

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/18/02732/WAS
FULL APPLICATION DESCRIPTION:	Change of use to green waste composting
NAME OF APPLICANT:	Durham County Council
ADDRESS:	Joint Stocks Landfill Site, Quarrington Hill Road, Coxhoe
ELECTORAL DIVISION:	Coxhoe
CASE OFFICER:	Chris Shields, Senior Planning Officer, 03000 261394, chris.shields@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site is located within Joint Stocks landfill site, a former quarry that has been used as a landfill since 1974. The site has planning permission for operation as a landfill until 2042, although it is not currently in active use with only interim restoration works being carried out at present. Within the remaining quarry void, at the southern end of the site, is the site access road, weighbridge, wheelwash, site offices and plant parking area. In the south east corner of the site is a concrete pad that was constructed for the composting of green waste on a temporary basis. The composting area is bounded by the landfill site to the north east, the site offices, plant area and weighbridge to the north west and the former quarry faces to the south east and west. The site is bordered by woodland on all sides.
2. The application site is not within any landscape or ecological designations. Quarrington Hill and Coxhoe Bank Local Wildlife Sites (LWS) are located approximately 100m to the north and west of the site, Coxhoe Ponds LWS is located 550m to the north and Raisby Pond LWS is located 1km to the south east. Raisby Hill Quarry Site of Special Scientific Interest (SSSI) and Raisby Hill Grassland SSSI are located approximately 1km to the south east and Quarrington Hill Grasslands SSSI is located approximately 1.2km to the north.
3. There are no listed buildings or heritage assets within the site. The nearest listed buildings are the Grade II War Memorial at Coxhoe Front Street approximately 750m to the south west of the site, the Grade II Commemorative Monument at Church Kelloe approximately 1.6km to the east of the site and the Grade I Parish Church and Cross, also at Church Kelloe approximately 1.7km to the east of the site.

4. The nearest residential properties to the proposed development are located 320m to the south west in Coxhoe and 580m to the east in Kelloe. The nearest public right of way (PRoW) is Footpath No. 20 (Coxhoe Parish) which runs north to south at the western end of the site, approximately 35m from the proposed composting area.

The Proposal

5. The most recent planning permission for composting at Joint Stocks was granted in 2002 for a temporary period of 12 years, although composting at the site ceased in 2011 following the winding up of the operator, Premier Waste Management. The composting area has been dormant for the past 7 years and the original planning permission lapsed within this time.
6. Planning permission is now sought to bring the existing composting area back into use. The composting area is situated in the south west corner of the site and is comprised of a large impermeable concrete pad that is slightly inclined to the west so that any water flows to the drainage ditches on the western perimeter. The composting area shares a site access, weighbridge, offices and welfare facilities with the wider Joint Stocks landfill and therefore no construction works would be required. The proposal is therefore only to allow composting to recommence and continue until the end of 2041, or when then landfill site is restored.
7. The development would involve the importation of up to 25,000 tonnes per annum of green waste collected from residential properties within County Durham. This would be brought to the site in waste collection vehicles or would be bulked up offsite and brought in larger lorries to reduce vehicle movements. Green waste within County Durham is collected by a fleet of ten 26 tonne waste collection vehicles, each of which are capable of collecting up to 10.5 tonnes each. It is estimated that 70% of the deliveries would be from the waste collection vehicles.
8. The green waste collection service in County Durham operates for 34 weeks per annum from the end of March until mid-November. Green waste would be brought to the site and stockpiled on the composting pad before being shredded and placed in windrows. The compost windrows would be approximately 4 metres high and 5 metres wide by 50-60 metres in length, each containing approximately 600 tonnes of compost. Each windrow would be turned approximately 6 times over an 8 week period with a loading shovel before the material is screened and ready for use. Any oversize material leftover after screening would be placed back in the windrows.
9. The working hours for the site would be 0700 to 1800 Monday to Friday and 0700 to 1600 Saturdays with no working on Sundays or Bank Holidays, which are the same hours as the wider site including the landfill. Composting operations would begin in mid-March with the first collections and would continue until January to account for the 8 week composting period following the last collection in mid-November.
10. The site would produce 12000 to 14000 tonnes per annum of compost at public standard quality (PAS100), at which point it would cease to be waste. The product would be used by the Council for grounds maintenance and construction and also made available to community groups, farmers and ground work companies.
11. The proposed development would allow the Local Authority to process all green waste in house rather than contracting to other providers, which would generate a predicted cost saving in excess of £100,000 per annum.

12. This application is being determined by the County Planning Committee as it is a major waste development with a site area of more than 1ha.

PLANNING HISTORY

13. The application site was a former quarry and is now an established integrated waste management facility combining a landfill with recycling areas, welfare cabins and offices, weighbridge and wheelwash. The site has been in use as a landfill since 1974 and has permission until 2042. Planning permission was granted at the site for waste recycling in 1997 with permission for the composting facility following in 2001 for a temporary period of 10 years under Planning Permission CMA/4/4.

PLANNING POLICY

NATIONAL POLICY

14. A revised National Planning Policy Framework (NPPF) was published in July 2018. The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
15. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
16. *NPPF Part 2 - Achieving sustainable development.* The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
17. *NPPF Part 4 - Decision-making.* Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
18. *NPPF Part 6 – Building a strong, competitive economy.* The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and a low carbon future.

19. *NPPF Part 9 – Promoting sustainable transport* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
20. *NPPF Part 14 – Meeting the challenge of climate change, flooding and coastal change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
21. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.
22. *NPPF Part 16 Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

<https://www.gov.uk/guidance/national-planning-policy-framework>

23. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality, noise, transport, flood risk, waste and use of planning conditions.

<https://www.gov.uk/government/collections/planning-practice-guidance>

24. National Planning Policy for Waste sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. Waste Planning Authorities should only expect a demonstration of need where proposals are not consistent with an up to date Local Plan and should not consider matters that are within the control of pollution control authorities. Waste proposals should not undermine the objectives of the Local Plan and should be environmentally sensitive and well designed. Of further relevance is the Waste Management Plan for England, which also advocates the movement of waste up the waste hierarchy in line with the requirements of the European Waste Framework Directive (WFD). One such requirement is the 'proximity principle' (Article 16) which stipulates self-sufficiency; an 'integrated and adequate network of waste disposal installations' and that waste management should be at the nearest appropriate installations.

<https://www.gov.uk/government/publications/national-planning-policy-for-waste>

LOCAL PLAN POLICY:

County Durham Waste Local Plan (2005)

25. *Policy W2 – Need* – requires the demonstration of need for a particular development which cannot be met by an alternative solution higher up the waste hierarchy.
26. *Policy W3 – Environmental Protection* – states that proposals for new development will be required to demonstrate that the natural and built environment and the living conditions of local communities will be protected and where possible enhanced.
27. *Policy W4 – Location of waste management facilities* – states that proposals for new waste management facilities will be determined having regard to protection of the environment and local amenity, traffic impacts, opportunities to integrate with other facilities or developments which will benefit from the recovery of materials and to extend or develop existing waste management facilities.
28. *Policy W7 – Landscape* – states that proposals for waste developments which would result in the loss of important landscape features or which would have a significant adverse effect on the character of the landscape will not be permitted
29. *Policy W17 – Nature Conservation (Minimisation of Adverse Impact)* – states that proposals should incorporate measures to ensure that any adverse impact on the nature conservation interest of the site is minimised.

Policy W18 – Listed Buildings – states that proposals for waste developments which would result in the demolition, alteration with adverse impact, damage or other adverse change to the special character or setting of a listed building will not be permitted unless it can be demonstrated that there are no alternative sites available and there are imperative reasons of over-riding public interest sufficient to outweigh the loss of or damage
30. *Policy W24 – Public Rights of Way* – States that waste development will be permitted where there will be no significant adverse impact upon the recreational value of the countryside, including the local path network, country parks and picnic areas
31. *Policy W26 – Water resources* – Proposals for waste development which does not involve landfill or landraise will not be permitted unless it can be demonstrated that there will be no significant adverse impact or significant deterioration to: the quality of surface or groundwater resources; and the flow of surface or groundwater at or in the vicinity of the site.
32. *Policy W29 – Modes of transport* – requires that waste development incorporate measures to minimise transportation of waste.
33. *Policy W31 – Environmental impact of road traffic* – states that waste development will only be permitted if traffic estimated to be generated by the development can be accommodated safely on the highway network, the amenity of roadside communities is protected, the strategic highway network can be safely and conveniently accessed and the impact of traffic generated by the development on local and recreational amenity is otherwise acceptable.
34. *Policy W32 – Planning obligations for controlling environmental impact* – states that in granting planning permission for waste development, planning conditions be imposed to cover, in addition to other issues, the prevention of the transfer of mud, dust, or litter onto the public highway by measures including the provision of wheel cleaning facilities, suitably metalled access roads and the sheeting of laden vehicles.

35. *Policy W33 – Protecting local amenity* – requires that suitable mitigation measures are incorporated into proposals to ensure that any harmful impacts from noise, odour, litter, vermin, birds, dust, mud, visual intrusion and traffic and transport are kept to an acceptable level.
36. *Policy W36 – Locations for Waste Recovery Facilities* - states that unless it can be clearly demonstrated that any environmental impacts can be effectively mitigated proposals for new or the expansion of existing waste management facilities should be fully contained within well designed buildings or enclosed structures appropriate to the technology or process and appropriate in scale and character to their surroundings.
37. *Policy W42 – Outdoor Composting* – supports outdoor composting proposals where they can be satisfactorily located on previously developed in sustainable locations, on existing areas of hardstanding, where they form part of an integrated waste management facility or where they form part of a reclamation proposal which makes beneficial use of composted material.

EMERGING PLAN:

The County Durham Plan

38. Paragraph 48 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. An 'Issues & Options' consultation was completed in 2016 on the emerging the County Durham Plan (CDP) and the 'Preferred Options' was approved for consultation at Cabinet in June 2018. However, the CDP is not sufficiently advanced to be afforded any weight in the decision making process at the present time.

The above represents a summary of those policies considered most relevant. The full text, criteria, and justifications of each may be accessed at: <http://www.durham.gov.uk/article/3266/How-we-currently-make-planning-and-development-decisions> (County Durham Waste Local Plan)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

39. *Highway Authority* – Raise no objections. Officers have requested that the road markings at the site entrance be repainted. This could be secured through condition.
40. *Environment Agency* – Raise no objections and provide permitting advice to the applicant, noting that the site already has a permit in place for composting but that this has been inactive for some time and there may now be requirements for bio-aerosol monitoring.
41. *Drainage and Coastal Protection* – Raise no objections in relation to surface water management.

INTERNAL CONSULTEE RESPONSES:

42. *Ecology* – Offer no objections. Officers consider that the disturbance risk to ecological receptors in and around the site is negligible.

43. *Environment, Health and Consumer Protection (Air Quality)* – Raise no objections following clarification by the applicant on the expected vehicle movements, which would not result in an increase of more than 100 on the Annual Average Daily Traffic flow (AADT).
44. *Environment, Health and Consumer Protection (Pollution Control)* – Raise no objections. Officers have assessed the submitted noise impact assessment against thresholds set out in the Councils Technical Advice Notes (TANs) and found it acceptable. Odour is considered to be unlikely to cause significant impact on nearby residential properties due to separation distances.

PUBLIC RESPONSES:

45. The application has been publicised by way of press notice, site notice, and individual notification letters to neighbouring residents. No responses have been received.

The above is not intended to repeat every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at:

<https://publicaccess.durham.gov.uk/online-applications/search.do?action=simple&searchType=Application>

APPLICANTS STATEMENT:

46. Durham County Council are proposing to re commence composting operations on the previously used compost pad at Joint Socks Landfill Site. The site was formerly used for composting green waste from approximately 2000 to 2011 and operated by Premier Waste Management. Since 2011, the compost area has been inactive as a result of the winding up of Premier Waste Management; however, the infrastructure and Environmental Permit remain in place. There has been no other putrescible waste accepted at the site since May 2013, since then and to date the site has been accepting inert soils only and undergoing restoration to comply with the Environmental Permit.
47. Joint Stocks Landfill Site has been in operation since the 1970's, it is located on the B6291 between Coxhoe and Quarrington Hill, with its own dedicated entrance from the highway and an access road that allows vehicles to access the site without traveling through the village of Coxhoe. The Household Waste Recycling Centre is on the opposite side of the road.
48. The proposed operations will be carried out Monday to Saturday between the hours of 07:00 – 18:00 (Monday to Friday) and 07:00 – 16:00 (Saturday) and predominantly between April and November each year. It will involve shredding the garden waste and placing the shredded material into open windrows to allow the natural composting process to occur. Once the windrows are composted and fully matured the material will be screened to an appropriate size, this will produce compost that will be able to be used by Durham County Council and by third party customers.
49. Durham County Council collect garden waste from residents who sign up to the collection scheme across County Durham, currently this is composted at three separate third party facilities. The proposed use of the composting area at Joint Stocks would process all the garden waste collected from across the county and process it to achieve British Standard PAS 100. This proposal will allow the Council to reduce its operating costs in this area, operate a more efficient system and produce consistent, high quality compost.

PLANNING CONSIDERATIONS AND ASSESSMENT

50. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to: the principle of the development, residential amenity, ecology, access and traffic, access and rights of way, flooding and drainage, landscape and cultural heritage.

Principle of Development

51. National and local planning policies are generally supportive towards sustainable waste management initiatives and seek to promote the movement of materials up the waste hierarchy. The Government's 'Waste Strategy for England 2007' sets out the Government's objectives to reduce waste and increase recycling of waste and energy recovery. The Waste Review of 2011 sets out the Government's aims for a 'zero waste' economy. The direction of travel set by the Review is a new focus in national policy on the use of materials throughout the economy; the integration of business and household waste; a smaller and different role for central government; and more focus upon the householder or business and the importance of this agenda – from waste prevention to waste management – for the "green economy". Waste is considered a valuable resource.
52. The NPPW sets out in the waste hierarchy that prevention of waste and re-use of materials should be considered before recycling, recovery and final disposal of waste. This is reflected in WLP Policy W2 requiring developments to demonstrate an established need for the facility and to show that they would make a contribution to the County's sustainable waste strategy and achieve overall environmental benefits, and move waste up the Waste Hierarchy. Furthermore, the Policy seeks to prevent unnecessary importation of waste into the County. Policy W2 is considered to be consistent with the NPPF and can therefore be afforded weight in the decision making process. Relevant policies contained within the County Durham Waste Local Plan are not considered to be time limited and are not at risk of being out of date with respect to the test set out in Paragraph 11 of the NPPF.
53. The proposed development would seek to import up to up to 25,000 tonnes per annum of green waste sourced from domestic kerbside collections from properties within County Durham. As all of the waste would originate from within the County the proposal would not amount to an unnecessary importation of waste. The proposal would therefore accord with WLP Policy W2.
54. WLP Policy W4 refers to the location of new waste management facilities and criteria to be considered including protection of local amenity, minimising the transportation of waste, integration with other facilities, environmental benefits and the safe and free flow of traffic on the highway network. These criteria are reflected in Appendix B of the NPPW which also includes protection of water quality and resources, land instability, landscape and visual impact, nature conservation, traffic and access, air emissions, odours, noise and light. Those applicable to this development and location are considered in this report. WLP Policy W29 reinforces the need to minimise the transportation of waste. WLP Policies W4 and W29 are considered to be consistent with the NPPF and can be afforded weight in the decision making process.

55. Policy W42, relating to outdoor composting, is the key policy against which this application should be determined. W42 provides support for proposals where they can be satisfactorily located on previously developed land in sustainable locations, on existing areas of hardstanding, where they form part of an integrated waste management facility or where they form part of a reclamation proposal which makes beneficial use of composted material. In the case of this proposal the site has been previously developed as a hardstanding for the specific purpose of composting and is located within an existing landfill where the material could be used for reclamation if it was required. The proposal therefore full accords with this Policy. In addition, the proposal also meets with the locational criteria set out in Appendix B of the NPPW. WLP Policy W42 is considered to be consistent with the NPPF and can be afforded weight in the decision making process.

Residential Amenity

56. WLP Policy W3 requires proposals for waste development to demonstrate that the living conditions of local communities will be protected and where possible enhanced. WLP Policy W33 seeks to ensure that mitigation is provided to ensure that harmful impacts from development are kept to an acceptable level and Policy W36 sets out the need to fully contain waste management facilities within buildings or enclosed structures appropriate to the technology or process. Paragraph 7 of the NPPW provides advice in respect of determining planning application, including specific reference to amenity. WLP Policies W3, W33 and W36 are all considered to be consistent with the NPPF.
57. The proposed development would be located within an existing, active landfill site. The site has extensive screening around its perimeter and due to former use as a quarry the proposed development would be entirely within the remaining quarry void. The nearest residential properties to the proposed development are located 320m to the south west in Coxhoe and 580m to the east in Kelloe.
58. The proposed development would store and process garden waste to produce a useable product through passive outdoor composting. Materials would be brought to and from the site by HGV's, as per the current operations.
59. The key issues in terms of residential amenity are noise and odour and are addressed below.

Noise

60. The noisy activities associated with composting are the delivery of the green waste by HGV's, shredding of the material, turning the material once in windrows and finally screening it before being exported off site.
61. A noise assessment report has been submitted in support of the application. The assessment includes a baseline assessment of background noise conditions for the nearest sensitive receptors and concludes that noise produced by the proposed development would, at all times, be lower than the recorded background level without any mitigation. The impact is therefore advised to be low. Environmental Health and Consumer Protection officers have considered the proposal and have raised no objections. It is therefore considered that the proposal would not conflict with WLP Policies W3 and W33, Paragraph 170 of the NPPF and Appendix B (criterion J) of the NPPW in respect of noise impact.

Odour

62. The proposed development would import green waste from residential properties to create compost. Material is visually inspected by refuse collectors to check for contamination and the collection vehicles are dedicated to green waste so there is no risk of contamination from other waste types. The windrowed compost would be turned frequently to avoid anaerobic decomposition, which is where the potential for odour would occur. With continued aeration from turning the odour risk would be minimal. Also, as described above, the nearest residential properties are located approximately 320m to the south west of the site and given the intervening topography and prevailing wind it is unlikely that odour from composting operations would be perceptible.
63. Environmental Health and Consumer Protection officers have considered the submitted details and consider that odour is unlikely to be an issue given the distances between the site and sensitive receptors. In addition, the site has an existing environmental permit for composting. The Environment Agency has raised no objections to the proposal but has advised that additional monitoring may be required for bioaerosol emissions (airborne biological particles). This would be covered by the Environmental Permit.
64. In conclusion, it is considered that the development would not cause statutory nuisance or a significant adverse impact on amenity and the Environment Agency and Environmental Health and Consumer Protection officers raise no objections. In addition, the site would be subject to an Environmental Permit issued and monitored by the Environment Agency. The proposal would therefore not conflict with WLP Policies W3 and W33, Paragraph 170 of the NPPF and Appendix B (criterion H) of the NPPW in respect of odour impact.

Ecology

65. Paragraph 175 of the NPPF sets out the Government's commitment to halt the overall decline in biodiversity by minimising impacts and providing net gains where possible and stating that development should be refused if significant harm to biodiversity cannot be avoided, mitigated or, as a last resort, compensated for. WLP Policy W17 requires all waste development to incorporate appropriate measures to ensure that any adverse impact on nature conservation is minimised. WLP Policy W17 is considered to be consistent with the NPPF and can be afforded weight in the decision making process.
66. The proposed development would make use of an existing hardstanding area that was purpose built for composting and no additional land or resources would be required to facilitate the development.
67. The Council's Ecologist has raised no objections to the proposal stating that that the disturbance risk to ecological receptors, including Quarrington Hill, Coxhoe Bank, Coxhoe Ponds and Raisby Pond LWS and Raisby Hill Quarry, Raisby Hill Grassland and Quarrington Hill Grassland SSSI in and around the site would be negligible.
68. In conclusion, it is considered that the proposal would not result in the loss of valuable habitat or harm to protected species. The proposal would therefore not conflict with WLP Policy W17 and Part 15 of the NPPF.

Access and Traffic

69. Paragraph 110 of the NPPF states plans and decisions should take account of whether: opportunities for sustainable transport modes have been taken up; safe and suitable access can be achieved; improvements can be undertaken to limit significant impacts of development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The Locational Criteria in NPPW Appendix B include traffic and access considerations: 'Considerations will include the suitability of the road network and the extent to which access would require reliance on local roads, the rail network and transport links to ports'. WLP Policy W29 seeks to ensure that measures are incorporated into developments to minimise the transportation of waste and Policy W31 requires proposals to demonstrate that traffic generated by the development can be safely and conveniently accommodated on the highway network without causing detrimental impact to local amenity. WLP Policy W32 sets out means of mitigation that should be secured to ensure that development does not result in harm to the highway network.
70. The proposed development would be accessed via the existing entrance for Joint Stocks landfill site from the B6291 road. The site has an existing weighbridge and wheelwash facilities.
71. During the 34 week green waste collection period it is expected that the proposal would generate 16 deliveries per day (16 in and 16 out). Exports of material from the site would occur on a less uniform schedule but would equate to approximately 100 per month. All deliveries and exports would occur during the operating hours of 0700 to 1800 Monday to Friday and 0700 to 1600 Saturdays. No deliveries would occur on Sundays or Bank Holidays.
72. Highways officers have assessed the proposal and commented that the proposal would generate an average of approximately 9 vehicles per hour if arrivals are on a flat profile spread across the day. If arrivals were to peak during mid-morning and afternoon it is envisaged that there could be up to 18 vehicle movements within the peak hour. This level of traffic movement would be discernible but would not give rise to concern when compared to previous operations. Officers note that the access to the site is engineered to accommodate large vehicle movements and would be acceptable for future use. No personal injury records have been recorded along the section of the B6291 from which access is taken. Records indicate that traffic volumes are low at approximately 2400 annual average daily traffic (AADT) with average speeds of 43mph. Officers recommend that a scheme of road marking replacement should be implemented as the current markings are severely worn due to volumes and size of vehicles turning into and out of the site. This could be delivered by condition.
73. Subject to conditions setting a limit on vehicle movements and requiring new road markings at the site entrance it is considered that the proposal would accord with WLP Policies W29, W31 and W32 and Part 9 of the NPPF. WLP Policies W29 and W31 are considered to be consistent with the NPPF and although W32 is only partially consistent, as it does not fully reflect Regulation 122 of The Community Infrastructure Levy (CIL) Regulations 2010. However, the CIL Regulations only apply in relation to legal agreements and as it is proposed to control this development with planning conditions the policy can be afforded weight in this circumstance.

Access and Rights of Way

74. Part 8 of the NPPF seeks to promote healthy communities with a key reference being towards the protection and enhancement of public rights of way and access. WLP Policy W24 requires proposals to demonstrate that there would not be a significant impact upon the recreational value of the countryside, including the local path network. WLP Policy W24 is considered to be consistent with the NPPF and can be given weight in the decision making process.
75. The nearest public right of way (PRoW) is Footpath No. 20 (Coxhoe Parish) which runs north to south at the western end of the site, approximately 35m from the proposed composting area. Whilst the footpath is physically close to the site it is separated by dense woodland and perimeter fencing. In addition, the composting area is at the foot of the quarry face and even without the woodland it would not be visible from the PRoW. It is therefore considered that the proposal would not conflict with WLP Policy W24 and Part 8 of the NPPF.

Flooding and drainage

76. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment.
77. Due to the nature of the proposal all surface water arising from the composting material, rainfall or runoff from the wider site would be collected in drains adjoining the composting pad. Water collected in these drains would be tankered off site for disposal as required and as per the current management regime for the site. Drainage and Coastal Protection officers and the Environment Agency have raised no objections in relation to flooding and drainage and the proposal is therefore considered to accord with WLP Policy W26 and Part 15 of the NPPF.

Landscape

78. WLP Policy W7 states that proposals for waste developments which would result in the loss of important landscape features or which would have a significant adverse effect on the character of the landscape will not be permitted. Paragraph 170 of the NPPF seeks to protect valued landscapes and Appendix B (criterion C) sets out the requirement to consider landscape character. The proposed development would be carried out on an existing concrete pad that has been used for the same purpose in the past at a more intense scale. The compost windrows would have a typical maximum height of 4m but as the site is located within a former quarry that is entirely screened by tree planting such that there would be no local or ranged views of the development. The processing of green waste to compost is considered to be visually recessive development and in the context of an established landfill site the visual impact would be negligible. It is therefore considered that the proposal would not conflict with WLP Policy W7, Part 15 of the NPPF or Appendix B of the NPPW. WLP Policy W7 is considered to be consistent with the NPPF.

Cultural Heritage

79. WLP Policy W18 seeks to protect listed buildings from waste developments which would result in the demolition, alteration with adverse impact, damage or other

adverse change to the special character or setting of a listed building. Paragraph 194 of the NPPF requires any harm to, or the loss of, the significance of a designated heritage asset to be supported by clear and convincing justification. This is supported by Appendix B (criterion E) of the NPPW.

80. The nearest heritage assets to the site are the Grade II War Memorial at Coxhoe Front Street approximately 750m to the south west of the site, the Grade II Commemorative Monument at Church Kelloe approximately 1.6km to the east of the site and the Grade I Parish Church and Cross, also at Church Kelloe approximately 1.7km to the east of the site. Due to the intervening topography, screening and other buildings it is considered that the proposed development would have no harm on any heritage assets. The proposal would therefore not conflict with WLP Policy W18, Part 16 of the NPPF or Appendix B of the NPPW. WLP Policy W18 is considered to be consistent with the NPPF.

CONCLUSION

81. Planning policy is generally supportive towards sustainable waste management initiatives and seeks to locate composting and treatment operations on previously developed land in sustainable locations. The proposal would be located on an existing hard standing platform that was purpose built for composting. The proposal would therefore be making use of any otherwise redundant site. The site is well located close to a major road and on a waste site that has existing welfare and vehicle cleaning facilities. In addition the site would contribute towards diverting waste materials up the waste hierarchy, away from landfill.
82. The environmental effects of the proposal have been considered and found acceptable with appropriate conditions. It is considered that the proposed development would not have any adverse impacts on residents or neighbouring uses subject to appropriate conditions. The impact of the proposed development on the local highway network has been considered and deemed acceptable by Highway Authority Officers.
83. The proposal is considered to broadly accord with the relevant policies of the County Durham Waste Local Plan and meet the aims of national planning guidance contained within the NPPW and relevant sections of the NPPF.

RECOMMENDATION

That the application is **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall cease with the concrete pad and any other associated infrastructure removed prior to the restoration of Joint Stocks Landfill site and no later than 30 December 2041.

Reason: to ensure that the operation of the site does not delay the restoration of the landfill in accordance with County Durham Waste Local Plan Policy W36 and Part 15 of the National Planning Policy Framework.

3. The development hereby approved shall be carried out in accordance with the following approved plans and documents:

Drawing No. DCC/JTS/001 'Site Plan and Traffic Routing'
Plan 4 Composting Process Operational Plans for the Composting Season
Design and Access Statement
Noise Assessment Report DCC/CF/NA/08/18

Reason: To ensure the development is carried out in accordance with the approved documents in accordance with County Durham Waste Local Plan Policies W3, W7, W1 and W33, Part 15 of the National Planning Policy Framework and Paragraph 7 of the National Planning Policy for Waste.

4. Within 6 months of the commencement of development the road markings at the junction of the site with the B6291 shall be repainted.

Reason: In the interests of highway safety in accordance with County Durham Waste Local Plan Policy W32 and Part 9 of the National Planning Policy Framework.

5. No movement of vehicles, deliveries or processing of waste associated with the development shall be carried out other than between the hours of 0700 to 1800 Monday to Friday, 0700 to 1600 Saturdays. There shall be no operations other than emergency works on Sundays or Bank Holidays.

Reason: In the interests of residential amenity and highway safety in accordance with County Durham Waste Local Plan Policy W31 and W33, Parts 9 and 15 of the National Planning Policy Framework and Paragraph 7 of the National Planning Policy for Waste.

6. Vehicle movements to the site in connection with the receipt and processing of green waste material and export of processed compost shall be restricted to no more than 50 HGV movements per day. The operator shall maintain a record of all vehicles using the site in connection with these activities and a certified copy of this record shall be afforded to the Local Planning Authority on request within 2 working days of such a request.

Reason: In the interests of highway safety in accordance with County Durham Waste Local Plan Policy W32, Part 9 of the National Planning Policy Framework and Paragraph 7 of the National Planning Policy for Waste.

7. All vehicles leaving the site shall be sufficiently cleaned in order to ensure that mud, dirt, and waste is not transferred onto the public highway.

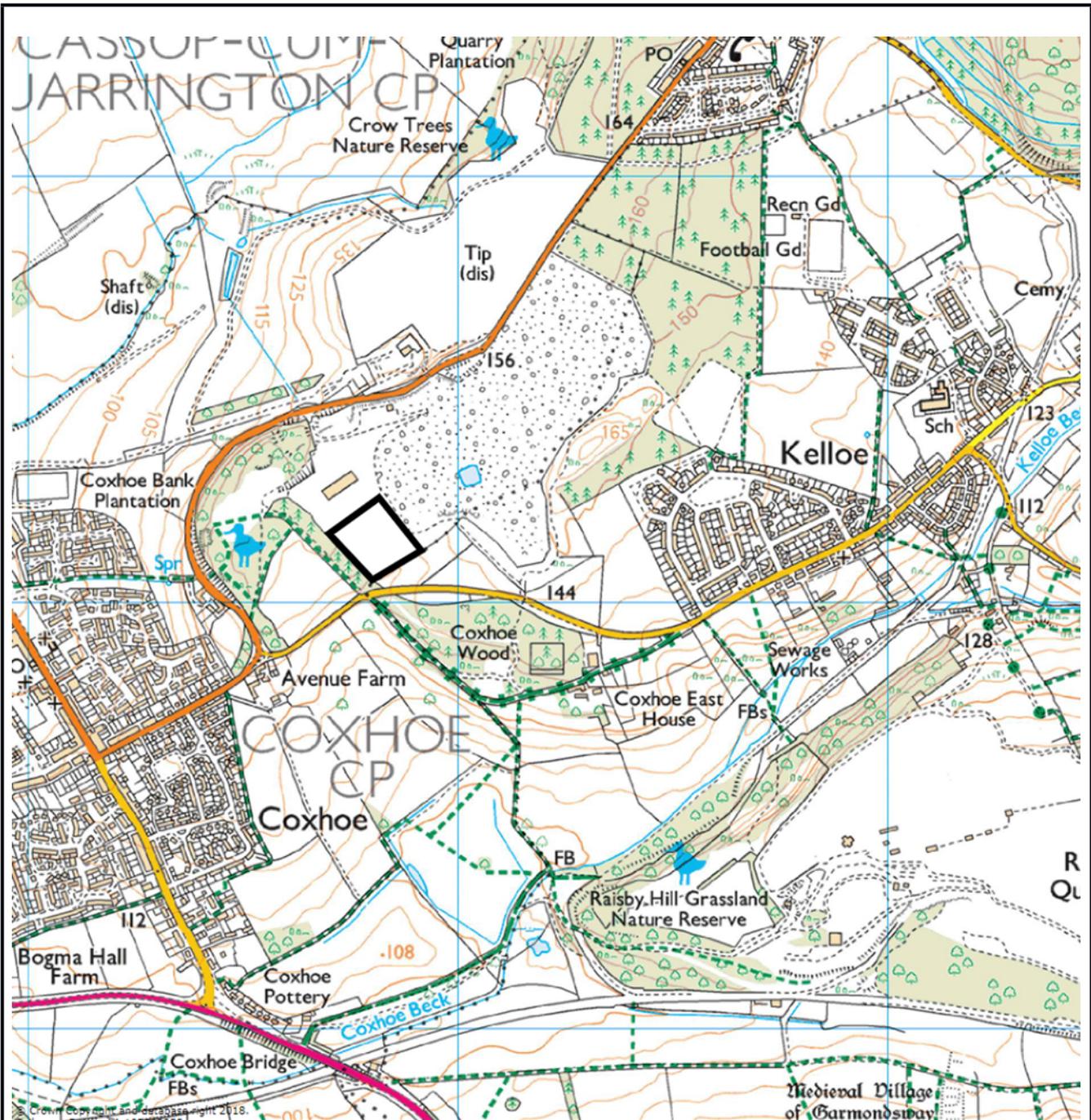
Reason: In the interests of residential amenity and highway safety in accordance with the County Durham Waste Local Plan Policy W31 and W33, Part 15 of the National Planning Policy Framework and Paragraph 7 of the National Planning Policy for Waste.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to support this application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) (CC) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.)

BACKGROUND PAPERS

- Submitted application form, plans supporting documents and subsequent information provided by the applicant.
- County Durham Waste Local Plan (2005)
- The National Planning Policy Framework (2018)
- National Planning Practice Guidance notes.
- National Planning Policy for Waste
- DCC Sustainable Urban Drainage Systems Adoption Guide 2016
- Statutory, internal and public consultation responses



Planning Services

DM/18/02732/WAS
 Change of use to green waste composting
 Land at Joint Stocks Landfill Site, Quarrington Hill
 Road, Coxhoe

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Comments

Date November 2018

Scale Not to Scale