

DURHAM COUNTY COUNCIL
PLANNING COMMITTEE

AT A MEETING of the **Planning Committee** held at the County Hall, Durham on **Thursday 24 July 2008** at **10.30 a.m.**

PRESENT

COUNCILLOR RODGERS* in the Chair

Members:

Councillors Alderson*, Armstrong*, B Bainbridge*, Barnett*, A Bell*, Burnip*, Dixon*, Fergus, Holland*, Holroyd*, Liddle*, Maddison*, B Myers, Richardson*, Shield*, Taylor*, Allen Turner*, Walker, Williams*, and Young.*

Other Members:

Councillors: Blakey* and Morgan*

Apologies: Councillors Bell E, Stoker, Temple and Zair

Members shown with an asterisk* attended the site visits to Tursdale and Quarrington

A1 Minutes

The Minutes of the meeting held on 18 June 2008 were confirmed by the Committee as a correct record with the following amendment and signed by the Chairman.

Minute A6 – Easington Local Development Framework

“Councillor Burnip welcomed the report and not Councillor Richardson as recorded in the Minutes.”

The Head of Environment and Planning informed the Committee that agreement had been reached with Timothy Hackworth Primary School regarding the re-painting of the storage containers at the site.

A2 Applications to be determined by the County Council

a) City of Durham District: Change of use to Recycling Recovery Facility at the former National Coal Board building, Tursdale, for Greencycle Plc, (Retrospective Planning Application)

The Business Manager, Planning Development Control presented a report on the application (for copy see file of Minutes).

He told the Committee that no additional representations had been received since the meeting held on 18 June 2008. He added that the National Policy Framework and Local Plan supports recycling and that the development would support the need to meet the targets identified by Government. There was an established use and as a new business had created employment with over 120 full-time jobs. He informed the Committee that no objections had been received from local residents in Ramsey Street

Councillor Williams and Councillor Blakey, the Local Members thanked the Committee for holding a site visit and expressed their concerns relating to traffic on the A688 which they would refer to the Head of Highway Management for consideration.

Councillor Morgan expressed his concerns over the fire risk with the storage of paper and plastics and, whilst representatives at the site had explained that fire risks are limited due to the rapid turnover and throughput of materials, the operator would rely upon conventional fire fighting measures should such a situation arise. Councillor Morgan suggested that the Fire Authority be asked to increase the number of visits to the site as part of the precautionary measures in place.

Councillor Dixon said that it was important to visit the site and he now felt that the site was suitable for this type of operation.

Resolved:

(i) Planning permission be granted for the material Recycling Receiving Facility for the following reason:

The use of the building would not be unduly obtrusive or adversely impact on the local community or environment, nor would it negatively impact on the surrounding road network. The proposal accords with Policies W36, W38 and W33 of the County Durham Waste Local Plan relating to the location of material Recycling Receiving Facilities and appropriate environmental mitigation measures, and Policy EMP7 of the City of Durham District Local Plan in relation to Tursdale Business Park.

(ii) Greencycle Plc are advised of the Planning Committee's concern that the change of use of the building commenced without the benefit of planning

permission and are reminded of the need to clarify and follow planning requirements about developments it intends to carry out.

b) **Wear Valley District:** Composting of pre-shredded green waste at former Scoby Scaur Waste Disposal Site, Newfield, near Willington for Premier Waste Management Ltd

The Business Manager, Planning Development Control presented a report on the application (for copy see file of Minutes).

He informed the Committee that Wear Valley District Council had no objection and that the Environment Agency had asked for a risk assessment to address any environmental concerns within their remit but was satisfied with the proposals, subject to conditions to be included regarding spreading of the material outside the flood plain.

Waste policies were generally supportive of outdoor composting and landfill sites have conditions relating to restoration. There were no issues relating to noise and smells due to the distance from local residences. The proposal also includes pro-active conditions for the control of vermin.

Councillor Burnip asked if this was similar to the Thornley operation and was informed that it was not the same. The material would be green waste and once composted spread on the land and not moved off the site.

Councillor A Bell asked if the waste would be monitored to ensure that it meets the criteria and also to monitor the effects on wildlife. It was explained that this was a 12 week operation which would be monitored by the applicant. There was no requirement for independent assessments under the terms of the licence exemption. Natural England's advice concerning protected habitats and species would be attached as an informative to any planning permission.

Resolved:

that planning permission be granted for the proposed development subject to appropriate conditions to cover time limits and to mitigate any potential environmental effects, for the following reason:

The proposals would contribute to targets associated with the recycling and re-use of waste materials in accordance with national and local strategies and given the scale, location, and nature of operations the proposals would not give rise to significant visual, amenity, highway or environmental concerns. The development would accord with Policies W9, W31, W33 and W42 of the County Durham Waste Local Plan.

As the development is intended to be temporary the applicant be advised that the Planning Committee expects that every reasonable effort is made to identify and develop suitable alternative sites for green waste composting

within the period specified by this consent.

c) **Teesdale District:** Composting of pre-shredded green waste at Bolam Quarry, Bolam for Premier Waste Management Ltd

The Business manager, Planning Development Control presented a report on the application (for copy see file of Minutes).

The Business Manager, Planning Development Control advised that the views of Teesdale District Council had now been received and it had no comments to make. He clarified that the Bolam Parish Meeting had not specifically stated no objections in its comments and that 75 people from Bolam had signed the petition against the development. In relation to amenity issues, there should be no issues regarding noise and smell as the housing was some distance away. Vehicle movements should not be an issue as these were likely to be limited overall and there had been 3 recorded accidents in the last 10 years on the neighbouring 'B' road.

Councillor Fergus, the Local Member informed the Committee that local residents were unaware of the requirement to give prior notice if they wished to address the Committee, however, as their Local Member she wished to speak on their behalf. She said that Bolam Parish Meeting had never considered the application and one of the main issues during the election campaign was this proposed development. Local people did not want this development because of the number of lorries passing through on a daily basis. Local people believed that the level of consultations had been inappropriate.

Councillor Richardson, also a Local Member agreed with Councillor Fergus and explained that the petition signed by 75 people against the application represented the whole population of the village. He explained that what appears on the plan to be a simple crossroads was not so as this is an old Roman road and on approaching the junction it is actually a blind spot and that whilst there had only been three accidents there had been a number of near misses.

Councillor Fergus reiterated that no-one in Bolam wants this application to succeed and she was supported by Councillor Myers who said that it was clear by the number of Bolam residents present that were not happy with the application either. He supported the view that a decision should be deferred and a site visit held.

Resolved:

that consideration of the planning application be deferred for a site visit to be undertaken.

d) **City of Durham District:** Proposed facility for the anaerobic digestion of agricultural manure, agricultural crops and potato waste to produce energy for the National Grid and nutrient rich organic crop fertiliser on land at Quarrington Farm, Old Quarrington for Johnson Brothers

The Head of Environment and Planning presented a report on the application (for copy see file of Minutes). He reported that two additional letters of support had been received and concluded that:

Planning policy is generally supportive towards sustainable waste management initiatives and seeks to make provision for small scale anaerobic digestion facilities as part of farm diversification, where proposals would make use of existing farm buildings or hard standings and process waste by products.

Whilst the proposal would have some environmental benefits in terms of electricity production and soil improvements, the plant would be located on open, agricultural land, set away from the other farm buildings and would largely process imported crops and other waste materials generated off site. Although it would not be particularly prominent in distance views the scale, height, appearance and character of the structures are such that despite some screening, the proposal would have an adverse visual impact on the local rural landscape.

Accordingly the Head of Environment and Planning recommended refusal of the application.

The Committee heard representations from Mr Philip Johnson, the applicant, owner and farmer of the land at Quarrington Farm. (For copy see file of Minutes).

Councillor Armstrong stated that as there had recently been an election with a significant number of new Members elected he was astonished to hear the integrity of Members challenged in this way. He felt that the proposal had some merits but that it was in the wrong place. Other Members shared Councillor Armstrong's views and stated that they looked on every application with an open mind.

Councillor Morgan stated that having being personally maligned with the suggestion he had bullied officers and members of the Committee to oppose the proposal was incorrect. He objected to this accusation and asked the applicant to withdraw the remarks. Local residents were against this proposal and he referred to the Environment Agency's views in paragraph 13 of the officer's report particularly in regard to local amenity. He asked that the application be refused.

Councillor Burnip said that as a new member he had no pre-conceived views on the proposal. Clearly it was a lovely location with beautiful views and from

experience of the digester in his area he was of the opinion that although they have a role to play, this was not the place.

Councillor Dixon said that he would move to accept the application on the basis that there were contradictions relating to the import of materials. The new road currently being built was more of a scar on the landscape and he would support the applicant's proposal. The Head of Environment and Planning said that most of the materials were coming from the applicant's farms in various locations.

Councillor Alderson expressed his dissatisfaction with Mr Johnson's comments. He had over 16 years experience on planning matters and he approached this application with an open mind. This application had many good points despite the concern about the visual impact.

The Chairman reminded Members that only those who had attended the site visit could vote on this matter.

Resolved:

that the application be permitted for the following reason

The proposed development would have waste recycling, re-use and renewable energy benefits in line with national planning guidance that would outweigh the requirements of Policy W44 of the Waste Local Plan and any adverse local, visual and amenity impacts arising from its size, location and appearance.

A3 Development by the County Council

a) Chester-le-Street District: Proposed erection of a waiting shelter and cycle storage shelter on land at Park View Community School, Lombard Drive Chester-le-Street (Regulation3)

The Head of Environment and Planning presented a report on a proposed erection of a waiting shelter and cycle storage shelter on land at Park View Community School, Lombard Drive, Chester-le-Street (for copy see file of Minutes)

Resolved:

that planning permission be granted for the following reason, subject to a relevant condition concerning the colour of the shelters.

The proposed structures by reason of their purpose, scale, location and colour would not significantly detract from the appearance of the existing school buildings and grounds or the amenities of the surrounding residents.