

Planning Committee

20 August 2008



Proposed land improvement by spreading of construction waste soils to provide land for agriculture, woodland, ponds and wetland and new bridleway/cycle routes at Old Bush Landfill Site, near Ouston, County Durham for W & M Thompson (Earthworks) Limited: Appeal Decision

Report of Rod Lugg, Head of Environment and Planning

Purpose of the Report

- 1 To inform the Committee of the outcome of an appeal against the County Council's refusal of planning permission for the above development.

Background

- 2 In October 2007 the Planning Committee refused planning permission for the development on the grounds that there was no demonstrated need or environmental benefit in improving the agricultural quality of the land by the importation of waste materials and that the re-use or recycling of the material or its utilisation at existing sites with tipping space in the locality would have more environmental benefits. Furthermore it was thought that there would be unacceptable loss of amenity caused by the operations and that the position of the proposed access was unacceptable as shown.
- 3 The applicant appealed against the Council's decision which was dealt with by the written representation procedures. The Planning Inspector's decision letter was issued on 29 July 2008 and advises that she has dismissed the appeal.

Reasons for the Decision

- 4 The Planning Inspector considered the main issues to be (a) whether there is a demonstrated need or overall environmental benefit which would justify the proposed scheme; (b) whether there is sufficient tipping space elsewhere in the locality with a requirement for the material that should take priority over the proposed site; (c) the effect of the proposed development on the living conditions of residents at the Drum Road Travellers Site and Ouston Springs Farm Cottages, paying particular attention to noise and dust; and (d) the effect of the proposed development on highway safety.

- 5 A revised access arrangement was proposed through the appeal process to which the Head of Highway Management Services had no objection and the Planning Inspector found generally acceptable.

Planning Inspector's Conclusion

- 6 Notwithstanding her considerations with regard to highway safety, the Planning Inspector found the determining issues in this appeal to be the lack of demonstrated need for and the lack of overall environmental benefit which would result from the scheme; the lack of priority for developing this site compared with the need to complete and restore other more degraded landscapes; and the harm that would be caused to the living conditions of nearby residents by virtue of increased noise all contrary to County Durham Waste Local Plan policies.

Conclusion

- 7 The Committee is asked to note the decision a copy of which is available in the Members Resource Centre. It can also be viewed via the County Council's website.

Background Papers

Planning application and supporting statement, plans and additional information on planning application file ref: CMA/2/11 and appeal decision letter.

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Local Members: Councillors Carr and Potts (Ouston and Urpeth)
Councillors Cordon and May (Pelton)
