

REVIEW OF COPYHOLD FARM APPEAL DECISION.

The Inspector identified the key issue in respect of this appeal as being the effect of the proposal upon the AONB, and perhaps more specifically, whether the additional impact of the proposed Materials Recycling Facility (MRF) would be unacceptable for the temporary period for which it is proposed.

He agreed with the Council that only a very limited amount of waste imported to the proposed skip waste facility would be utilised in the restoration of the adjacent mineral workings, however despite acknowledging this was a very limited functional link, he was satisfied that there was indeed a linkage between the proposals and the restoration of the mineral site. On the basis that the MRF did not occupy the site beyond the period of mineral working and infilling, and that there were no cogent objections in terms of visual amenity, noise, dust and vehicle movements, the Inspector concluded that it would be reasonable, and beneficial, to permit co-location with the quarry.

Council Officers are of the view that whilst the Inspector has granted this appeal, giving temporary consent for the facility, it is apparent that had this application proposed the facility be retained permanently then he would have viewed the situation quite differently. He makes a number of references to this point and it is clear that when he has balanced the key issues, the fact that the proposal is temporary in nature is clearly a critical point that has informed his decision making.

This is clearly a very balanced case, and the Inspector has acknowledged that the proposals will be harmful to the AONB, however given that he is satisfied that there is a (very limited) linkage between the proposal and the existing uses, and that the proposal is only temporary (with the operational life limited to the temporary mineral extraction and restoration operations), he is satisfied that the level of harm can be tolerated.

Officers considered that the functional link between the proposals and the other temporary uses on the site was insufficient to justify approval given the location of the site in the AONB, the Inspector seems to have concluded that although the functional link was limited, it was sufficient to justify the location and given this linkage the level of impact on the AONB that would be only generated on a temporary basis then on balance the proposals were acceptable.

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