



# In-Vessel Composting Facility Arkwright

DPDS CONSULTING GROUP

TOWN PLANNING, PROJECT CO-ORDINATION & COMMUNITY ENGAGEMENT

## Project Description

Representation of the North East Derbyshire Community of Arkwright Town with regard to their opposition to an industrial scale 40,000 tonnes per annum In-Vessel Composting facility on a former open cast colliery site covered by a legal agreement to restore the site to open countryside.

Arkwright Town is notable as a village which was moved in its entirety because of problems with methane gas escaping from old workings after Arkwright Colliery closed in 1988.

As part of the planning permission for moving the village, on the land surrounding the old village UK Coal were granted permission to extract coal through open cast mining. This permission was covered by a legal agreement to restore the land as open countryside once mining had ceased.

Once mining had ceased, instead of enforcing full restoration, the County Council selected the site for the proposed waste facility and identified a preferred developer. Despite large scale local opposition and the selection process being outside of the statutory development plan system the County Council granted planning permission.

Following advice from DPDS, the Parish Council has supported a local resident in his claim for legal aid to challenge the decision through the High Court. Permission to proceed with the Judicial Review has now been granted with the Judge agreeing with 3 of the 4 grounds put forward.

The Judicial Review will now proceed to a full trial with DPDS playing an important role through the provision of an expert witness statement.

## DPDS Involvement (to date)

- Managing and co-ordinating the Parish Council's objections on behalf of the local community.
- Community involvement and engagement – explanation of the planning system and potential grounds for objection against unsuitable development.
- Representation through appearance at County Council development control committee.



- Evaluation of the development scheme and accompanying environmental statement, formulation of comprehensive written objections justified against national, regional and local planning policy.
- Advice to Parish Council on potential legal challenge following County Council decision to grant planning permission.
- Identification and co-ordination of specialist environmental planning law firm to co-ordinate high court challenge to decision of County Council.
- Preparation of specialist witness statement to contribute towards Judicial Review proceedings.



**Client** Sutton cum Duckmanton Parish Council

**Business Sector** Waste Development

**Approximate Contract Value** Confidential (funding for high court challenge secured on legal aid basis)

**Project Status** Ongoing, permission for Full Judicial Review granted

**DPDS Key Personnel Involved** Christopher Lindley  
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