

Town and Country Planning Act 1990 – Section 78 Town and County Planning

(Development Management 2.1 4 e11 (B292/0.6 ced(i)2.1 (o)-2.7r(l)2.1 e))-3.5 (c)-3.1 .92 .

1. My name is Liam Toland. I hold a Bachelor of Arts degree in History and Geography having graduated in 2003 and a MSc in Regional and Urban Planning having graduated in 2006. I am a Member of the Royal Town Planning Institute (MRTPI) since 2008. I have over sixteen years' experience in planning obtained through employment in the private consultancy sector.
2. The Appeal is in respect to the refusal by Worcestershire County Council to grant planning permission for a proposed sand and gravel quarry with progressive restoration using site derived and imported inert material to agricultural parkland, public access and nature enhancement at Lea Castle Farm. A total of 3 million saleable tonnes (comprising c.1.57 million tonnes of sand and gravel and c.1.43 million tonnes of solid sand) will be extracted over the course of approximately 10 years. To aid the restoration process c. 60,000 m³ of inert material is to be imported onto site per annum, c.600,000 m³ in total, to help create restoration formation levels onto which the original site soil profile will be placed.
3. In my evidence, I have covered planning policy relating to minerals, whether or not the development constitutes appropriate development in the Green Belt, mineral and waste need, impact on residential amenity and local schools, the potential for cumulative ssuoxocal

7. In view of the above, I consider that the Proposed Development constitutes appropriate development in the Green Belt when regard is had to all matters, including the level of impact during the operational phase, the duration of that phase, and the fact that following restoration there would be no impact on openness and no conflict with the purposes of including land within the designation.
8. Furthermore, the Appeal Scheme does not significantly affect the purposes of the Green Belt. The effects are temporary, and so would be reversible on completion of restoration. The restoration scheme allows for a combination of creating habitats focussed on delivering biodiversity along with the provision of areas for amenity use and public access, including a network of formal and informal paths. These are consistent with Green Belt aims, and in particular paragraph 145.
9. A number of environmental matters have been raised by members of the planning committee in the reasons for refusal, in the Council's Statement of Case and by the Rule 6 party. These have been fully addressed in the ES and the Officer's report. The specialist evidence provided in this appeal also makes clear that there are no adverse effects in terms of noise, dust, landscape and visual and highways which could not be appropriately controlled and mitigated.
10. In considering cumulative impacts, I have concluded that the cumulative impacts of the scheme are not such as to justify refusal of permission based on cumulative effects. In reaching this view particular regard has been given to the relatively low level impacts of the scheme on various aspects of amenity (when those levels are compared to what relevant guidance considers to be unacceptable levels of impact), the temporary nature of the development and the short, medium and long term benefits that would arise.
11. Overall therefore, whilst the proposals would result in some harm, I consider the harm to be minor and so acceptable and within "appropriate limits". Accordingly, policies in the Development Plan aimed at protecting the environment are complied with.
12. With this in mind, the Appeal Scheme benefits from the presumption in favour of sustainable development, whereby paragraph 11 of the NPPF indicates that development proposals that accord with an up-to-date development plan should be approved without delay.
13. Whilst I have concluded that the Appeal Scheme is appropriate development in the Green Belt, if the Inspector comes to a different conclusion on this point, it is clear to me that there are a number of substantial benefits that the scheme offers that can be considered

to be VSC. These very same benefits also weigh in favour of the Appeal Scheme when considering the planning balance.

14. There is "great weight" to be attached to mineral developments. I also attach substantial weight to the need to release new reserves as the landbank is below the minimum of 7 years for sand and gravel, which demonstrates that there is a shortfall in supply.

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