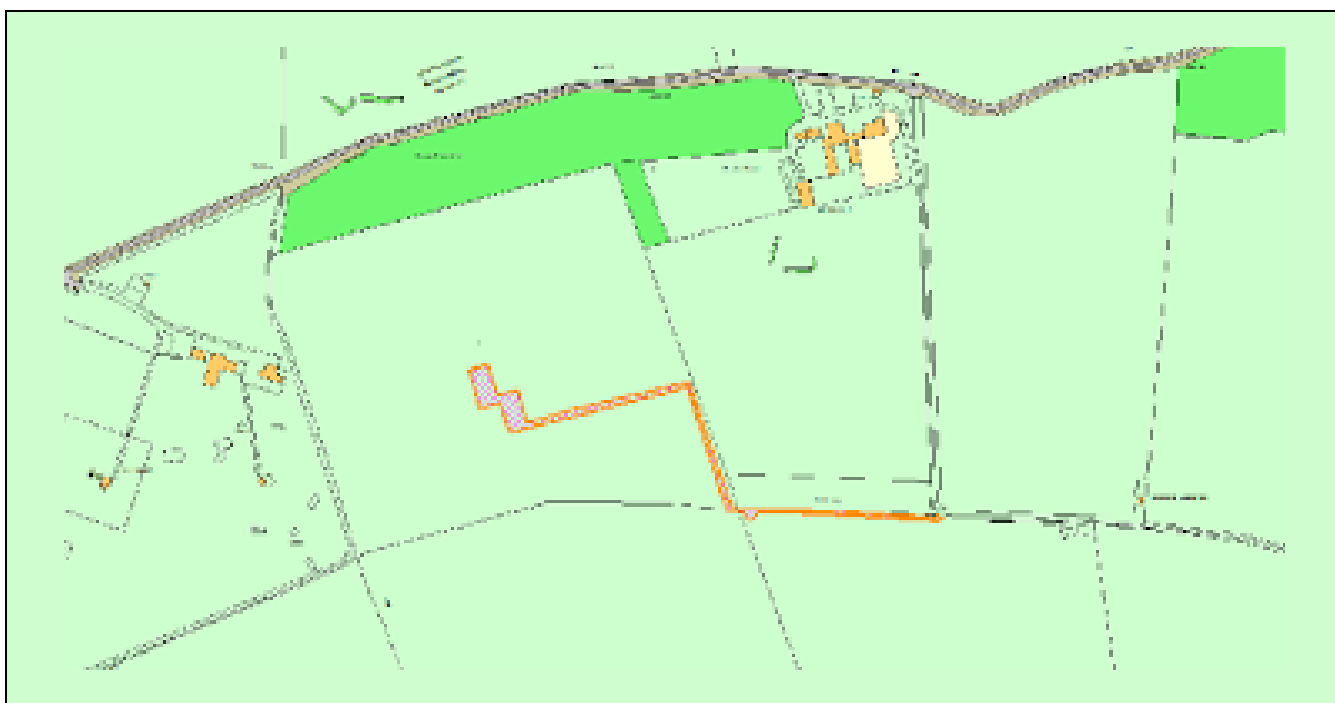


NORTHUMBERLAND

Northumberland County Council

Castle Morpeth Local Area Council Planning Committee 13 November 2017

Application No:	17/01201/FUL		
Proposal:	Proposed construction of new building for organic free range egg production including new access track and hardcore area.		
Site Address	Land East Of Beukley Mast, Great Whittington, Northumberland		
Applicant:	Mr T Oliver East Farm, Great Whittington, NE19 2HP	Agent:	Mr Keith Butler Unit 11 South Acomb Bywell, Stocksfield, Northumberland, NE43 7AQ
Ward	Ponteland West	Parish	Whittington
Valid Date:	20 April 2017	Expiry Date:	15 June 2017
Case Officer Details:	Name: Mr Daniel Puttick Job Title: Senior Planning Officer Tel No: 01670 622635 Email: daniel.puttick@northumberland.gov.uk		



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1. Introduction

- 1.1 This application falls to be determined by members of the Tynedale Local Area Committee as it raises significant planning issues and has received an objection from Great Whittington Parish Council, alongside ten letters of objection from members of the public including local residents.

2. Description of the Proposals

- 2.1 Planning permission is sought for the construction of a new agricultural building for organic free range egg production, including new access track and hardcore area. The application has been submitted in tandem alongside a similar proposal which is considered separately under application reference 17/01202/FUL.
- 2.2 This application proposes a new agricultural building with a footprint measuring 26.5m by 19.7m, with a height of 6m to the roof ridge and 4m to the eaves. The building would be constructed of steel plastisol coated box profile sheets, finished in Juniper green with translucent roof light sheets, concrete block work exposed near ground level with plastisol coated box profile sheets to the external walls. Access into the building would be provided on the north and south elevations via galvanised roller shutter doors.
- 2.3 Access to the building would be made via the existing track leading west of Great Whittington, from which it is proposed to construct a new access road off the existing track, which would lead northwards and then west through the field towards the proposed site. A hardcore area is proposed to the immediate south of the building, which is to be situated in a central position within the field.
- 2.4 The application site lies within open countryside to the west of Great Whittington, in an area where coal mining legacies pose a low risk to new development. A public right of way is situated to the south of the site, running from the existing track west through the field. The proposed building and access track would be positioned within the buffer zone for development affecting the Hadrian's Wall World Heritage Site (WHS), and is within the Impact Risk Zone for Sites of Special Scientific Interest (SSSI).

3. Planning History

Reference: 17/01202/FUL

Description: Construction of new building for organic free range egg production including new access track and hardcore area

Status: Pending Consideration

4. Consultee Responses

Whittington Parish Council	Whittington Parish Council object to the application as it feels it does not have enough information to assess the proposals. Concerns have been raised in relation to highways safety, the condition of the existing highway network and the trip generation associated with the development. Concerns have also been expressed regarding the lack of detail about service connections, disposal of surface water and storage of materials on site. In addition, the Parish Council request that consideration is given to the screening of the proposal in the event that permission is granted, to soften the views of the proposed site from residential dwellings and users of the Right of Way.
Highways	The Highway Authority have no objections to the proposed development, subject to conditions requiring a Type C access being provided.
Countryside/ Rights Of Way	No objections subject to the footpath surface being protected throughout the development.
Public Protection	Public Protection have returned the consultation without comment as it falls below their 'risk appetite'.
Historic England	Historic England have no objections to the proposed development and conclude that the development would not impact upon the Hadrian's Wall Roman frontier, its setting or the ability to understand and appreciate Roman military land use and planning.
Lead Local Flood Authority (LLFA)	The LLFA have objected to the application, indicating that it lacks a drainage strategy.
Environment Agency	No response received.
County Ecologist	The Council's Ecologists have previously requested further clarification. Following receipt of further information from the applicant's agent, the Ecologists have no objections subject to conditions.
County Archaeologist	The Council's Archaeologist has requested further information to address concerns and establish whether further archaeological work is required. An update is to be provided to Members of the Committee as to whether further archaeological work is required.
Natural England	Following receipt of additional information, Natural England have no objections to the proposed development and do not consider that the proposed development would impact upon designated sites.
DEFRA	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	2
Number of Objections	10
Number of Support	0
Number of General Comments	0

Copies of all representations received are available in the Member's Lounge and will also be made available at the meeting of the Committee.

Notices

Site Notice – Affecting a Public Right of Way, displayed on 9th May 2017

Press Notice – Published in the Northumberland Gazette on 27th April 2017

Summary of Responses:

A total of ten letters of objection have been received in relation to this application from members of the public, local residents and the Councillor for the Ponteland West ward. The following is a summary of the material considerations raised:

- the development would generate unacceptable levels of noise and smell, with prevailing winds from the west carrying odours from the site towards existing residential dwellings at Roses Bower and The Whiggs
- the application contains no detail about services, drainage, sewage, landscaping or boundary treatments
- the additional movements associated with the development would be prejudicial to road safety, particularly on the existing track leading from the site towards Great Whittington which is inadequate
- the existing track and highway are in poor condition, are unsafe and inadequate for vehicles associated with the development
- the application includes no detail on how chickens are to be kept on the land
- no assessment of the impact on protected species of wildlife, including bats, has been undertaken
- the development would affect an existing public right of way - no detail has been provided with the application to ensure it would be safeguarded
- the development would negatively impact upon existing businesses in the local area, including those which are proposed to be expanded to improve their offering nearby and as a consequence would negatively impact on the local economy
- the site can be seen from the Hadrian's Wall World Heritage Site
- no information is provided on how egg production will be organic, which may lead to other types of production that could be more harmful to the amenity of local residents in terms of odour and noise as well as raising animal welfare issues
- the application provides inadequate detail to enable the full effects to be adequately assessed and should be refused on this basis

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=ONTNNHQSG3300>

6. Planning Policy

6.1 Development Plan Policy

Tynedale LDF Core Strategy

GD1 Locational policy setting out settlement hierarchy

BE1 Principles for the built environment

NE1 Principles for the natural environment

EDT1 Principles for economic development

Tynedale Local Plan

GD2 Design Criteria for development, including extensions and alterations

GD4 Range of transport provision for all development

GD6 Car parking standards outside the built-up areas

BE14 New agricultural and forestry buildings and roads in the open countryside

NE27 Protection of Protected Species

CS19 Location of development either causing or adjacent to pollution sources

CS20 Agricultural intensive livestock, sludge and slurry stores

BE25 Preservation of scheduled ancient monuments and nationally important sites

BE26 Hadrian's Wall World Heritage Site

BE27 Regional and Locally important archaeological sites and settings

BE28 Archaeological Assessment

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (NPPG) (2014, as updated)

6.3 Other Documents/Strategies

None relevant

7. Appraisal

7.1 The main issues for consideration in the determination of this application include:

- principle of the development
- design and landscape impact
- residential amenity
- highways safety
- drainage
- ecology
- heritage impact
- public rights of way

Principle of the Development

- 7.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) and Section 38(6) of the Planning and Compulsory Purchase Act 2004 both indicate that in dealing with planning applications, local authorities should have regard to the development plan unless material considerations indicate otherwise. The NPPF maintains that the starting point for the determination of planning applications remains with the development plan, unless material considerations indicate otherwise.
- 7.3 The NPPF is a material consideration at states at Paragraph 214 of the NPPF states that for 12 months from the day of its publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the Framework. Paragraph 215 states that in other cases following the 12 month period set out in Paragraph 214, due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, indicating that the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
- 7.4 The application site is located within open countryside to the west of Great Whittington, which falls within the Ponteland West Ward and as such requires determination by the Castle Morpeth Local Area Committee rather than the Tynedale Local Area Committee, despite the development plan comprising the Tynedale Core Strategy and Local Plan. The policies of the Tynedale Core Strategy and Tynedale Local Plan therefore provide the starting point for the determination of this application.
- 7.5 The most recent development plan document is the Tynedale Core Strategy, adopted in October 2007. Policy GD1 of the Core Strategy, the first in this Strategy, sets out spatial distribution aims for new development to ensure that development proposals are directed towards settlements of the District that can accommodate a scale commensurate with their size and function. Within open countryside, Policy GD1 of the Core Strategy states that development will generally be limited to the re-use of existing buildings unless otherwise allowed under alternative policies in the development plan.
- 7.6 The application proposes an agricultural building on agricultural land to be used for the purpose of organic free range egg production. The development would support an existing rural enterprise, one which is based on agriculture and farming. Policy EDT1 of the Tynedale Core Strategy establishes principles for economic development and tourism, one of which seeks to support a buoyant and diverse local economy which recognises the importance of tourism to the District. Preamble to this Policy identified that the rural economy continues to change and recognises that there is a need to support the diversification of the local economy. Acceptance of a scheme which supports an existing farming enterprise would be consistent with the aims of Policy EDT1 in this respect, and as such the development can be seen to accord with this aspect of the development plan.

- 7.7 Policy EDT1 also recognises that there is a need to protect and enhance tourist facilities and infrastructure, whilst also allowing new tourist development where appropriate in order to increase the range, quality and types of facilities available to tourists. It is acknowledged that the site is located near to an existing tourism enterprise which has visions to expand and improve upon the facilities available. For reasons set out elsewhere in this report, it is concluded that the proposals would not harm existing enterprise near to the site in terms of noise and odour, and as such would protect the existing businesses in accordance with the aims of Policy EDT1 of the Core Strategy.
- 7.8 Policy BE14 of the Tynedale Local Plan states that where planning permission is required, development for the purposes of agriculture or forestry within the open countryside will be permitted provided that it does not have an adverse impact on:
- a) the landscape; or
 - b) sites of recognised nature conservation value; or
 - c) a scheduled monument or other archaeological site or their setting, or
 - d) a listed building or its setting, or
 - e) neighbouring dwellings.

It also states that in sensitive locations the use of traditional or sympathetic materials will be required on prominent elevations.

- 7.9 The starting point of Policy BE14 seeks to support development for the purposes of agriculture or forestry within the open countryside, subject to control being exercised over the design and siting, and regard being had to the impacts upon the land and local residents, being acceptable. The principle of a new agricultural building situated on agricultural land for the purpose of organic free range egg production is, therefore, acceptable in accordance with Policy BE14 of the Tynedale Local Plan. In addition, the development is also acceptable in accordance with the aims of Policy EDT1 of the Tynedale Core Strategy and, in turn, is compliant with Policy GD1 of the Tynedale Core Strategy.
- 7.10 In establishing that the principle of the development is acceptable, regard must be had to the impacts arising from the development. These impacts are assessed in detail below.

Design and Landscape Impact

- 7.11 Policies BE1 and NE1 of the Tynedale Core Strategy, along with Policies GD2 and BE14 of the Tynedale Local Plan, seek to secure a good standard of design in new development whilst also seeking to preserve the landscape character of the area. The Policies set out criteria with which new development is expected to conform. In particular, Policy BE1 of the Tynedale Core Strategy seeks to ensure that development is of a high quality design that will maintain and enhance the distinctive local character of the District's towns, villages and countryside, whilst Policy BE14 of the Tynedale Local Plan seeks to ensure that new agricultural and forestry development does not have an adverse impact on the landscape.

- 7.12 The new buildings would be situated centrally within an existing agricultural field, on land which is surrounded by rolling countryside in which there is a scattering of residential properties. The topography of the area is gently undulating, and confined to the east and west by the village of Great Whittington and the A68. The land here is open, however long range views to and from the site are restricted due to the topography of the land. Any landscape impact, therefore, would be limited and confined to the site and its immediate surroundings. In assessing the landscape impact of the proposed development, regard is had to the existence of Beukley Mast which occupies a prominent position close to the site. The existing mast stands at approximately 148m in height, and is a highly visible feature within the area, and one which can be seen from the site and from further afield. The existing mast has a significant landscape impact, and is a useful comparison when determining the extent to which this proposed development would affect the landscape character of the area which is predominantly agricultural in its land use.
- 7.13 The proposed building is large in scale, having a footprint measuring approximately 27m by 20m, and an overall height of 6m. This is, however, reasonably modest in size when compared to other agricultural buildings in the local area and more generally. The scale would, therefore, be commensurate with its use. Although situated within an open landscape, the fact that views to and from the site are reduced by the topography of the land are factors which reduce the prominence of the development and restrict any impact to the immediate and local area surrounding the site. Whilst the new building would be a prominent feature within the local area, its landscape impact would be localised and further reduced in the context of its use and location within an existing agricultural field. The building would not be at odds within this location, and would be one of a number of agricultural buildings scattered throughout the countryside surrounding Great Whittington.
- 7.14 Whilst it is acknowledged that the building would be a prominent feature within the landscape in this location, by comparison to the scale of Beukley Mast and the localised impact that would be caused the wider landscape impact is somewhat negligible. When viewed in conjunction with the partnering application, assessed under application 17/01202/FUL, the landscape impact arising from the development would not be significant. The individual and cumulative impacts of the development upon the character of the area and the landscape would be considered insufficient to justify refusing the application, particularly when viewed in the context of the landscape impact imposed by the Beukley Mast, with which the development would be seen in context.
- 7.15 The appearance of the building is typical of modern agricultural development within the County. The Juniper green finish to the exterior of the building is widespread throughout the County, and is commonly used in new developments of this nature. The scale, location and appearance of the building are considered to be acceptable and consistent with its use, and would ensure it remains in keeping with its countryside location. Although objections have been received from members of the public regarding the design, the use ultimately is one which dictates a required form. Similarly, agricultural buildings are large by their very nature and the financial demands of such businesses generally hinder more traditional building styles. As such,

though of a notable scale, the location and appearance are considered to be acceptable and consistent with the character of the area. The design and landscape impact are not factors which are considered significant enough to justify withholding planning permission for the proposed development, having regard to the potential cumulative impact which could arise.

- 7.16 Taking the above into consideration, it is considered that the design proposed is acceptable. The landscape impact is not considered to be harmful, with any effects being localised and reduced by the existing of the Beukley Mast. The cumulative impacts are not considered to be so severe as to justify withholding planning permission and it is on the basis of the above that the development proposals are considered to be acceptable. The application is therefore viewed to be in accordance with the aims of Policies BE1 and NE1 of the Tynedale Core Strategy, Policies GD2 and BE14 of the Tynedale Local Plan and the wider aims of the NPPF.

Residential Amenity

- 7.17 The proposed use of the building, for organic free range egg production, has the potential to generate noise and odour issues which could impact upon the amenity of local residents, as well as disturbance from light and traffic movements. The applicant's agent has confirmed the proposed building would accommodate 3000 birds, with confirmation also provided that the proposed building in the partnering application ref. 17/01202/FUL would also accommodate 3000 birds. It has also been confirmed that manure would be spread on the land when removed from the building, with confirmation also being provided that no external lighting is required for the building.
- 7.18 In the event that permission is granted, conditions can be imposed to limit the impacts upon nearby residential dwellings - the closest of which is Roses Bower to the North East. The boundary of this particular property is within 250m of the application site and the position of the proposed building, with the field boundary closer to the dwelling at approximately 125m from the boundary of Roses Bower. It is likely, therefore, that noise and odour could emanate from a nearer proximity than the building itself. This has been raised within letters of objection, which note the absence of detail pertaining to boundary treatments or the operation of the site - particularly given the proposed building would be used for free range egg production and is likely to involve poultry roaming the field in which the building would be constructed.
- 7.19 Poultry farming, by its very nature, can result in a number of odorous gases being released into the atmosphere including ammonia and hydrogen sulphide. Odorous gases are generally lighter than air and can be easily dispersed into the atmosphere. Ammonia, in particular, has a distinctive odour but can also cause irritation and corrosion even at low concentrations. Prevailing winds are, anecdotally, from a westerly direction and as such there is potential for odorous gases to be 'carried' in the direction of residential properties in the vicinity of the site. In addition to this the introduction of 3000 birds at the site, or 6000 when viewed cumulatively with the partnering application, would be likely to result in increased noise from livestock, machinery and vehicular movements. It is considered pertinent to note the

proximity of the building to neighbouring dwellings in respect of this, as well as the existence of dwellings in the surrounding landscape.

- 7.20 It is acknowledged that there is a lack of information provided within the application with regards to the management of the site, the potential odour impacts arising from the development from the release of ammonia as well as noise from livestock, machinery and the operation of the site. Notwithstanding this, the proposed development has been assessed by the Council's Public Protection Team who has returned the request for consultation without comment, advising that it falls below their 'risk appetite'. It is assumed, therefore, that the scale and location of the development would not give rise to significant odour or noise nuisance, despite its proximity to an existing residential dwelling.
- 7.21 In absence of an objection from the Council's Public Protection it is not recommended that planning permission be withheld due to the potential impact from odour on residential dwellings close to the site. Whilst odour is likely to be generated from the site, in absence of an objection from the Public Protection Team it is not considered that a refusal of planning permission on the grounds of an adverse impact caused by odour could be satisfactorily substantiated. Although it is acknowledged that no evidence has been provided to demonstrate that odour would not impact upon the amenity of local residents, it is important to note that the Council's Public Protection Team have been consulted and have not raised an issue or objection to the proposed development.
- 7.22 Whilst the development is likely to generate odour, the extent is not considered to be significant enough to justify withholding planning permission. In any event, alternative legislation serves to protect local residents from a 'statutory nuisance' caused by any smell arising on industrial, trade or business premises that is prejudicial to health or is a nuisance. This legislation would ensure that unacceptable levels of odour caused by the development can be reduced or mitigated against out with the planning system in the event that permission is granted. In order to reduce the potential for odour to be generated, it is recommended that conditions be imposed upon any grant of permission to secure further details and impose measures on the development in the interest of residential amenity. Such measures should include a limit on the number of birds that can be kept in the building, therefore ensuring that any increase in the number of birds which would in turn increase the level of odour can be controlled and assessed accordingly. Additionally, securing details of boundary treatments and a management plan for the disposal or dispersal of waste and general operation of the enterprise would enable greater awareness and control of the potential impacts. Subject to accordance with such conditions, the impacts arising from odour associated with the development would not be considered to be so adverse as to justify withholding planning permission, though it is recognised that the building would be in proximity to an existing residential dwelling with ancillary business venture that has noted an aspiration to expand.
- 7.23 In addition to the requirement of Policy BE14 of the Tynedale Local Plan to prevent adverse impacts upon neighbouring dwellings, Policy CS19 states that strict control will be exercised over the location of new development which

is likely to cause noise, smell or vibration problems or to add to air, land or water pollution. It also states that consideration of proposals will take into account the location in relation to existing and proposed housing and industrial estates, sites of wildlife value and recreation areas and the level and types of emissions. The Policy dictates that development which is likely to give rise to environmental problems will only be permitted where there are adequate measures taken to ensure its environmental acceptability; only development which would limit pollution to acceptable levels will be permitted. Similarly, Policy CS20 of the Tynedale Local Plan states that planning permission will be granted for agricultural intensive livestock buildings, sludge or slurry stores where it can be shown that:-

- a) there will be no adverse effects upon the amenity of residents from smells to which the building or store may give rise; and,
- b) the location will not detract from the character or appearance of the countryside, or that remedial measures such as earth mounding and tree and shrub planting can be undertaken to screen the installation in a manner which is sympathetic to the countryside in which it is set.

7.24 The applicant's agent has advised that there will be some tree planting around the field. Tree planting could potential reduce the visual impact of the proposal, as well as provide some screening and act as a barrier against noise and odour. A condition requiring the submission of a landscaping plan is recommended to ensure the satisfactory appearance of the development and also to secure some screening in order to protect the amenity of local residents. However, the level of screening required to offset any harm would be likely to have an impact upon the open character of the landscape and as such it is not recommended that screening be relied upon to minimise odour and noise generated by the development. In the interests of maintaining the character of the area, particularly the open agricultural appearance, extensive planting and screen through natural vegetation or earth mounding would not be desirable and would introduce incongruous landscape features that would be somewhat at odds with the character of the countryside in this particular location. As such, screening to the extent necessary only to reduce the urbanising effect of the infrastructure and development, rather than compensate for, is considered necessary, particularly in absence of an objection from the Council's Public Protection Team regarding noise and odour issues.

7.25 Whilst the application has not shown that the effects of noise and odour will not give rise to adverse effects on neighbouring residents, it is considered that conditions and some limited landscaping and screen would reduce the impacts. In any case, the impacts are not considered significant enough to justify refusing the application and as such the mitigation measures should be proportionate to the development and the anticipated harm. Subject to accordance with these conditions, and having regard to the absence of an objection from the Public Protection Team, the development is considered to be acceptable and would not have a significant adverse impact upon nearby residential dwellings. Similarly, disturbance from noise and odour are not considered to be significant enough to adversely impact upon the enjoyment of the adjacent public right of way. As such, the proposals are viewed to be in accordance with Policies BE14, CS19 and CS20 of the Tynedale Local Plan, and consistent with the aims of the NPPF, despite localised objection.

Highways Safety

- 7.26 A number of objections have highlighted the potential impact upon the safety and integrity of the road network in the area, particularly in relation to the number of anticipated trips to and from the site required during construction and in daily operation of the premises. The proposed development is likely to increase the number of vehicular movements in the area and as a result the Council's Highways Development Management Team have been consulted on the application.
- 7.27 The NPPF, at Paragraph 32, advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In this context, the use of the existing highway and anticipated increase in vehicular traffic associated with the development are material considerations.
- 7.28 The Highway Authority, when assessing the application, checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets. The application has been assessed in this context by Officers, who raise no objections to the principle of the proposals and consider that the proposal is in accordance with the aims of the NPPF in highways terms, in that it would not result in severe traffic impacts. The view of the Highway Authority, in recognition of the fact that the development would generate additional traffic, is that the additional pressure would be limited and would not result in an adverse impact upon the road safety for existing users.
- 7.29 Whilst no details of car parking have been provided as part of the application or shown on submitted plans, it is considered that there is sufficient space within the site to allow for the parking, turning and manoeuvring of vehicles. Details for parking and turning areas can be secured by means of an appropriately worded condition, in accordance with which would ensure that there are no adverse impacts arising from a lack of parking or turning space.
- 7.30 As the proposed development proposes a new access to the existing highway network, the developer would be required to enter into a Section 184 Agreement with the Highway Authority. The Authority have advised that a new access would be required to be constructed in accordance with Northumberland County Council's Type C specification, which can be secured by means of an appropriately worded condition. This would ensure that an access suitable for heavier vehicular use is secured, and ensure that suitable access to the adopted road network for such vehicles is provided.
- 7.31 Although a number of objections indicate the poor condition of the road network in the area and cite the increased vehicular traffic as causes for concern, particularly in respect of road safety, the application has been assessed by the Highway Authority who have raised no objections to the proposed development. Therefore, it is recommended that conditions be imposed to ensure the safety and integrity of the road network. Subject to accordance with such conditions, the proposed development would be regarded as being acceptable in accordance with the aims of Policies GD2 and GD4 of the Tynedale Local Plan, and the aims of the NPPF.

Drainage

- 7.32 The application indicates that drainage would be provided by means of a soakaway. The detail has been assessed by the Lead Local Flood Authority (LLFA) Officers for the potential impacts arising from the development. The LLFA have reviewed the documents supporting the application and have objected to the proposed development, citing as their primary reason that no drainage strategy or proposals have been submitted.
- 7.33 The proposed development is not major development and as such the LLFA are not statutory consultees in this instance. Whilst it is recognised that, cumulatively, the proposed developments in applications 17/01201/FUL and 17/01202/FUL may well amount to major development, each application must be assessed on its own merits. It is acknowledged, also, that the proposed buildings would share the same access road. Importantly, the site is not within an area at risk of flooding and it is understood that it is outside of any area which suffers from critical drainage issues.
- 7.34 Notwithstanding the limited detail contained within the application and the objection from the LLFA, it is considered appropriate in this instance to secure precise details for drainage by means of an appropriately worded condition, particularly given the open countryside location. Whilst drainage is a material consideration, it is recognised that the location of the site is sufficiently far from residential properties and other built up areas to avoid localised flooding. The expanse of agricultural land far exceeds the amount of development proposed, with surface water run-off able to be disposed of within the land through soakaway. Appropriately worded conditions can ensure that drainage which is fit for purpose is installed at the site, and would enable the local planning authority to exercise control over any development of the site. Subject to accordance with such a condition, and upon satisfactory detail, it is considered that adequate provision can be made within the site to accommodate suitable drainage in accordance with the aims of the NPPF.

Ecology

- 7.35 The application site is in an area where there are records of protected species of wildlife. In addition to this, the site falls within the Impact Risk Zone (IRZ) for Sites of Special Scientific Interest. As a result, in order that the proposed development can be fully assessed consultation has been undertaken with both Natural England and the Council's own Ecologists.
- 7.36 Natural England initially advised that insufficient information had been provided in order to make a full assessment and provide a substantive response, particularly in respect of the potential impacts that the proposed development would have on the Tyne and Allen River Gravels Special Area of Conservation (SAC). The applicant's agent has liaised directly with Natural England regarding these initial comments. Upon review of the information provided, Natural England have advised that they do not object to the proposed development (nor the cumulative impacts associated with this application and the development within application 17/01202/FUL) and do not consider that the scale of the development would give rise to adverse impacts on designated sites.

7.37 The Council's own Ecologists have previously requested additional information to enable a thorough assessment of the development. Following confirmation from the applicant's agent, the Council's Ecologists do not object to the proposed development. It has been acknowledged within their response that the application is silent on certain aspects, such as the provision of services and landscaping. As a result, a number of conditions are recommended by the Council's Ecologists to ensure that the impacts upon the biodiversity and ecological value of the area are minimised. Subject to accordance with such conditions, the impacts are minimal and any potential harm can be effectively controlled through the submission and written approval of more technical details. In this respect, the development is unlikely to have an adverse impact upon the ecological value of the site or the wider surroundings and is regarded as being acceptable in accordance with the aims of Policy NE1 of the Tynedale Core Strategy, Policy NE27 of the Tynedale Local Plan and the aims of the NPPF.

Heritage Impact

7.38 The development would be located in an area of archaeological sensitivity due to its position in relation to Hadrian's Wall Roman frontier, the surviving remains of which are designated as a scheduled ancient monument and included within the UNESCO list of World Heritage Sites. The proposed building would be situated within the buffer zone for new development affecting the World Heritage Site, which is designated for its importance in aiding the appreciation of the Roman frontier in relation to local topography - something which is crucial in understanding Roman military planning and land use.

7.39 Historic England have been consulted on the application. Having considered the details submitted, they do not believe that the proposal would directly impact upon any archaeological remains from the World Heritage Site. Whilst they acknowledge the site will be visible from the World Heritage Site, they do not consider that it will harm the appreciation or understanding of Roman military planning and land use, thereby preserving the setting of the scheduled ancient monument. Historic England therefore concludes that it would be unjustified to require the applicant to commission archaeological work to understand the significance of the site in relation to Hadrian's Wall. In addition, Historic England outline that their assessment of the potential impact of the proposal is that it would be sufficiently unlikely to impact upon nationally important archaeological remains or their settings, such that the visibility of the proposed buildings could not be classified as causing harm to the Hadrian's Wall frontier. In summary, Historic England do not object to the application on heritage grounds and do not consider that any further work is necessary to mitigate against any potential harm to the heritage asset.

7.40 The Council's own Archaeologists have assessed the proposed development and have highlighted that there is strong potential for artefacts and below ground archaeological remains to be present on the site, dating from the prehistoric period onwards. Metal detecting has been undertaken in the vicinity of the site, which has resulted in the discovery of archaeological remains. There is an understanding that this metal detecting remains incomplete and as such there may still be undiscovered features of

archaeological interest at the site, particularly in the location of the proposed access track. A geophysical survey has previously been carried out near the site, which has identified a positive linear anomaly running parallel to the south of the road to Roses Bower Farm. This indicates a potential Roman road which may have connected directly with Dere Street or potentially the Devil's Causeway Roman roads to the west of the site. Further remains were also discovered during the survey, including possible Iron Age hut circles.

- 7.41 Based on the available evidence, the development has the potential to result in the disturbance of ground and may impact upon previously undisturbed archaeological remains. In addition, the proposed track may run along the line of a Roman road. The Council's Archaeologists have therefore requested that further information be provided to enable an understanding of the nature and extent of groundworks, including the depth of soils and ground conditions in the area. A request has been made in order that a determination can be reached as to whether further archaeological work would be required as part of any planning approval. An update shall be provided to members in advance of the committee, providing clarity as to whether any further archaeological work is required to be secured by means of an appropriately worded condition.

Public Rights of Way

- 7.42 A public footpath passes through the proposed site, with the application proposing a new access track which may affect this right of way. The proposals have been assessed by the Council's Public Rights of Way Officers, who raise no objection to the proposed development. They have, however, stated that no action should be taken to disturb or obstruct the path surface without prior consent from the Highway Authority, or without a temporary closure or Diversion Order having been made, confirmed, and an acceptable alternative route provided.
- 7.43 As the application proposes a new access track from the existing highway to the site, it is considered necessary to secure precise details of the proposed construction and surface finished. Details can be secured by means of an appropriately worded condition and will enable the local planning authority to ensure, in consultation with the Highway Authority and Rights of Way Officers, that the proposed surface treatment is appropriate in this location. Any further disturbance to the public right of way would require further consent to be obtained from the Highway Authority outside of this application.
- 7.44 Subject to accordance with such a condition, the proposed development would not adversely affect the existing public right of way network. As set out previously, odour and noise associated with the development is not considered to be significant enough to adversely affect the enjoyment of the right of way for users. Subject to accordance with conditions, the proposals are considered to be acceptable in accordance with the aims of Policies GD4 of the Tynedale Local Plan and the NPPF.

8. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. The development, except where modified by conditions elsewhere in this permission, shall not be carried out other than in complete accordance with the following approved plans:

1. EF/07/LP/B1/01 Location Plan
2. EF/07/PBP/B1/03 Proposed Block Plan
3. EF/07/PPE/B1/04 Proposed Floor Plan and Elevations

Reason: To ensure the development is carried out in accordance with the approved plans, in the interests of proper planning.

03. The development hereby permitted shall only be used for the purpose of free range egg production and shall not be used for any alternative purpose without the prior granting of planning permission from the local planning authority.

Reason: To ensure the amenity of local residents and safety of the road network, in accordance with the aims of Policies GD2 and GD4 of the Tynedale Local Plan.

04. No more than 3,000 (three thousand) birds shall be kept in the building hereby permitted.

Reason: To ensure the amenity of local residents in respect of noise and odour, in accordance with Policy GD2 of the Tynedale Local Plan.

05. The development hereby permitted shall not be brought into use until a management plan for the site has first been submitted to, and approved in writing by, the local planning authority. The management plan shall account for the management of traffic associated with the development, measures to minimise odour emissions, the disposal of waste and daily maintenance and management of the site. Thereafter, the operations shall be carried out in accordance with the approved management plan unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the amenity of local residents and the safety of the highway network, in accordance with Policies GD2 and GD4 of the Tynedale Local Plan.

06. A detailed landscape planting plan, including the planting of locally native species of trees and shrubs of local provenance, shall be submitted to and agreed in writing with the local planning authority before development commences. The landscaping plan shall provide details of all landscaping proposals, boundary treatments, hard surfaces and finishes. Thereafter,

landscaping shall be carried out in accordance with the approved scheme within the first full planting season (November - March inclusive) following commencement of the development.

Reason: To maintain and protect the landscape value of the area, and to enhance the biodiversity value of the site, from the outset of the development in accordance with Policy NE27 of the Tynedale Local Plan and aims of the NPPF.

07. No development shall commence until precise drainage details for the development have been submitted to and approved in writing by the local planning authority. Thereafter, drainage for the development shall be provided in accordance with the approved scheme before the development is brought into first use.

Reason: To ensure adequate drainage is provided within the site from the outset of the development, in accordance with Policy CS27 of the Tynedale Local Plan.

08. No development shall commence until precise details for the services required for the development have been submitted to and approved in writing by the local planning authority. Thereafter, services for the development shall be provided in accordance with the approved scheme before the development is brought into first use.

Reason: To ensure adequate drainage is provided within the site from the outset of the development, in accordance with Policy CS27 of the Tynedale Local Plan.

09. The development hereby permitted shall not be brought into use until precise details of the vehicular access to the existing highway network have first been submitted to and approved in writing by the local planning authority, and subsequently implemented in accordance with the approved details. Thereafter, the vehicular access shall be maintained in accordance with the approved details.

Reason: In the interests of highway safety and to ensure satisfactory access is provided to the site, in accordance with Policy GD4 of the Tynedale Local Plan.

10. The development hereby permitted shall not be brought into use until precise details of the parking and turning areas within the site have first been submitted to and approved in writing by the local planning authority, and subsequently implemented in accordance with the approved details. Thereafter, the parking and turning areas shall be maintained in accordance with the approved details.

Reason: In the interests of highway safety and to ensure satisfactory parking provision and turning areas are provided within the site, in accordance with Policies GD4 and GD6 of the Tynedale Local Plan.

11. No development shall take place unless any deep (in excess of 300mm) excavations left open overnight to be either securely covered or provided with an earth or timber ramp not less than 300mm wide and no steeper than 45 degrees to provide an escape route for ground animals that might otherwise become entrapped.

Reason: To maintain the favourable conservation status of protected species and species included in s.41 of the Natural Environment and Rural Communities Act 2006, in accordance with Policy NE27 of the Tynedale Local Plan.

12. No felling of trees or removal of hedges or sections of hedges shall be undertaken at the site between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law, in accordance with Policy NE27 of the Tynedale Local Plan.

13. No external lighting shall be installed on the building without the prior written approval being granted by the local planning authority.

Reason: To ensure the amenity of local residents and prevent light pollution, in accordance with the aims of Policy GD2 of the Tynedale Local Plan.

Date of Report: 31st October 2017

Background Papers: Planning application file(s) 17/01201/FUL, 17/01202/FUL