



Planning Services

COMMITTEE REPORT

AGENDA ITEM NUMBER:

APPEALS DETERMINED

Appeal against the refusal of planning permission for Retrospective change of use of land to leisure use including motor sport (sui generis), incorporating ancillary operational development (DM/15/02137/FPA) on land to the South of Quickburn Quarry and Drover House Lane, Satley.

An appeal against the refusal of planning permission for the above was received in June 2016, the application having been refused at the Strategic Committee meeting in October 2015 (the application referred to that Committee on the basis of the size of the application site - this report will also be forwarded to them). The application was refused for the following reasons:

- 1. The use will significantly compromise the rural character of countryside tranquillity within the AONB designated landscape, and further be visually obtrusive in the landscape, contrary to relative weight given to Policies EN1, EN5 and EN26 in the saved policies of the Derwentside District Local Plan and the advice in the NPPF.*
- 2. The use will generate noise of an adverse impact to a degree likely to compromise the protection of the amenities of neighbouring occupiers and land users, and in particular, those residential properties in Drover House Lane, contrary to the relative weights given to Policies GDP1 and EN26 of the saved policies in the Derwentside District Local Plan taking into account the advice set out in the NPPG.*

The Planning Inspector dismissed the appeal, concurring with the Council that the NPPF gave 'great weight' to conserving the landscape and scenic beauty of the Area of Outstanding Natural Beauty (AONB) – 'I do not see how such statutory requirements, the aims of such advice, or indeed, the compatible 'saved' policies cited above, could possibly be interpreted to condone the construction or reinstatement of a previously unauthorised motocross track in

this location'. Assessed in detail from a number of viewpoints the scheme was concluded, 'unnatural, incongruously intrusive and visually damaging'.

The effects of the proposals in terms of implications of vehicle movements and the use itself, ' would also introduce noticeable activity and noise into an area of relatively remote and tranquil countryside', which 'would further fail to conserve or enhance the natural beauty of this AONB'.

In terms of the 'noise' element of the proposals, the Inspector set out a detailed critique of the applicant's noise assessment and proposals, both finding significant elements of concern and questioning the applicant's ability to enforce their proposed management plan. The effect on local residents was concluded unacceptable.

The Inspector concluded, 'this scheme would undermine the statutory purpose of designating this AONB and impair the rural character of this tranquil moorland landscape. It would also result in activities that would intrude into the peace and quiet that might reasonably be expected by people in the vicinity and by nearby residents. The appeal was dismissed.

Enforcement Officers made immediate contact with the applicant and their agents regarding the reinstatement of the land to its former appearance.

RECOMMENDATION

That the report be noted.

Reports prepared by Steve France (Senior Planning Officer).