

Item No 2(b)

Planning Committee

19 November 2008

**Applications to be determined
by the County Council**



**Report of John Byers, Business Manager,
Planning Development Control**

Purpose of the report: To enable the Committee to determine an application for planning permission which has been received in accordance with the requirements of the Town and Country Planning Act 1990.

Derwentside District: Retention of Household Waste Recycling Compound for a further 5 years at Brooms Dene, Leadgate, Consett. Application to vary Condition 1 of Planning Permission 1/2006/0657, for Premier Waste Management Ltd.

Background

- 1 Planning permission was granted in 1981 for the provision of a household waste recycling compound at the then operational Brooms Dene waste disposal site, near Leadgate. This was originally granted for a temporary period of 10 years but has subsequently been extended on six occasions. The current permission was granted in September 2006 for a two years period and has now expired. A further five years extension is sought to allow a more suitable alternative site to be found in the Consett area.
- 2 The Brooms Dene site serves residents within the Consett, Castleside, Leadgate and Dipton areas and receives the third highest tonnage of the County's 15 Household Waste Recycling Centres (HWRC's). A number of alternative sites have been considered over the years, but to date and for various reasons, it has not been possible to find a viable site.
- 3 The County Council is currently undertaking a review of HWRC's as part of its waste procurement strategy, and considers that the future of the Brooms Dene site and any alternative should be informed by the review. This is not expected to be completed until 2010 and the strategy would need to be implemented thereafter. Seeking an alternative site for Brooms Dene is therefore considered to be inappropriate until the review is complete.
- 4 In the meantime there needs to be an accessible site in this part of the County to offer recycling of a range of materials. If this is not provided there is likely to be an adverse affect on recycling rates and the possibility of increased fly tipping. In order to maintain the service the facility provides, an extension of time to continue using the existing site is being sought.

Site

- 5 The site has an area of approximately 0.2 ha and is accessed from Brooms Lane (C10 Road) as shown on the attached plan. In accordance with earlier management requirements, the compound has been re-organised in order to separate public users from skip emptying operations. Separate recycling facilities for paper, waste oil, metal, green waste and rubble and all equipment covered by the Waste Electrical and Electronic Equipment Regulations have been provided. The site is open all year round except Christmas Day and New Year's Day, and is manned and supervised during operating hours. Day to day management controls and safeguards are provided through an Environment Permit administered by the Environment Agency.

Consultations and Representations

- 6 Derwentside District Council has no objections to the proposal.
- 7 Greencroft Parish Council supports the application. However, the Council has requested that a condition be attached to any permission granted that routes HGV traffic to and from the HWRC via the Jolly Drivers roundabout using major roads. Currently traffic associated with the operations has been observed using minor roads through Stony Heap and Maiden Law crossroads.
- Comment: The routing of traffic to and from a development site cannot be controlled via a Planning Condition as such and is normally covered by legal agreement where necessary on major schemes. Entering into a legal agreement for a development of this scale that has operated for many years is not considered to be appropriate. However, Premier Waste Management has been requested to minimise HGV movements on minor roads leading to the site where possible and has agreed to instruct its drivers accordingly. I have written to the Parish Council to explain the position.*
- 8 The Environment Agency has no objections to the application.
- 9 The application has been advertised on site, in the press and the nearest residents informed. No representations have been received.

Planning Comment

Policies

- 10 The County Durham Waste Local Plan recognises that HWRC's need to be located near to the County's main centres of population to maximise their accessibility and usage. Policy W37 permits these where they help achieve a network of facilities accessible to centres of population and where they can be satisfactorily located on land identified for general industrial use; or on previously developed land in sustainable locations; or as part of an existing waste management facility. Policy W33 requires waste development to incorporate suitable mitigation measures to ensure any harmful impacts are kept to an acceptable level.
- 11 The provision of HWRC's also forms a key part of the County Council's Municipal Waste Management Strategy for recycling, as these facilities make a considerable contribution to the County's recycling rate. The strategy states that sites for HWRC's should maximise their potential in terms of the location and range of facilities they are able to provide.
- 12 Having regard to the above policy considerations it is apparent that Brooms Dene is not ideally located as a recycling facility being situated in the open countryside and relatively remote from the main centres of population. It is also small in size and limited in terms of the range of up to date facilities it can provide. Retention of the facility for a further temporary period would therefore represent a minor departure from the development plan.

- 13 Notwithstanding the applicant's reasons for requiring a further five years consent, it is not considered that this period is justified in planning terms. The operator has been consistently advised over an extended period that Brooms Dene is not a suitable long term location for a facility of this nature. It is acknowledged that attempts to identify an alternative site, which is better related to those it serves, have been unsuccessful. However it is important to keep the position under review and take advantage of opportunities that may arise following waste procurement assessments. Continued use for a further three years would be more appropriate in terms of the retention of the facility until completion of these assessments and would encourage the search for alternatives in line with WLP policy at a suitable early point.

Residential Amenity

- 14 There are several isolated farms in the vicinity of the site, the nearest being Low Brooms Farm located approximately 270 metres to the west. The waste facility would operate within existing planning and licensing conditions and there have been no recorded complaints about the use in recent years. Its retention for a further three years would not therefore raise new amenity issues. The Environmental Health Officer at Derwentside District Council has no adverse comments to make on the application.

Visual Impact

- 15 The permission granted in 1997 provided for the construction of a 3m high earth bund along the south and west sides (principally to screen the site from Low Brooms Farm) and planting of a hedge on the site's eastern boundary. The bund and planting has helped screen activities on the site.

Traffic Considerations

- 16 Access to and from the site along Brooms Lane (C10), an otherwise lightly trafficked country lane, would continue. Some initial sorting of the waste takes place on site before it is despatched in skips or containers to various treatment or re-processing facilities, including Joint Stocks Quarry, Coxhoe. There are no restrictions on vehicle movements in relation to the existing activities at the site although the operator has confirmed that currently 36 HGV's associated with the operation (18 in and 18 out) access the site daily, with a maximum of 54 HGV's (27 in and 27 out) at the weekend. The Head of Highway Management Services has no objections to the proposal but is amenable to the suggestion that Premier Waste Management's skip vehicles access the major roads via the Jolly Drivers roundabout in order to avoid the narrow minor roads to the east of the site.

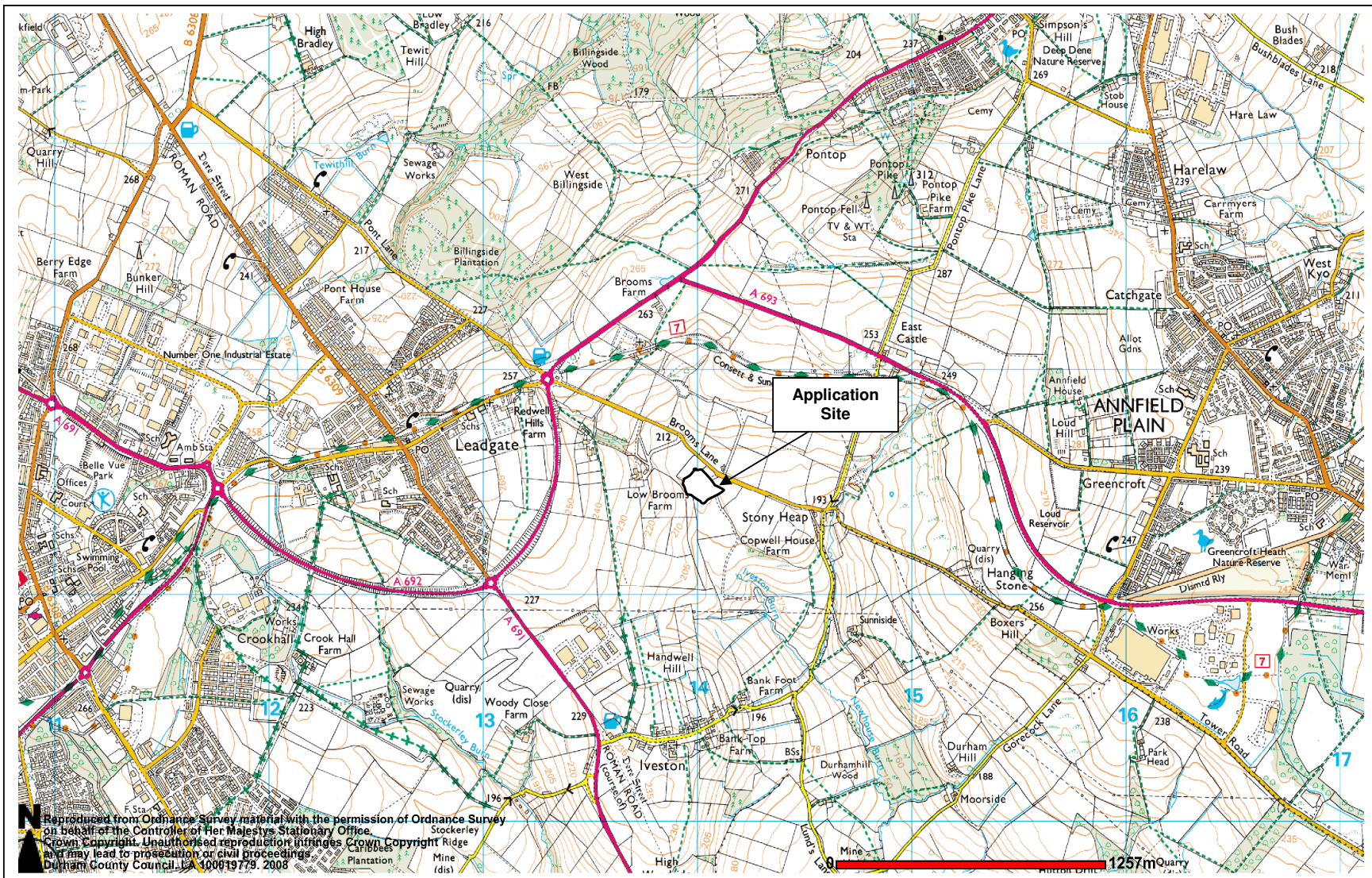
Recommendation and Reasons

- 17 The proposal to retain the temporary household waste recycling centre at Brooms Dene does not fully accord with the saved policies within adopted Waste Local Plan relating to the preferred permanent locations for such facilities (WLP 37). Nevertheless having regard to the review that is underway and the need to maintain this facility in the short term pending provision of a permanent site, I **recommend** that planning permission is granted for a further three years, subject to continuing controlling conditions, for the following reasons:
- i) The existing site is well used and needed for a further three years whilst a more permanent solution is found in line with the objectives of Policy W37 of the WLP.
 - ii) Controls on the use, operation and general appearance of the facility will continue through conditions on the planning permission in accordance with Policy W33 of the WLP. Day to day waste management issues are controlled through the Environment Permit issued by the Environment Agency.

Minor Departure

Background Papers: Application, consultations and responses, site location plans.

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Local Members: Councillors Shield and Stelling



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