

REPORT TO: Planning Committee

MEETING DATE: Wednesday 29 March 2017

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Application for Planning Permission for Consideration

Note - this application was called off the Scheme of Delegation List by Councillor Trotter for the following reasons: so that there can be a full discussion at Committee due to local interest in this application.

Application No. **16/00255/P**

Proposal Erection of poultry shed and associated works

Location **1 Clerkington Mains
Letham
Haddington
East Lothian
EH41 4NJ**

Applicant Clerkington Eggs Ltd

Per Ian Pick Associates Ltd

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

This application relates to a part of the agricultural land of Clerkington Mains Farm, in a countryside location to the south west of Haddington. The application site is situated some 60m metres to the north of the existing agricultural buildings of Clerkington Mains Farm, some 127 metres to the west of the residential property of Garden Cottage, some 391 metres to the east of the residential property of Clerkington Kennels and some 700 metres to the east of the residential property of Clerkington West Lodge. It is also some 146 metres to the west of the category B listed Clerkington Walled Garden and some 294 metres to the south west of the category B listed Clerkington House Stables. The application site is some 0.27 hectares in area.

The site is bounded to the west by agricultural land and to the south by the existing agricultural buildings of Clerkington Mains Farm. To the north and east there are areas of woodland, beyond which lie agricultural land.

Planning permission is sought for the erection on the application site of a poultry shed and for associated works including the formation of an area of hardstanding for parking and turning and a concrete apron.

The proposed chicken shed would be rectangular in shape and would measure some 76 metres in length, some 19.5 metres in width and some 5.5 metres in height from ground level to the ridge of its pitched roof. It would be constructed of concrete stub walling in combination with polyester coated profiled sheeting coloured green. The ridge of the roof would be punctuated by six ventilation extracts, each some 0.8 metres in height. These would be spaced at regular intervals on the ridge. Six ventilation louvers and three large doors would be formed in its south elevation, with one ventilation louver and 2 smaller doors to be formed in its north elevation. One small access hatch would be formed within its east elevation. A further fourteen pop holes would be formed in its west elevation. On part of the land directly adjacent to the right hand side of the east elevation, two feed storage bins would be erected along with an area to store bins. The feed storage bins would each be some 5.5 metres high.

The polyester coated roof and walls of the proposed chicken shed would be finished in 'Juniper' green. No colour has been specified for the doors, feed bins or other openings.

The site would be accessed directly from the A6093 via an existing access track that currently serves the Clerkington Mains Farm buildings.

A vehicular access to the site would be taken off the existing gravel track that currently provides access to the existing agricultural buildings of Clerkington Mains Farm, with an area of hardstanding measuring some 8 metres by 9.5 metres providing a parking and turning area at the northern end of the shed. A concrete apron measuring some 3 metres by 7.5 metres would be formed at the southern end of the shed. The site would be enclosed by a 1.5 metres high stock proof wire and timber post fence with gated openings to allow access to the site.

The proposed development would be used for a free range chicken egg laying operation. At any one time some 16,000 hens would be housed with the poultry shed. The production cycle for birds would last 60 weeks, with 2 deliveries of birds per flock and eggs to be collected 2 times weekly. The proposed operation would be run by the applicant, Clerkington Eggs Ltd.

Subsequent to the registration of the application, revised drawings showing details of planting and fencing have been submitted. In addition the relevant Land Ownership Certificate has been served.

The proposals also include the erection of fencing to surround a free range roaming area. The proposed fence is permitted development under the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 2011, and so do not form the subject of the determination of this application.

In addition, the use of the agricultural field as a free range roaming area does not constitute a change in use as it would remain in agricultural use, and as such does not form part of the development the subject of this application.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan is the approved South East Scotland Strategic Development Plan

(SESplan) and the adopted East Lothian Local Plan 2008.

Relevant to the determination of the application are Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policies DC1 (Development in the Countryside and Undeveloped Coast), DP1 (Landscape and Streetscape Character), DP2 (Design) and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008.

25 written representations have been received, 21 of which object to the proposed development. The other 4 do not state whether they object to or support the proposals.

The main grounds of objection are as follows:

1. The proposal will result in a negative impact upon existing nearby residents by virtue of noise, dust and odour pollution.
2. The proposal may have negatively impact upon the residential amenity of consented and proposed housing at Dovecot within the indentified longer term expansion area of Haddington.
3. The proposed methods of noise, dust and odour pollution control are insufficient.
4. The Design and access statement contains inaccuracies in terms of cardinal directions, laws of public access and grammar/ spelling.
5. The required Land Ownership Certificate has not been served.
6. No EIA screening opinion has been generated.
7. Inadequate information has been submitted with regards to SUDS, heritage asset impact and the landscape and visual impact from the proposal.
8. No details have been submitted with regards to perimeter fencing or lighting.
9. The tree belt to the east of the application site is not under ownership of the applicant and is due to be woodland managed, and thus will not provide effective sound and visual screening.
10. The supplied noise assessments do not take into account the potential of the woodland strip to the east of the site being managed.
11. The application may set a precedent for a larger development in the future.
12. The application may enable the change of use from agricultural to housing land.
13. The various technical assessments have not taken into account all relevant sensitive existing and future receptors and concerns have been raised with regards to the reliability of the modelling assumptions and resultant predictions.
14. The proposal is contrary to policy DC1 Part 5 as it would have significant adverse consequences for the convenience, safety and attractiveness of walking in the surrounding area.
15. The proposal is contrary to policy T2 as it would have significant adverse consequences for road safety and a negative impact on the convenience, safety and attractiveness of walking and recreational amenity in the surrounding area.
16. The proposed level of vehicle movements are underestimated.
17. The proposal is contrary to policy C7 as it would be harmful to the amenity of a bridleway/core path.
18. The proposal is contrary to policy ENV1 as it would be harmful to the residential character and amenity of the surrounding area.
19. The proposal is contrary to policy ENV3 as it would harm the setting of nearby listed buildings.
20. The proposal is contrary to policy DP18 as the proposal will have significant impacts on the road network.
21. The proposal is contrary to policy DP19 as the proposed access arrangements are not suitable.
22. The proposal is contrary to policy DP20 as there is no provision for cycle parking for employees or customers.

23. The proposal is contrary to policy DP22 as there is no provision for private car parking.
24. The proposal is contrary to various policies within the Proposed Local Development Plan.
25. The proposal contravenes the Scottish Government Code of Good Practice.
26. If the proposal were to go ahead, it would contravene the decision taken at appeal for a similar poultry farm application in July 2012 (PPA-210-2024) which was refused on the basis that 'an intensive chicken production unit sited between 60m-160m from existing residential uses would be far too close and diminish the occupiers' way of life and that even if the chicken sheds were properly managed, their proximity would still result in an adverse impact on the living conditions of nearby residents by reason of odour'.
27. The proposal would significantly inhibit the delivery of the Council's development strategy.
28. The proposed building does not relate well to the surround landscape or the existing nearby farm buildings.
29. There is no operational requirement for the proposal to be in its particular location with it being an inappropriate use of the land.
30. The proposal would devalue neighbouring properties.
31. There was minimal consultation by the applicants with neighbouring properties.
32. Neighbours were not informed by post, with adverts published in the local press being insufficient.
33. The proposal would have a negative impact upon the rural setting of Haddington as well as the designed landscape of Clerkington.
34. The proposal would result in an increased level of vermin in the area.
35. Water runoff from the proposal could result in a potential negative impact upon the ecology of the nearby River Tyne.
36. The proposal would result in an increased level of traffic in the local area.
37. Concerns have been expressed over biosecurity along with a possible outbreak of avian flu.

The other 4 representations raise the following issues:

1. The proposed access road may not be suitable for regular agricultural/ industrial traffic.
2. There is no reference to how removed manure will be stored, potentially resulting in malodour

Haddington Community Council, as a consultee, neither object to nor support the proposed poultry shed development. The Community Council state that the application has been discussed at their recent meeting, with several residents expressing concern about the proposals. The Community Council expresses concern that future housing proposals may be affected due to the proximity of the application site to the town centre. Furthermore, they feel that reassurance should be obtained in terms of curtailing the potential for bad odours to be transmitted from the development, which may potentially scare off future investors.

In respect of some of the points raised by representors and the Community Council the following responses are given.

The drawings and other documentation submitted with the application subsequent to registration are an accurate and sufficient basis to enable a full planning assessment to be made of the development proposal.

Were planning permission to be granted for the proposed chicken shed development, a

subsequent extension to the development or change of use of the land upon which the proposal is located would require to be the subject of an application for planning permission and thus subject to the control of the Council as Planning Authority.

The lands of Clerkington are not part of the national Inventory of Gardens and Designed Landscapes.

As one of the objectors notes, there are proposals for future housing development to the west of Haddington. Indeed, planning permission has already been granted for housing development at Dovecot Farm (Refs: 13/00071/PPM and 15/00581/PPM). The Council's Environmental Health Manager has taken these proposals into account in his assessment of the application. He is satisfied that operation of the proposed development would not have an unacceptable impact on the privacy and amenity of future residents of those housing developments. As such, the proposed development would not prejudice the future development of those sites.

Policies contained within the proposed East Lothian Local Development Plan do not form part of the Development Plan at the time of determination and do not outweigh the requirements of the adopted East Lothian Local Plan 2008.

Paragraph 13.14 of the Scottish Government publication the Scottish Executive Code of Good Practice, Prevention of Environmental Pollution from Agricultural Activity states that: "When designing new buildings, consider their siting in relation to residential accommodation, and avoid sites within 400m of such developments. Where possible, sites downwind of residential areas should be chosen."

In relation to the above, several objectors state that the proposals contravene the decision taken at appeal for a similar poultry farm application in July 2012 (Ref: PPA-210-2024) which was refused on the basis that 'an intensive chicken production unit sited between 60m-160m from existing residential uses would be far too close and diminish the occupiers' way of life and that even if the chicken sheds were properly managed, their proximity would still result in an adverse impact on the living conditions of nearby residents by reason of odour'.

With regard to the above Government guidance, the material consideration is whether or not the siting of the proposed chicken sheds development less than 400 metres from the nearest residential properties in the locality would result in odour emissions having a harmful impact on the amenity of residents of those properties.

Notwithstanding the reporter's decision in this instance, the Council's Environmental Health Manager raises no objection to the proposed development, being satisfied that subject to the relevant controls being in place, the proposed development would not, through impacts of odour emissions and air quality, noise, or dust, be harmful to the amenity of the occupants of nearby residential properties.

The proposed development is below the threshold (60,000 hens) at which such an operation would be a form of development categorised as a Schedule 1 development by the Environmental Impact Assessment (Scotland) Regulations 2011. As the proposed development is for an Intensive Livestock Installation exceeding 500 square metres in floorspace it falls under Schedule 2 of these Regulations. East Lothian Council has issued a screening opinion for this proposed development to the effect that as a Schedule 2 development the proposal is unlikely to have such significant effects on the environment that an Environmental Impact Assessment is required. Consequently the proposed development is not the subject of an Environmental Impact Assessment.

The proposed development by its site area of less than 2 hectares and floor space of less than 5000 square metres is a local development type as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. There are no statutory requirements for pre-application public consultation for a local development type proposal. The application was validated, registered and subject to neighbour notification by the Council, all in accordance with statutory requirements. The application was advertised as a Bad Neighbour Development (BND) in the local press and by site notice.

The attenuation pond would be used to collect surface run-off from the proposed chicken shed, and as such would not contain any effluence. The inclusion of an attenuation pond for this purpose would be in line with guidance contained in the Scottish Environment Protection Agency's (SEPA) guidance document entitled 'Prevention of Environmental Pollution from Agricultural Activity (PEPFAA) Code'. The developer would require to comply with the relevant SEPA drainage regulations and requirements.

In respect of the use of the proposed poultry shed, it is below the 40,000 bird threshold requiring a SEPA permit. As such, matters of noise, dust and odour require to be regulated by the Council's Environmental Health Service.

A perceived reduction in nearby property values as a consequence of a proposed development is not a material planning consideration in the determination of this application.

The methods of managing risks of infection and avian flu, as well as control of vermin are controlled by legislation other than planning legislation and are not material planning considerations in the determination of this application.

What is proposed in this planning application is an agricultural use in accordance with the definition of agriculture given in Section 277 of the Town and Country Planning (Scotland) Act 1997.

In that the proposed chicken shed development is for agricultural use at Clerkington Mains Farm, the principle of this proposed development in the countryside at Clerkington Mains Farm has an operational requirement for its proposed location. On this consideration the proposed development, in principle, complies with Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan) and Policy DC1 of the adopted East Lothian Local Plan 2008.

Part 5 of Policy DC1 of the adopted East Lothian Local Plan 2008 requires that, where acceptable in principle, development should thereafter be compatible with its surroundings, minimise landscape impact, have no significant adverse impact on nearby uses, minimise the loss of prime agricultural land and suitable access and infrastructure is or can be made available.

As an agricultural use, the proposed development would not result in the loss of any agricultural land. On this consideration the proposed development does not conflict with Part 5 of Policy DC1 of the adopted East Lothian Local Plan 2008.

The proposed chicken shed would be a new build element in the landscape of the area. The proposed feed bins, as part of this new build element would be higher than the ridges of the proposed chicken sheds by some 0.8 metres. It would be a modern agricultural building set in the context of a local landscape of agricultural fields and buildings. It would not be unusually high for a modern agricultural building. In views of the site from the west and south west, the proposed building would be viewed in conjunction

with the existing farm buildings of Clerkington Mains Farm and also against the woodland strips to the north and east. From the north, east and south views of the building would be screened by changes in land levels and by intervening trees and woodland belts. In such a setting the proposed poultry shed would not visually impose itself on its surroundings, including residential uses nor would it impact upon the setting of the category B listed Clerkington Walled Garden and Clerkington House Stables to the east.

So positioned and designed the proposed poultry shed and feed bins would become an integral built form of agricultural buildings and structures positionally related to the existing farm operation and buildings owned by Clerkington Mains Farm. By this, the context of their landscape setting and by their size, height, materials and proposed colours they would not be untypical for their countryside location and would not be harmfully incongruous or obtrusive features. They would be in keeping with and would not be visually harmful to the character and appearance of this part of the East Lothian countryside.

On matters of landscape and visual impact, the Council's Landscape Projects Officer raises no objection to the proposals. They advise that the existing landscape features of the site combined with the low height of the proposed building and colouring would allow it to assimilate into the surrounding landscape without undue harm and that the building would not have a significant detrimental effect on the character of the surrounding landscape or be visually intrusive or prominent within the landscape.

At the request of the Landscape Projects Officer, drawings submitted subsequent to registration show the relocation of fencing, as well as details of native hedge row planting along the north west and south west edges of the range area, with the aim of reinstating the traditional field pattern from the 1900s as well as reducing the visibility of the proposed post and wire fence from the north. In addition, details of hedge planting along the east side of the proposed building have been submitted in order to provide a setting and enclosure for the building on its east side.

The Landscape Projects Officer is now satisfied that the built development will not be visually intrusive or prominent within the landscape. This scheme of planting is supported by the Landscape Projects Officer and can be made the subject of conditions on the grant of planning permission.

Although the coniferous tree block to the east of the proposed development provides an element of screening for the proposed development to the east, it is also outwith the ownership of the applicant and is due to be thinned. The Landscape Projects Officer recommends that even if this tree block were to be thinned, a sufficient level of remaining tree cover alongside the east side of the access track combined with the proposed hedgerow planting along the east side of the building would result in a negligible impact upon the level of screening currently provided, and thus a negligible impact upon the setting of the Category B listed Clerkington Walled Garden and Clerkington House Stables to the east.

No details are given of lighting for the site. Given its proposed countryside location and relative to houses in the area, the Council's Environmental Health Manager states that the design and construction of any proposed artificial lighting should take account of the Guidance contained within Annex 1 to Appendix 2 of Scottish Government Guidance to Accompany the Statutory Nuisance Provisions of the Public Health etc (Scotland) Act 2008. In order to minimise the possibility of loss of amenity for occupiers of residential properties in the area from potential light pollution, the Environmental Health Manager recommends that light trespass (into windows) of neighbouring residential properties, measured as Vertical Illuminance in Lux, (Ev), not exceed 5 between the hours of

0700-2300 and not exceed 1 between the hours of 2300-0700.

These recommendations can be made the subject of conditions on the grant of planning permission.

Subject to the above controls of lighting the proposed development, on these considerations of landscape and visual impact is, as relevant, consistent with Policies DC1 (Part 5), DP1 and DP2 of the adopted East Lothian Local Plan 2008.

The Council's Road Services raise no objection to the proposed development, being satisfied that there is adequate space within the site for parking related to staff and manoeuvring space for large vehicles (HGV's) to turn and service the site.

They are satisfied that it is not necessary for the applicant to submit a transport assessment. Nor do they recommend that cycle parking facilities are required.

Policy DP19 of the adopted East Lothian Local Plan 2008 is not a material planning consideration in the determination of the application, as there are no new roads, footways, path, cycle paths or public transport facilities being proposed.

They do however recommend several alterations to the access roads leading to the site to ensure there is adequate access to the site, particularly for large HGV's, from the public road. These alterations include widening of the access road from the A6093 south at various points, increasing the junction corner radii on either side of the access junction onto the A6093 south, and the provision of a passing space on the access track. In addition details of a swept path assessment shall be provided showing the turning manoeuvres into and out of the site and identify, if necessary, works required to the access to safely accommodate the manoeuvres.

These recommendations can be made the subject of conditions on the grant of planning permission. Subject to these recommendations being met through conditions of a grant of planning permission, the proposed development is consistent with Part 5 of Policy DC1 and Policy T2 of the adopted East Lothian Local Plan 2008.

The application site is not in close proximity to any predominantly residential areas defined by Policy ENV1 of the adopted East Lothian Local Plan 2008. There are, however, residential properties in the area of the site, as well as a houses under construction and consented at Dovecot.

The proposed poultry shed building would be some 60m metres to the north of the existing agricultural buildings of Clerkington Mains Farm, some 127 metres to the west of the residential property of Garden Cottage, some 391 metres to the east of the residential property of Clerkington Kennels, some 700 metres to the east of the residential property of Clerkington West Lodge and some 328 metres to the south of the housing development under construction at Dovecot. It is also some 146 metres to the west of the category B listed Clerkington Walled Garden and some 294 metres to the south west of the category B listed Clerkington House Stables.

Concrete stub walling in combination with polyester coated cladding construction would be used for the walls and roofs of the proposed poultry shed. The Noise Risk Assessment submitted with the application, together with technical objections and technical response to objections from the applicant's agent have been the subject of detailed discussions with officers of the Council's Environmental Health service. The Environmental Health Manager raises no objection to the proposed development, being satisfied that noise from the operation of the proposed development would not have an

unacceptable impact on existing or future occupants of nearby houses.

In order to minimise the possibility of loss of amenity for occupiers of nearby residential properties due to operational plant or machinery noise the Environmental Health Manager recommends that:

(i) the noise rating level, measured as LArTr of noise associated with any plant or equipment within the proposed building, when measured 3.5 metres from the facade of any neighbouring residential property, be no more than 5 dB(A) above the background noise level LA90T, all in accordance with BS 4142:2014 'Methods for rating and assessing industrial and commercial sound'.

(ii) Noise associated with the operation of any associated plant or equipment serving the Poultry Shed shall not exceed Noise Rating curve NR20 at any octave band frequency between the hours of 2300-0700 and Noise Rating curve NR25 at any octave band frequency between the hours of 0700-2300 within any neighbouring residential property. All measurements to be made with windows open at least 50mm.

(iii) Prior to the operation of the premises as a poultry shed the applicant shall prepare and submit a Noise Management Plan to the Planning Authority for approval

The operation of the development in accordance with an approved noise management plan can be made the subject of conditions on the grant of planning permission.

The Council's Environmental Health Manager raises no objection to the proposed development in respect of potential odours from the operation of the proposed development, being satisfied that odours at closest receptors are within SEPA Guidelines for moderately offensive odours (e.g. Intensive Livestock Rearing) averaged over a one year period.

In order to minimise the possibility of loss of amenity for occupiers of nearby residential properties due to associated odours, the Environmental Health Manager recommends that prior to the operation of the premises as a poultry shed the applicant shall prepare and submit an Odour Management Plan to the Planning Authority for approval.

Subsequent to this approved odour management plan being implemented, if odour issues were to arise, the Environmental Health team would investigate. That team has existing powers under Statutory Nuisance regime to deal with any odour nuisance.

The Environmental Health Manager therefore raises no objection to the proposed chicken sheds development in respect of the potential impact of odour emissions.

The operation of the development in accordance with an approved odour management plan can be made the subject of conditions on the grant of planning permission.

Complaints from local residents are likely if dust becomes apparent at their homes. Visible dust on window sills, the paintwork of cars, on washing hanging out to dry, and on vegetation would be a source of annoyance.

The Environmental Health Manager raises no objection to the proposed chicken shed development in respect of potential dust emissions. He advises that Air Quality Objective levels set in statute will be met due to the existing low background PM10 (Particulates <10um in diameter) levels and low contribution from the proposed development. Furthermore, he advises that due to the substantial fall off with distance of larger dust particles which may originate from the proposed sheds he is satisfied that there will be no

noticeable levels of dust at neighbouring receptors.

Subject to the above controls, the proposed development would not, through impacts of odour emissions and air quality, noise, or dust, be harmful to the amenity of the occupants of nearby residential properties. It is therefore consistent with Policies DC1 (Part 5) of the adopted East Lothian Local Plan 2008.

The Council's Biodiversity Officer raises no objection, and raises no biodiversity concerns over the site, being satisfied that the proposed fencing that will surround the proposal will result in there being no impact of chickens in the surrounding landscape.

The Council's Archaeological/ Heritage officer raises no objection to the proposals, being satisfied that the proposal would have a negligible impact on the heritage value of the landscape due to the relatively small footprint of the building combined with the lack of known remains in the general area.

Historic Environment Scotland has been consulted on the application and raises no objection to the proposals.

The Council's Access Officer raises no objection to the proposals being satisfied that there would be no negative effect on the core path network. They note that although there are access rights allowing the public to walk along the gravel access track to the application site, it is not recorded as a right of way or a core path. They do however recommend that the public access along the gravel track is not blocked during or after construction.

CONDITIONS:

- 1 All planting comprised in drawing no. IP/JP/04/E docketed to this planning permission shall be carried out in the first planting and seeding season following the completion of the building and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

Reason:

In order to ensure the implementation of a landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area.

- 2 No external lighting shall be installed within the application site unless in accordance with details of it submitted to and approved in advance by the Planning Authority. Any such lighting shall be positioned and designed to ensure that no light from within the site spills beyond the boundaries of the site and shall meet the following requirement:

Light Trespass (into windows) of neighbouring residential properties, measured as Vertical Illuminance in Lux, (Ev), shall not exceed 5 between the hours of 0700-2300 and shall not exceed 1 between the hours of 2300-0700.

Reason:

In order to minimise the possibility of loss of amenity for occupiers of residential properties in the area due to light pollution.

- 3 The noise rating level, measured as LArTr of noise associated with any plant or equipment within the proposed building, when measured 3.5 metres from the facade of any neighbouring residential property, be no more than 5 dB(A) above the background noise level LA90T, all in accordance with BS 4142:2014 'Methods for rating and assessing industrial and commercial sound'.

Noise associated with the operation of any associated plant or equipment serving the Poultry Shed shall not exceed Noise Rating curve NR20 at any octave band frequency between the hours of 2300-0700 and Noise Rating curve NR25 at any octave band frequency between the hours of 0700-2300 within any neighbouring residential property. All measurements to be made with windows open at least 50mm.

Reason:

In order to minimise the possibility of loss of amenity for occupiers of residential properties in the area due to operational plant or machinery noise.

- 4 Prior to the operation of the premises as a poultry shed the applicant shall prepare and submit a Noise and Odour Management Plan to the Planning Authority for approval.

The poultry shed hereby approved shall be operated in strict accordance with the Noise and Odour management plans submitted to and approved by the Planning Authority unless otherwise approved by the Planning Authority.

Reason:

In the interests of the amenity of residents of the area.

- 5 At the current road junction with Pencaitland Road (A6093), at Blackhouse Bridge, the access road shall be widened to at least 6 metres carriageway width over the first 40 linear metres, measured from the A6093 south. In addition the junction corner radii on either side (i.e. at the bell mouth of the existing junction) shall be increased to at least 10.5 metre radius. This is all to enable adequate manoeuvring space for large HGV's and allow two-way movement of vehicles in the vicinity of the junction. All the works shall be laid out and constructed to ELC Standards for Development Roads. Details shall be submitted for approval.

Additionally travelling south from the junction at the first bend in the road at Blackwood (house), approximately 100 linear metres from the junction with the A6093, the roads running carriageway shall be widened to at least 6 metres width over a distance of at least 50 metres. This is to enable adequate two-way movement of vehicles and forward visibility around the bend to accommodate the increased use of the road by larger vehicles. All the works shall be laid out and constructed to ELC Standards for Development Roads. Details shall be submitted for approval.

Again travelling south from Blackwood (house) towards the access into the site at least one passing place having a length of at least 20 metres. The passing place must widen the roads running carriageway to at least 6 metres. All the works shall be laid out and constructed to ELC Standards for Development Roads. Details shall be submitted for approval.

At the site access to the site, from the road running north to south from the A6093, the applicant must evidence that the dimensions of the junction are physically capable of enabling a large HGV to access/egress the site. Details of a swept path assessment shall therefore be provided showing the turning manoeuvres into and out of the site and identify, if necessary, works required to the access to safely accommodate the manoeuvres.

Reason:

In the interests of road safety.