of the application. The assessment considered records held by the Durham Historic Record, a range of relevant archaeological books, journals and unpublished reports for archaeological work in the search area. The archaeological assessment considers a wider area than what was used for the final design as the proposal now only extends very slightly beyond the footprint of the existing buildings. Notwithstanding this, the report concludes that the available evidence suggests limited potential for archaeological remains at the site. It is therefore considered that the proposal would have cause no harm to heritage assets in accordance with Part 16 of the NPPF.
77. The site is located with a Coalfield Development Low Risk area. This does not require any further submission of documents or assessment but standing advice would be provided to the applicant, should planning permission be granted.
78. Due to the nature of the development the site currently operates with an Environmental Permit. This would continue to be required but may need to be varied.

Planning Balance

79. This proposal is considered to be outside of any settlement boundaries and is contrary to EDLP Policies 1 and 3 in this respect. However, as a result of relevant policies being out of date, the acceptability of the application should be considered under the planning balance test contained within Paragraph 11 of the NPPF. No specific policies within the NPPF which protect areas or assets of particular importance are considered to provide a clear reason for refusing planning permission and therefore planning permission should be granted unless the adverse impacts of so doing significantly and demonstrably outweigh the benefits.

Benefits

80. The development would replace the existing aging poultry sheds at Hurworth Burn Farm with new buildings that meet with modern environmental and welfare standards. The buildings would not extend beyond the confines of the existing site but would provide accommodation for an additional 85,000 birds per cycle thereby improving efficiency and adding to the local economy. Therefore there are environmental impact improvements over the existing buildings in terms of reduced noise and odour.

Adverse Impacts

81. During the construction period there may be minor localised impacts but a construction management plan would be required through condition. There would be, on average, an additional 10 HGV movements per week. Overall, it is considered that there would be no adverse impacts arising from the proposals. Accordingly, there are no adverse impacts which significantly and demonstrably outweigh the benefits of the proposal so planning permission should be granted.

CONCLUSION

82. The proposed development would provide replacement sheds for an existing poultry farm. The existing buildings are approximately 50 years old and need to be replaced to meet operational and welfare standards. The proposal would increase production from the site without significantly impacting on highway safety, landscape or residential amenity.
83. Although the proposal would conflict with EDLP Policies 1 and 3 it would accord with all other relevant saved policies in the EDLP and relevant parts of the NPPF in terms of sustainable rural development. There are no adverse impacts arising from the proposal sufficient to outweigh the benefits.
84. The proposal has generated minor public interest, with one letter providing comments having been received. Concerns expressed regarding the proposal have been taken into account, and carefully balanced against the scheme's wider social, economic and community benefits.

RECOMMENDATION

That the application is **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 92 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out only in accordance with the approved plans and specifications contained within:

SITE LOCATION PLAN 1:2500 @ A4
LM01 – LANDSCAPE MASTERPLAN – REV A
PROPOSED FLOOR PLAN Drawing No. 1324/L101 REV A
PROPOSED SITE PLAN Drawing No. P-100-03 Rev. C
PROPOSED ACCESS HIGHWAY Drawing No. P-100-02
PROPOSED ELEVATIONS Drawing No. 1324/L103 REV B
DRAINAGE STRATEGY Drawing No. 3812-C-09-01
APPENDIX 1 TREE PROTECTION PLAN
APPENDIX 1 PHASE 1 HABITAT PLAN

Reason: To meet the objectives of Policies 1, 3 and 35 of the District of Easington Local Plan 2001 and Part 15 of the National Planning Policy Framework.

3. No development of any phase shall commence until a Construction Management Plan covering that phase shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:
- A Dust Action Plan including measures to control the emission of dust and dirt during construction
 - Details of methods and means of noise reduction
 - Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
 - Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
 - Designation, layout and design of construction access and egress points;
 - Details for the provision of directional signage (on and off site);
 - Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure;
 - Details of provision for all site operatives for the loading and unloading of plant, machinery and materials
 - Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period;
 - Routing agreements for construction traffic.
 - Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
 - Detail of measures for liaison with the local community and procedures to deal with any complaints received.

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

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

Reason: To protect the residential amenity of existing and future residents from the development to comply with Part 15 of the National Planning Policy Framework. This is required as a pre commencement condition in order to mitigate potential impact on residential amenity which needs to be considered before site works commence.

4. The development hereby permitted shall only be carried in accordance with the recommended Mitigation and Enhancement Strategy contained within Sections 6 and 7 of the approved Preliminary Ecological Appraisal (Eco-Check Consultancy Ltd, May 2018).

Reason: To meet the objectives of Policies 1, 14, 15 & 18 of the District of Easington Local Plan 2001 and Part 15 of the National Planning Policy Framework.

5. Prior to the commencement of development a tree protection scheme including root protection zones, mitigation works and any trees that need to be pruned shall be submitted for approval in writing. The approved scheme shall be implemented on site for the duration of construction works.

Reason: To protect trees during construction in accordance with Policies 1 and 3 of the District of Easington Local Plan and Part 15 of the National Planning Policy Framework.

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 form, plans supporting documents and subsequent information provided by the applicant.
- The National Planning Policy Framework (2018)
- National Planning Practice Guidance Notes
- Easington District Local Plan 2006
- Statutory, internal and public consultation responses



 <p>Durham County Council</p> <p>Planning Services</p>	<p>DM/17/03546/FPA Proposed upgrade of existing poultry unit including the demolition of 12 existing poultry sheds and the erection of 4 poultry sheds at Hurworth Burn Farm, Wingate</p>	
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