

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 5 June 2013

Page

APPLICATION REF. NO:	12/00619/FULE
STATUTORY DECISION DATE:	2 January 2013
WARD/PARISH:	LOW DINSDALE
LOCATION:	Manor Farm, Low Dinsdale Neasham.
DESCRIPTION:	Erection of 3 no poultry houses and associated feed bins, access and hardstanding areas.
APPLICANT:	Mr Trevor Dent.

APPLICATION AND SITE DESCRIPTION

This application was deferred by the Planning Applications Committee at its meeting on 13 March 2013 to enable the Committee to visit the site and various concerns raised by objectors to be addressed.

The application site is situated approximately 0.2km to the south of the hamlet of Low Dinsdale and some 1.8km to the east of the village of Neasham and lies to the south west of the main agricultural building complex at Manor Farm. Aside from the farm house at Manor Farm and associated agricultural buildings Low Dinsdale comprises of several residential properties the nearest of which are The Arches(converted agricultural buildings), a pair of cottages (Manor Farm Cottages) and Dinsdale Manor, a Grade II* listed building. Beyond these are the dwellings known as the Old School and The Old Rectory.

Aside from the Grade II* listed Manor a number of other listed buildings are located within the hamlet of Low Dinsdale. Manor Farm farmhouse is Grade II listed as is the bridge, which lies within the grounds of Dinsdale Manor. Both the Grade II* Manor House and the Grade II bridge are set within Low Dinsdale Ancient Monument site, a medieval memorial site with moat and inner bailey. The Grade II listed Church of St John the Baptist lies on the northern edge of Low Dinsdale

The application site is located adjacent to a number of existing agricultural buildings in a fairly low lying location relative to its surroundings. It would be serviced via an existing track which would be subject to visibility improvement works at its junction and would be widened to 6 metres for the first 20 metres from the carriageway edge.

The application proposes the erection of 3 additional broiler houses each with a capacity to house 42,666 birds. The buildings would measure approximately 104m in length and 24.7m in

width and approximately 6 metres in height at ridge level. They would comprise of a steel portal frame construction with walls and roof clad in box profile polyester coated sheeting of a juniper green colour. The proposed development also includes the provision of three feed hoppers to serve each building (therefore nine in total) measuring approximately 6.4m in height and 2.7m in diameter.

The buildings would be served by a heating and ventilation system featuring roof mounted extract fans. The operation would be based on a 42 day growing cycle followed by a period of 7 days for cleaning and preparation ready for the next cycle. In terms of waste products, waste water (stored in purpose built special tank) and manure would be removed from the site at the end of the cycle. 'Clean' surface water would be transferred to a balancing pond. The development would also include the replacement of extract fans serving the existing buildings with new high velocity fans.

The application is accompanied by an Environmental Impact Assessment (EIA) which assesses the impact of the proposal on the local environment under a number of topic headings and proposes measures to mitigate these indentified impacts.

The main issues covered are: -

Potential alternative sites that were appraised

Impact on the landscape.

Impact of odour

Impact of noise

Traffic issues

Drainage and waste management

Dust

Cultural Heritage

Ecology and nature

PLANNING HISTORY

There is considerable planning history in relation to Manor Farm. Only the most relevant history is listed below: -

N98/1- Planning permission was granted for a poultry broiler house, adjacent to the roadside, in January 1961. In May 1965, planning permission was granted for an extension to the building (Ref: N98/2).

78/277 – In May 1978 planning permission was granted for a corn drying building and storage buildings.

79/69- In March 1979 planning permission was granted for a corn drying building

95/937– Planning permission was granted for the erection of a second poultry broiler house in September 1995.

96/463 – In September 1999, a variation of the above planning permission was refused for a change in colour of roof cladding from slate grey to goose wing grey. A subsequent appeal to the Secretary of State was allowed.

96/640 – In January 1997, planning permission was granted for the erection of another poultry broiler house, which replaced the first poultry broiler house adjacent to the road.

01/230 – In June 2001 planning permission was granted for a poultry broiler house and three steel feed hoppers.

09/107 – Planning permission was granted in June 2009 for the erection of a poultry house to hold 24,000 broilers.

12/157 – Planning permission was granted in August 2012 for the erection of a biomass boiler house and associated fuel storage area.

PLANNING POLICY BACKGROUND

National Planning Policy Framework

The North East of England Plan Regional Spatial Strategy (RSS) to 2022

Policy 8 - Protecting and Enhancing the Environment.

Policy 37 – Air Quality

Darlington Core Strategy Development Plan Document Policies: -

CS2 – Achieving High Quality, Sustainable Design

CS14 – Promoting Local Character and Distinctiveness

CS15 - Protecting and Enhancing Biodiversity and Geodiversity

CS16 – Protecting Environmental Resources, Human Health and Safety.

Borough of Darlington Local Plan 1997

E2 - Development Limits

E4 - New Buildings in the Countryside

RESULTS OF CONSULTATION AND PUBLICITY

Eight local residents have objected to the proposed development with some submitting more than one letter expanding on points made previously. The issues raised are as follows: -

- The methodology used in the ADAS report on odours and emissions and dispersion modelling is flawed for example because it fails to take climatic variations into account. We face a doubling of the incidence and frequency of adverse impacts. The assumptions of the modelling are challenged. The most dangerous and noxious events occur regularly in the later stages of the 42 day production cycle and when the sheds are emptied at night and then cleared of manure dumped to trailers external to the sheds. The nature and intensity of odours are severely detrimental to the living conditions of local residents and emissions are suspected to be the cause of certain health related problems. There has been no consultation with residents from the statutory bodies on these proposals.
- The Environmental Statement contains factual inaccuracies, omissions and errors.

- The proposal will interfere with Human Rights.
- The application takes no proper consideration of alternative sites at a greater distance away from dwellings. The discounting of one of the sites on grounds of additional servicing costs would be unreasonable when the impact on resident's property values is not taken into account. The additional costs cited of £93,000 are considered to be exaggerated. There are alternative site/sites that would cause less blight/damage to the landscape due to screening potential, less threat to health and well being of local residents and walkers on the Teesdale Way. The alternatives would also carry less risk in the event of major events such as power failures, outbreak of poultry diseases, actions of animal rights activists etc. Alternative sites can make use of existing tree screening and topography to aid dispersal of emissions.
- Government guidance in PPG7 advises against the siting of such development within 400 metres of residential property
- The scale of the buildings and prominent silos would be a hideous scar on the landscape and would visually detract from the area (of High Landscape Value) including local heritage sites and the enjoyment of the adjacent right of way. The proposed screening is inadequate and will take ten years to be effective.
- We are concerned that further demands will be made for more intensive poultry houses and because of increase in adverse impacts caused through deterioration of the existing sheds and lower disease resistance of poultry will make them more difficult to manage.
- Emissions from the broiler houses contain high volumes of ammonia, viruses and other bio hazards.
- We would not object if the application was for free range poultry houses.
- A factory unit of this kind and potential needs to be on an industrial estate not in an area of specific landscape value.
- The road leading to the proposed site is not suitable or safe for increased levels of heavy traffic. The immediate section of road and adjoining network through the village of Neasham and from Over Dinsdale are narrow country lanes and are prone to flooding and icing over at various times throughout the year.
- Noise associated with feed silo filling and lorries and fork lift operating by night from 10pm to 10 am when the live broilers are loaded by workers is a problem.
- Concern that the upgrading of extractor fans on the existing four broiler sheds will result in more noise.
- The watercourse to the north of the site is not adequately protected and there is no provision to cleanse the balancing pond of any contaminants. How will disposal of washings be monitored?
- There is no mention of the ecological impact of poultry gas and dust has on the species living within the area where this dust might settle and be carried.
- The system relies on trucked in food and trucked out manure and as such is unsustainable.
- There is a loss of water pressure to certain local residents when the existing units are subject to cleaning.
- The development will result in only a small level of additional employment.

In addition two letters have been received from a planning consultant acting on behalf of certain residents raising concerns about the previous environmental statement. The following points were made:-

- The environmental statement is not of a standard that would meet the requirements of the E.I.A regulations

- Assessment of alternative sites is criticised
- There is insufficient consideration of the development in terms of cumulative impacts, temporary impacts e.g. construction and residual impacts.
- Improvements to existing operation and significance of impact is unclear.
- There is inadequate mitigation proposed in terms of the cycle of operation and additional vehicle movements
- Officers have not visited this site or a similar site at times when the impacts on residential amenity are occurring.
- The use of planning conditions is questioned.

Three letters of support for the development have also been received from local residents.

Low Dinsdale Parish Council has no comments to make on the application

Campaign to Protect Rural England has objected to the proposed development on the following grounds:-

- Negative impact of odour, especially when the sheds are cleared at the end of the breeding/rearing cycle.
- Increased traffic by Lorries in this quiet rural area.
- Impact of the sheds on the landscape of the area
- Continued use of poultry production at the farm and the concern that if permission is granted it will only be a matter of time before another application comes forward.
- The cumulative effect in this area will be detrimental to residential amenity.

The Ramblers Association has made the following comments:-

- Footpath No. 16 (Low Dinsdale) passes along the narrow concrete access track. It is also a section of the Teesdale Way, a regional route from the source of the Tees to the sea. The Teesdale Way is promoted by the Council and is well used by locals and visitors.
- Hazards to users from increased traffic, particularly HGV's, passing along the 200m section of the footpath to and from the development will increase. This gives rise to concerns about the safety of users along the footpath.
- If the Council is minded to grant permission it is requested that precautions are specified to ensure that the developer safeguards the safety of users during the construction period and thereafter when the development is in operation by conditions to restrict vehicular traffic to a speed of no more than 5mph and the provision of refuges for users at intervals along the route.
- One of the characteristics of broiler houses is the stench they emit when not properly managed. Such smells are not inevitable and with the installation of the necessary equipment and adequate management can be minimised if not eliminated. Any grant of permission should be conditioned to achieve this. Existing odour emissions should be resolved before permission is granted for the new sheds. The installation should be regularly inspected by the Council to ensure that there is no deterioration in good performance.

English Heritage has commented as follows:-

“The proposed development is removed from the area of the existing poultry houses at Manor Farm. I have visited the site and can confirm that it is located in a hollowed area of ground with

associated agricultural buildings that effectively screen the proposed development from the scheduled and listed monuments at Low Dinsdale Manor. As a result there is no direct impact upon the designated assets nor any indirect impact upon their setting. In light of this English Heritage would not object to the development going ahead”.

The officer providing these comments has also expressed concerns about the potential impact of the proposals on the general landscape setting but has subsequently expressed that these are personal ones and outside the remit of English Heritage.

Durham County Council Archaeology Section had originally indicated that the heritage statement submitted with the application did not fully consider the impact to known or potential buried archaeological resource. A geophysical survey has subsequently been undertaken by the applicant. Based on the findings of the survey the Archaeological Section is satisfied that the potential for archaeological remains to be found are low however it is advised that a monitoring condition be attached to any approval as there is some potential for earlier archaeological remains to be masked by later disturbance caused by ploughing.

Environment Agency previously raised no objection to the proposed development but requested a condition requiring the disposal of surface water to be undertaken in accordance with the measures set out in the Environmental Statement. The Agency has also advised that a variation to the existing Environmental Permit for the site is required from them and that the applicant is aware of this and has already made contact with Agency for advice.

Natural England has no objection to the proposed development.

The Council’s Highways Engineer has made the following comments: -

*“The off site highway works proposed to upgrade the existing access including amended junction radii and widened carriageway for the first 20m into the site are acceptable for the use of the development and the junction also achieve suitable visibility for the anticipated development traffic expected at this location.
Therefore I would raise no highway objection to the proposal”.*

The Council’s Countryside Access Officer has commented that the development is likely to have some impact on the views from the rights of way around the proposed poultry units but is unlikely to adversely affect the use of the adjacent right of way by walkers. Of slightly more concern is the fact that there are some proposed works to the track at the roadside to improve traffic access. Consequently refuges should be provided along the route in the interest of protecting vehicle and pedestrian safety.

The Council’s Environmental Health Officer has raised no objection subject to the imposition of conditions controlling the timing of certain noise generating operations; the timing of stocking and destocking of sheds and noise attenuation of the extract fans.

PLANNING ISSUES

The main issues to be considered are: -

- Planning Policy

- Visual Impact
- Residential Amenity
- Drainage and waste
- Ecology
- Highway Implications including Public Right of Way
- Cultural Heritage
- Potential alternative sites
- Other Matters

Planning Policy

In terms of national policy, the National Planning Policy Framework (NPPF) advises that economic growth in rural areas including the sustainable growth and expansion of all types of business should be supported in order to create jobs and prosperity. It states that new development should recognise the intrinsic character and beauty of the countryside and that the planning system should prevent both new and existing development from contributing to or being put at unacceptable risk from unacceptable levels of pollution.

Relevant core strategy policies are concerned with ensuring that the design of new development is fitting to its surroundings, with protecting and enhancing biodiversity and the protection of the general amenity and health and safety of the community.

Policy E2 of the Borough of Darlington Local Plan states that development for agricultural operations will be permitted outside the development limits provided that unacceptable harm to the character and appearance of the rural area is avoided. Policy E4 states that development which is acceptable in principle under Policy E2 should wherever possible, be located with and visually relate to existing buildings

Visual Impact

The proposed poultry units would be situated adjacent to existing farm buildings in a natural hollow and together with the associated feed bins would be painted green to help reduce the visual impact. The proposals also include modelling of the ground around the poultry units to assist in their assimilation into the surrounding landform. Existing vegetation immediately to the north of the site, in the form of a tall mature hedgerow, interspersed with trees, also provides an element of screening. The general topography of the area is of an undulating type with significant blocks of woodland along the River Tees to the south and other wooded areas nearer the site. In view of the immediate site characteristics and the wider landscape the development would not be particularly noticeable from many distant viewpoints. Furthermore, the poultry houses are of an agricultural design found elsewhere in the countryside generally and therefore would not be incongruous in this countryside location.

The most evident visual impact of the buildings will be from sections along the Teesdale Way close to site. However views would be transient and short lived as users of the right of way pass through. The scheme also includes the planting of blocks of native woodland along part of the northern boundary to reinforce existing planting and also to the east of the site facing the Teesdale Way. Once established this planting would help to assimilate the development into the landscape and mitigate views from the Teesdale Way. The proposed buildings would be grouped with existing buildings helping to mitigate against a sense of 'creeping' development in the countryside.

Residential Amenity

As described earlier in this report there are several residential properties within the vicinity, north, of the site. The nearest of these are Manor Farm Cottages and The Arches, approximately 225m away. Dinsdale Manor House is situated approximately 330m from the site of the proposed buildings and The Old School and The Old Rectory (approximately 440m and 500m away respectively).

The main issues in this instance are considered to be in respect of potential problems of odour and noise emissions associated with the proposal.

Odour

The Environmental Statement includes an odour impact assessment which models the cumulative impact of the proposal with that of the existing operation (comprising 4 broiler sheds). The modelling exercise involved the use of terrain and weather prediction information (based on 5 years of data) therefore the effects of local topography are accounted for in the modelling. The limitation of this is that it cannot model wind speeds below 0.75m/second however, calm days of this order are few in number, only 51 days or 2.7% of the 5 years of data. Added to this nearly half of these hours are during the night when a majority of potential receptors are likely to be asleep. It was therefore deemed more important to account for terrain rather than the small proportion of calm conditions in the modelling period. This approach is an Environment Agency approved and recognised model. The key means of controlling odour emission from the buildings is through the use of high velocity extractor fans in both the proposed and existing developments. In so doing it is predicted that better dispersion of odours would be achievable, the most effective improvements being during low wind speed conditions, and odour concentrations at all sensitive receptors would be kept within and at most receptors well within appropriate Environment Agency guidelines for protecting residential amenity.

The report recognises that odour emissions are strongest during the shed cleaning process. Lack of research means it is not possible to model this element accurately but in reality is heavily influenced by specific management practices that are regulated through the Environmental Permit. Notwithstanding this, cleaning is a relatively short-lived process, some 4 hours per shed.

It is accepted that people's sensitivity to offensive smells will vary but requiring adherence to an accepted objective guideline is considered to be the most reasonable position to take. It should be noted that the operation would need to be separately permitted by the Environment Agency, which could use its enforcement powers should this guideline be exceeded.

Noise

Noise emissions associated with the development can be divided into two broad categories, those associated with plant i.e. roof mounted extractor fans, gable end fans and a proposed emergency generator and that associated with the various activities connected to the running of the business such as feed delivery, cleaning and the delivery and collection of birds.

The Environmental Statement demonstrates that when assessed in accordance with BS4142 the rating level of the extract fans that are proposed to serve both the new and existing poultry houses will be 5db below the background noise level at the nearest noise sensitive receptors. Attenuators are to be installed to achieve the desired noise levels and the Environmental Health Officer agrees that this should be sufficient to ensure the cumulative impact of noise from extract fans do not cause a noise disturbance at the nearest dwellings. Existing gable end fans would no longer be required and it is considered that by its nature the emergency generator would be used very infrequently and for short periods and so would not be harmful to living conditions.

In terms of the operation of the business, the number of commercial vehicles attending the site in connection with chick delivery and feed delivery would be 1 and 8 respectively per flock cycle, the same number of vehicles associated with the existing poultry business. These vehicles would be HGVs or articulated lorries. Each delivery of feed would take approximately 45 minutes, with the silos positioned so that adjacent buildings would act as acoustic screens in relation to sensitive receptors in Low Dinsdale. Manure removal at the end of each flock cycle would require 6 vehicles (HGVs), there are no such vehicles associated with the existing operation as manure is retained on site. Removal of dirty water from the existing and proposed operations would be handled by two tankers in total.

These traffic movements together with additional commercial traffic relating to other elements of the existing farm enterprise (75 vehicles per annum) are not considered to be significant. Added to this it would be possible to impose a planning condition requiring the related operations to occur during the daytime therefore minimising the risk of disturbance being caused to local residents.

Destocking of birds takes place during the night for animal welfare reasons. This occurs at day 35 or 36 (cockerels) and day 42 (pullets). The timescales for catching birds, filling modules and loading into lorries is 35 minutes per lorry. The additional 3 poultry houses require 6 HGV's for bird removal of cockerels and 7 HGV's for pullets i.e. on average 4 hrs per night. The existing operation is served by the same number of vehicles. Traffic associated with bird collection will be routed through Neasham.

The flock cycle of the existing 4 poultry units and the proposed development of a further 3 poultry houses would be synchronised with all 7 poultry houses stocked and destocked at the same time. As a result there will be 14 nights per year when destocking of birds take place. The Council has received no complaints relating to large vehicles attending the site at night and it is considered that the relatively low level of additional activity would not cause significant harm to living conditions.

The proposed poultry sheds are approximately 150 metres to 180 metres further from Dinsdale Manor and Manor Cottages respectively than the existing poultry houses. The increased distance attenuation will result in activity noise level emissions from the proposed units being significantly lower than those experienced from the existing poultry units at the two nearest dwellings.

Drainage and waste

It is proposed to separate clean water flows and foul drainage generated at the site. A balancing pond is to be created on the northern side of the development with a capacity to hold 1500 cubic metres sufficient to accommodate a 100mm rainfall event whilst allowing some spare capacity. Dirty water would be drained to a sealed tank with a capacity to hold some 25,000 litres. This would be compliant with IPPC permitting standards based on the floor area of the building. Manure would be removed from the site at the end of each flock cycle. The Environment Agency has raised no objections to this arrangement.

Ecology

The Environmental Statement identifies the site as a cropped area where there is a low risk of impact on protected species. To minimise risk of impact the crop will be harvested prior to the commencement of development and left as bare ground in order to minimise cover. Controls on external lighting are also proposed to minimise the risk of any adverse affect on bat activity.

Natural England raises no objection and the Council's Ecology Officer considers the development to be of low biodiversity impact and welcomes the planting proposals. A condition can be imposed to control external lighting in order to minimise impact on foraging bats.

Highway Implications

There are no objections to the proposed development on traffic or other highway grounds subject to the proposed improvements to the access track and visibility splay. With regard to concerns raised about the safety of users of the right of way it would be possible to impose a condition requiring details of vehicular and pedestrian refuges along with speed restriction signage. There is sufficient land in the control of the applicant to secure a temporary diversion of the right of way during the period of construction on the access track.

Cultural Heritage

The Council's Conservation and Listed Buildings Officer considers that development is unlikely to result in any material harm to the setting of the Ancient Monument and the Grade II* listed Manor House nearby, which are situated to the north of the application site, or the setting of other listed buildings in the vicinity of the site. As mentioned earlier in this report English Heritage have been consulted on the application and have informed the Local Planning Authority that they have no objections to the proposed development. The Environmental Statement identifies the site as having low archaeological potential.

Alternative sites

The applicant confirms within the Environmental Statement that three potential alternative locations were considered. The first, immediately adjacent to the existing four poultry houses was discounted on grounds of concern about the cumulative odour impact with the existing operation. Alternative 2, to the south of Manor Farm was discounted as having a greater visual impact on certain existing residential properties than the proposed location. Alternative 3 is a more isolated location to the south west of Manor Farm. This location was considered to benefit from being screened by a belt of woodland planting but being more remote would require investment in infrastructure improvements and would necessitate the construction of additional storage buildings. The additional costs of building materials and various utility supplies associated with option 3 is cited in the Environmental Statement to be approximately £93,500.

The advantages of the proposed location were considered to be a combination of factors including accessibility, availability of services e.g. water and electricity, adjacent to existing buildings which can be utilised for storage, adequate screening in place to help assimilate the development into the landscape and sufficiently separate from residential buildings to protect amenity.

Officers would concur with the assessment that this is the most appropriate of the sites considered. Whilst a number of objectors take issue that financial reasons for discounting the more remote alternative 3 site should not be given weight, officers consider that siting the development close to existing buildings (which could potentially be utilised as part of the operation) helps to reduce the sense of the spread of development within the countryside in keeping with policy objectives.

Other Matters.

The Environmental Statement concludes that the nearest sensitive receptors are situated far enough away to not be adversely affected by any dust arising from the operation.

A number of objectors have raised concerns that the development in being located with 400 metres of residential property would conflict with government guidance contained in PPG7. This was a former national planning policy document that has been obsolete since 2004. Notwithstanding this the guidance contained therein did not advise against location within 400 metres rather that such proposals should be subject to full planning permission in recognition of the potential for harm to be caused and as such the desirability for proposals to be subject to statutory assessment. This is in contrast to locations in excess of 400 metres where livestock buildings can, subject to certain criteria enjoy permitted development rights.

There is no evidence to link the reported human health issues to the existing poultry farming operation and as such it would not be reasonable to refuse planning permission on the basis of such concerns.

It is considered that because of the temporary nature of additional activity and noise associated with construction and the distance of the site from noise sensitive receptors, that there will not be unacceptable harm caused to local residents during this time. As discussed earlier in the report the right of way would be diverted during the construction period in the interests of pedestrian safety.

It is considered that animal welfare issues and concerns about biological hazards are matters that are outside the land use planning system, but are likely to be matters for consideration in licensing the detailed working practices for this type of development.

Concerns about loss of water pressure would be a matter to be taken up with the service provider and could not be a ground for refusing planning permission.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

The proposal is for agricultural development and therefore in principle is acceptable in this countryside location. It is considered that the proposed development, taking into account the findings of the Environmental Statement would not have an adverse impact on the character or appearance of the locality. Similarly the development would not cause any material harm to the setting of listed buildings within the vicinity of the site or the setting of the nearby ancient monument. Subject to appropriate conditions the development would not give rise to conditions that would prejudice the amenities of nearby residents or human rights considerations nor would it adversely affect environmental protection or highway safety considerations. It is considered that the environmental statement has demonstrated that key potential environmental impacts of this development, for example noise and odour can be satisfactorily mitigated and that there will be no significant impact in terms of certain other environmental considerations such that the development will be acceptable. No issues are raised in relation to crime prevention.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) A3 Implementation Limit (Three Years)
- 2) B5 Detailed Drawings (Accordance with Plan)
- 3) E3 Landscaping (Implementation)
- 4) Unless otherwise agreed in writing with the Local Planning Authority all working activities associated with the development such as cleaning out poultry houses, feed deliveries, deliveries of chicks, testing of emergency generator and waste disposal collections with the exception of the collection of live birds and any need for emergency related attendance at the site shall be restricted to between 07:00 and 19:00 hours Monday to Friday and 07.00 and 13.00 hours on a Saturday, with no such activities taking place on Sundays or Bank/Public Holidays. Reason: In the interests of residential amenity.
- 5) The flock cycle for the 4 existing poultry houses and the 3 poultry houses permitted by this development shall be synchronized and all 7 poultry houses shall be stocked/destocked at the same time. The number of flock cycles for all seven sheds shall not exceed 7 in any 12 month period. Reason: In the interests of residential amenity
- 6) The extract fans installed at the poultry houses shall be fan type Fancorn 34132W with attenuators that meet the required insertion loss as detailed in Section B1.2 and C1 CAICE Acoustic Movement Ltd attenuator schedule of the Noise Impact Assessment Report M1301/R01b dated 1 February 2013 carried out by Matrix Acoustic Design Consultants. If alternative extract fans or attenuators are to be installed a further Noise Impact Assessment will be required to be submitted and agreed in writing with the Local Planning Authority. The Noise Impact Assessment shall demonstrate that the rating level of noise emitted from the extract fans serving the poultry houses shall be at least 5 dB below the background noise level at the nearest noise sensitive dwelling, when measured and assessed in accordance with BS4142:1997. Reason: In the interests of residential amenity.
- 7) The development use hereby permitted shall not commence until Fancorn 34132W fans with attenuators have replaced all the extract fans (10 per house) in the existing 4 poultry houses. The attenuators shall meet the insertion loss as detailed in Section B1.2 and C1 CAICE Acoustic Movement Ltd attenuator schedule of the Noise Impact Assessment Report M1301/R01b dated 1 February 2013 carried out by Matrix Acoustic Design Consultants. If alternative extract fans or attenuators are to be installed in the existing four poultry houses a further Noise Impact Assessment will be required to be submitted and agreed in writing with the Local Planning Authority. The Noise Impact Assessment shall demonstrate that the rating level of noise emitted from the extract fans serving the poultry houses shall be at least 5 dB below the background noise level at the nearest noise sensitive dwelling, when measured and assessed in accordance with BS4142:1997
Reason– To safeguard the amenities of neighbouring residential properties
- 8) The development hereby approved shall only be carried out in complete accordance with the Environmental Statement and the mitigation measures detailed therein. The mitigation measures shall be fully implemented prior to the buildings being brought into use unless otherwise agreed in writing by the Local Planning Authority Reason In the interests of residential amenity and safeguarding the wider environment
- 9) Prior to the development being brought into operation the proposed alterations to the highway as detailed on plan IP/TD/01 shall be implemented. Reason: In order to allow for

satisfactory highway visibility and movement of vehicles in the interests of highway and pedestrian safety.

- 10) Prior to the development being brought into operation details of vehicle / pedestrian refuge points and speed restriction signage along the access road to the site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be brought into operation until the approved details have been implemented. The implemented scheme shall thereafter be retained. Reason: In the interests of highway and pedestrian safety.
- 11) Prior to the development being brought into operation details of external lighting, ensuring that it is directed downwards and is timed to switch off automatically after short periods of operation shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being brought into operation and thereafter retained. Reason: in the interest of protecting foraging bats.
- 12) No development shall take place until the applicant has secured the implementation of a programme of archaeological work as defined in a specification prepared by the County Durham Archaeology Team. It will require a written scheme of investigation (WSI) setting out:
 - i) Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
 - ii) Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
 - iii) Post-fieldwork methodologies for assessment and analysis, including final and publication proposals in an update project design where necessary.
 - iv) Report Content and arrangements for dissemination.
 - v) Archive preparation and deposition with recognised repositories.
 - vi) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the work is undertaken and completed in accordance with the strategy.
 - vii) Monitoring arrangements, including the notification in writing to the County Durham Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
 - viii) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The written scheme of investigation must be submitted by the developer, and approved in writing by the Local Planning Authority. The written scheme of investigation shall not be carried out otherwise than in accordance with the approved details and timings.

REASON – To comply with Policy CS14 (E) (12) of the Borough of Darlington Core Strategy Document (2011) as the site may potentially contain features of local archaeological importance.

- 13) Prior to the buildings being brought into use, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record. This may include full analysis and final publication.

Report and publication must be within one year of the date of completion of the development hereby approved.

REASON – To comply with para. 141 of the National Planning Policy Framework to ensure that the developer records and advances understanding of the significance of the heritage asset to be lost (wholly or in part) in a manner proportionate to its importance and the impact, and to make this evidence (and any archive generated) publicly accessible).

14) The development permitted by this planning permission shall only be carried out in accordance with the submitted Environmental Statement and the following mitigation measures detailed therein:-

- Limiting the surface water run-off generated by the site as indicated on page 17 point 9.5 of the Environmental Statement.

The mitigation measures shall be fully implemented prior to the scheme being brought into operation unless otherwise agreed in writing by the Local Planning Authority.

REASON – To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The proposal is for agricultural development and therefore in principle is acceptable in this countryside location. It is considered that the proposed development, taking into account the findings of the Environmental Statement would not have an adverse impact on the character or appearance of the locality. Similarly the development would not cause any material harm to the setting of listed buildings within the vicinity of the site or the setting of the nearby ancient monument. Subject to appropriate conditions the development would not give rise to conditions that would prejudice the amenities of nearby residents or human rights considerations nor would it adversely affect environmental protection or highway safety considerations. It is considered that the environmental statement has demonstrated that key potential environmental impacts of this development, for example noise and odour can be satisfactorily mitigated and that there will be no significant impact in terms of certain other environmental considerations such that the development will be acceptable. No issues are raised in relation to crime prevention. Therefore the proposed development is considered to comply with the policies in the development plan and Government planning policy set out below: -

National Planning Policy Framework

The North East of England Plan Regional Spatial Strategy (RSS) to 2022

Policy 8 - Protecting and Enhancing the Environment.

Policy 37 – Air Quality

Darlington Core Strategy Development Plan Document Policies: -

CS2 – Achieving High Quality, Sustainable Design

CS14 – Promoting Local Character and Distinctiveness

CS15 - Protecting and Enhancing Biodiversity and Geodiversity

CS16 – Protecting Environmental Resources, Human Health and Safety.

Borough of Darlington Local Plan 1997

E2 - Development Limits

E4 - New Buildings in the Countryside

INFORMATIVES

The applicant is advised to contact the Council's Countryside Access Officer (contact Malcolm Thompson, tel; 01325 388648)