

*Whether Future Occupiers would experience Odour and Fly Nuisance from the nearby WWTW and/or Noise and Disturbance from Vehicles visiting the WWTW*

19. On my preliminary and accompanied visits, I was not aware of odours, flies or noise that might have been associated with the WWTW, nor did I observe any vehicle visiting the WWTW. From what I was able to see from the nearest part of the appeal site to the WWTW, the Works appears to be very small, with the main process units, plant and equipment set well within the Works site, some way from the nearest boundary to the appeal site.
20. At the Hearing the Council confirmed that there were no known complaints concerning odour or flies from the WWTW. Local residents indicated at the Hearing that odour from the WWTW is not a significant problem and while there are periods in the summer when there are increased numbers of small flies, it is not known whether these are associated with the WWTW, livestock in the adjacent field, or the beck, and any problem is not usually so severe as to lead to complaints. I note that the sewerage undertaker (New Development Team Sewerage) is unable to directly attribute the increased fly incidence to the WWTW. As such, there appears to be little evidence of any current odour or fly nuisance associated with this small WWTW. Moreover, there is no indication from the sewerage undertaker of any early need to improve or extend the WWTW.
21. The proposed dwellings would only be slightly nearer to the WWTW than existing dwellings, and they would still be to the west of it. In addition, there are trees close to the WWTW boundary bordering onto the appeal site and these might help to contain any flies associated with the Works. While there might be occasions when there might be short bursts of smells associated with a particular activity and there might be short periods when flies might be a slight nuisance, there is nothing to suggest that odour and/or flies would cause such significant problems for future occupiers of the proposed dwellings that it would seriously harm their living conditions or lead to complaints about the WWTW.
22. Furthermore, while there will be occasions when large vehicles will use the track to access the WWTW, I would not expect this to be so frequent as to give rise to unacceptable noise and disturbance for future occupiers or to cause them to complain about such vehicular activities.
23. Paragraph 3.195 of the text to UDP Policy ES2 indicates that the Council will not apply a rigid distance to the separation of sensitive development and sewage treatment works and that each proposal will be treated on its own merits, taking into account advice from the sewerage undertaker, Environmental Health Authority, local circumstances and the degree of nuisance in the context of advice in PPG23 (since replaced by PPS23). Given the particular circumstances of this appeal, I conclude that future occupiers of the proposed dwellings would not experience unacceptable odour or fly nuisance, or unacceptable noise and disturbance from vehicles visiting the WWTW. As such, I find no serious conflict with the intentions of Policy ES2 of the UDP.