

TITLE:	County Durham Minerals & Waste Development Framework: Minerals Issues and Options Report
TO/ON:	Executive, 5th December 2005
BY:	Director of Environmental Services
PORTFOLIO:	Environment
STATUS:	Report

STRATEGIC FACTOR CHECKLIST

The Council’s Corporate Management Team has confirmed that the Strategic Factor Checklist has been applied to the development of this report, and there are no key issues, over and above those set out in the body of the report, that need to be brought to Members attention.

1 SUBJECT MATTER AND PURPOSE

- 1.1 This report informs Members about the County Council's Minerals Issues and Options Report that is out for consultation until the 21st December 2005. A copy has been placed in the members’ library.

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2 BACKGROUND

- 2.1 This is the first formal statutory stage in preparing the County’s Minerals Core Strategy, Development Control and Site Allocations Development Plan Documents (DPDs). These documents, to be contained in the County Durham Minerals & Waste Development Framework, are to be prepared over the next three years. Once adopted, this will form part of the statutory development plan for County Durham and replace the provisions of the County Durham Minerals Local Plan.

3 RELEVANT MATERIAL/CONSIDERATIONS

- 3.1 The document sets out a range of important issues and options relating to minerals planning in County Durham. It contains a set of strategic objectives under the same four overarching strategic aims of sustainability, need, sterilisation and adverse effects that appear in the adopted Minerals Local Plan. As far as Derwentside is concerned, though, the main consideration relates to the energy mineral of opencast coal.
- 3.2 The County Council considers that no change in approach is justified to its existing policy to opencast coal extraction in the adopted Minerals Local Plan, as it is consistent with Minerals Planning Guidance Note 3. This reflects the

difficulty in finding suitable sites that can be worked without damaging the environment to an unacceptable extent. It realises, though, that there may be some areas where it is possible to develop proposals that do not raise significant environmental concerns or which offer potential benefits to local communities which would outweigh the adverse impacts that will result from mineral working.

- 3.3 However, from representations to the Key Issues Paper, it is clear that operators continue to seek possible future opencast coal sites, as coal prices are now rising. The County Council has therefore taken the opportunity to consult upon a number of new sites and extensions to existing sites that have been put forward by the minerals industry.
- 3.4 Three of the five opencast coal sites suggested by the Industry are in Derwentside, one of which mainly overlaps into Gateshead. It is important to note, though, that the County Council has endorsed none of these sites. They have been identified for consultation purposes only and have not yet been subject to detailed planning or sustainability appraisal. The County Council intends to consider each potential allocation once consultations on the report have been completed. A site will only be included in the Preferred Options Report of the Minerals Site Allocations DPD if it is needed and has acceptable environmental and amenity effects.
- 3.5 UK Coal has put the sites identified in Derwentside forward for consideration as allocations and has indicated that the schemes are only indicative and not definitive. Maps and key facts for each site, which were submitted by the company, have been included in the document and are reproduced for members' information in Appendix 1. None of these sites are new and were previously identified by the Opencast Executive in its '10 year' programme. The sites are at Bradley (north east of Leadgate), Castle Dene/Hurbuck (south east of Delves Lane) and Marley Hill (east of Burnopfield).
- 3.6 It was originally the County Council's intention to prepare a comprehensive suite of new development control policies, based on the approach of the Minerals Local Plan, but this is against recent government advice. Policies should relate to the local area and not repeat guidance set out in national policy. In order to keep policies concise & focused it is now intended to produce a companion Supplementary Planning Document (SPD) on Environmental Protection and Enhancement.
- 3.7 With regard to landscape conservation and enhancement, the Council are considering introducing policies of a character-based approach, based on the County Durham Landscape Character Assessment and Landscape Strategy, rather than the traditional one of local designations such as Areas of High Landscape Value.
- 3.8 At key stages in the preparation of the Minerals & Waste Development Framework the County Council will undertake formal consultation on its emerging policy documents. It has published a Submission Statement of

Community Involvement that sets out how and when the community and stakeholders can participate in the process and on planning applications.

4 NEXT STEPS

- 4.1 The Council and other stakeholders are now being invited to comment on these documents. Durham County Council will then consider these comments when it prepares its Preferred Options Reports. There will be further consultation at this stage, next summer, before each of the three DPDs are submitted to the Secretary of State to be considered by an independent Government Inspector.

5 CONCLUSIONS

- 5.1 The Minerals Issues and Options Report is well written and clearly expresses the choices for the three DPD documents in the Framework.
- 5.2 Durham County's suggested approach to dealing with minerals, particularly opencast coal extraction, is to be welcomed.

6 RECOMMENDATIONS

- 6.1 Members are asked to consider the contents of this report and:
- Agree that the Minerals Local Plan aims should continue as the four overarching strategic aims of the Minerals Core Strategy DPD and that there is no need to change the policy approach to determining applications for opencast coal extraction;
 - Support the need for an SPD on Environmental Protection and Enhancement and the adoption of a character-based approach to landscape conservation and enhancement rather than one based on local designations;
 - Object to the proposal by UK Coal for new opencast coal sites at Bradley, Castle Dene/Hurbuck and Marley Hill.

For further information contact Jeff Singleton, Development Plans Manager
Telephone: 01207 218301 or E Mail: j.singleton@derwentside.gov.uk