



SPECIAL REGENERATION COMMITTEE

13 FEBRUARY 2006

Report of the Director of Central Resources

2006/07 DRAFT REGENERATION DEPARTMENT REVENUE AND CAPITAL BUDGET

purpose of report

1. To inform Members of the draft regeneration departmental Revenue and Capital budgets for 2006/07 and to seek Member approval to progress the draft budgets to Policy and Strategic Development Committee for consideration.

background

2. Members will be aware of the Council's budget setting process that has developed in recent years. In particular, Members will be aware of:
 - (i) The need to invest in Council priorities as outlined in the Council Plan.
 - (ii) The need to create room for manoeuvre within existing departmental resources in order to fund priorities and service improvements. This has been achieved through exerting continued downward pressure on fixed and unit costs.
 - (iii) The need to invest in the capital infrastructure of both the Council and Wear Valley in pursuance of corporate objectives.
3. This report sets out the regeneration department's draft 2006/07 revenue and capital budgets including cost improvements and service development bids. Cost improvement and service development bids have been assessed by an inter-departmental group of Officers who have followed an agreed scoring process. This process takes into account issues such as links to corporate objectives and corporate themes, degree of external funding, impact upon performance etc. The capital schemes have followed a similar process.

draft 2006/07 revenue budget

4. The table below shows the draft regeneration departmental budget for 2006/07 prior to consideration of service development and cost improvements bids. It has been produced after taking into account the following:
 - (i) Known and anticipated pay awards, based on existing establishment levels.

- (ii) Increases in contractual payments where appropriate.
- (iii) Increases in fees and charges based on expected levels of service activity against expected charging levels.
- (iv) Known external funding.

Cost Centre	Cost Centre Description	Estimate 2006/07 (£)
5010	Stanhope Station	30
5020	Tourism	84,122
5100	Housing Enforcement	2,500
5120	Other Private Sector Housing	221,933
5130	Housing Improvement Agency	35,000
5210	Building Control Applications	(39,760)
5230	Building Control Non Fee	49,100
5240	Plan Printer	5,950
5265	Planning Applications	126,452
5270	Planning Applications	58,091
5400	Innovation House	(12,167)
5403	Economic Development Financial Incentives	30,000
5404	Economic Dev - Low Willington Industrial Estate	(150)
5406	Economic Development - Durham Dales Centre	39,050
5407	Economic Development - South Church	(6,450)
5408	Economic Development - General	314,824
5411	Economic Development Fund	100,000
5413	Innovation House Phase 2	16,888
5506	Coundon SRI Project	4,510
5514	Market Towns Initiative - Stanhope/Crook	2,500
5516	N.R.F. Management	(112,500)
5518	NC1 Community Cap Development	60,000
5519	Regeneration Initiative General	155,087
5704	Local Agenda 21	38,500
5708	Town Development - Groundwork Trust	15,000
5710	Contaminated Land	1,435
5711	Land Reclamation and Env't Impts	46,066
5900	Development Plans - District Local Plan	132,150
5910	Development Plans/Planning Policy	138,000
5920	Regeneration Administration	138,619
	Total	1,644,780

fees and charges

5. The proposed fees and charges for 2006/07 for the department are shown at Annex A. They have been constructed around the following principles:
- i) Planning fees – fees are set by the Government. In 2005/06 Government raised fees by 14%. No increase has been announced for this year. Therefore it is assumed they will remain at current levels.
 - ii) Building control fees – the council's fee structure for building control, including plan vetting, site inspections and completions are set within a

national model devised by ODPM. This model allows some flexibility in charging. Fees have remained static for a number of years. For 2006/07 it is proposed to increase fees by 10% for certain small buildings, extensions and alterations. For other building work (larger schemes) the fee is determined by the value of the works proposed and income will increase as the cost of building work increases with inflation.

cost improvements

6. The following cost improvements are proposed as the departmental contribution to creating scope for priorities as well as improving the efficiency of the department. Each cost improvement is considered in turn.

Scheme	£000	Commentary
Tourism Grants	2.5	Reduction in resources available by 10% to fund tourism projects
Economic Incentive Grants	5	Reduction in resources available for business finances incentives by 16%
Local Development Framework	1.5	Reduction in resources available to be met from planning delivery grant
Community Capacity Builder post	30	Post to be deleted arising from the termination of SRB programmes
Capitalisation of element of economic development fund	30	Element of fund to be used for capital projects
Post within Other Private Sector Housing	20	10% reduction in overall cost of the service
Dales Centre subsidy	10	Reduced contribution towards repairs and maintenance and distribution of prior year surpluses
Total	99	

service development bids

7. The following service development bids are proposed in order to improve the achievement of both departmental and corporate aims and objectives. Each service development bid is considered in turn.

Scheme	£000	Commentary
Regeneration Initiatives	40	To begin to mainstream the posts within the Economic Regeneration team to fulfil the requirements the capital programme and other economic initiatives
Market Towns Initiative Crook and Stanhope	35	To replace the Countryside Agency Funding for the schemes fifth and final year with WVDC funding to enable the initiative to be brought to a successful conclusion

Scheme	£000	Commentary
Settlement Renewal Initiative – Coundon and Leeholme	20.1	To deliver the final year of the SRI which provides community led economic regeneration activities meeting local needs
Town Centre Management – Bishop Auckland	70	To mainstream the post of Town Centre manager and deliver a programme of town centre promotions, marketing and development activity.
Total	165.1	

planning development grant

8. The Council has PDG resources available for 2006/07 that are being used to support the current arrangement in development control and building control (additional planning and support service staff). The resource allows for additional activity to be funded:-

Scheme	£000
Additional planning officer in Forward Plans to help accelerate activity to produce the local development framework	33
LDF production costs. If work increases an allocation is needed to cover production costs, including additional research/commissions, publications and consultation costs and to cover any external cost which may be associated with examination in public as dictated by ODPM.	70

capital programme

9. The following table shows the proposed capital programme for the department for 2006/07.

Scheme	£000	Commentary
Disabled Facilities Grant (Private)	204	The DFG regime is mandatory and plays a crucial role in the Government's Care in the Community strategy
Crook Urban Renaissance	50	Package of public realm enhancement schemes such as integration of pedestrian movement between green and built up areas delivered as part of the Crook Market Town Initiative
Bishop Auckland Tourism Renaissance	12	Development of the bid to HLF for the restoration and management of the Bishops Park as an enhanced

Scheme	£000	Commentary
		tourist/community facility and link to add on facilities in Town Centre
Renewing Weardale Strategy – Eastgate	48	WVDC contribution towards redevelopment proposals for the Eastgate Renewable Energy Village. The proposals for a mixed use residential, leisure and industrial development based around a renewable energy concept has been designed over the last 3 years since the announcement of the closure of the Cement Works with the loss of 150 jobs
Fieldon Bridge Development – Phase 1	20	This site has been identified as a key strategic location in the development of the economic infrastructure of Bishop Auckland to satisfy the needs of and benefit the wider Wear Valley economy. The proposal is to reclaim and open the site for industrial development and have the potential to create 300 jobs
Renewing Weardale Strategy – Wolsingham Business Park	50	Proposed development of a new business park on an allocated industrial site in Wolsingham adjacent to the current steelworks site. The proposal would have the potential to create 120 jobs
Car Parking Improvement Programme	92	This is to improve the condition and appearance of existing town centre car parks through surface improvements, delineation of spaces and new signage. The programme is designed to increase public/shopper accessibility to town centres and to increase the vitality and viability of such centres and consequently the economy of the key commercial centres of the District
West Auckland Improvement Scheme	40	West Auckland suffers from high traffic levels, local problems of deprivation and a neglect of the environmental “capital” of the village. The scheme would address townscape and environmental issues to improve the appearance and image of the village, sustain its commercial attractiveness, increase pedestrian and resident safety and reduce vehicular traffic

Scheme	£000	Commentary
		conflicts. The scheme is part of a larger partnership bid with Teesdale and Durham County Council for HLF funding.
Wear Valley Building Enhancement Scheme	48	To continue and expand the current Weardale Building Enhancement Scheme and various shop front improvement schemes to ensure that grants continue to be available to the private sector to bring retail and commercial buildings back into economic use throughout the whole of WV
Major and Minor Repair Grants	200	The grants are to enable customers who cannot afford to carry out essential repairs and/or upgrades of their homes to be able to access help and funding. Additional resources are required to reduce the waiting list.
Dene Valley Renewal Area	200	The next phase of work will focus around the High Street of Eldon lane. This is based upon work commissioned from external consultants to evaluate the work done to date and make recommendations for future interventions
Contaminated Land	96	Under the Environmental Protection Act the Council has an obligation to provide a programme for the identification and remediation of land that is posing unacceptable risks to health or the environment. Costs would be incurred for specific site investigation work and to undertake remedial action where there is danger of serious harm
Positional Accuracy Tool	20	Ordnance survey is currently carrying out a national programme of redrawing their existing base maps. A software tool is available on licence that is compatible with the Council's GGP mapping system which when installed will automatically identify required changes and move the majority of plotted data to the correct position if necessary
Economic Development fund	30	Element of fund to be used for capital purposes
Bishop Auckland Town	100	To facilitate the redevelopment and

Scheme	£000	Commentary
Centre Management		regeneration of Bishop Auckland Town Centre
Total	1,210	

conclusions

10. The above proposals represent the Department's anticipated resources for 2006/07. They have been subject to scrutiny by a cross section of the Authority's officers and are considered adequate with which to deliver the Council's priorities. The cost improvements are considered achievable and the revenue and capital bids are considered deliverable.
11. The delivery of the above will be subject to regular monitoring at both Officer and Member level throughout 2006/07.

RECOMMENDED

1. Members submit the fees and charges detailed in Annex A of the report to Policy and Strategic Development Committee for consideration.
2. Members submit the cost improvements, service development bids and capital programme proposals detailed within the report to Policy and Strategic Development Committee for consideration.

Officer responsible for the report Gary Ridley Director of Central Resources Ext 227	Author of the report Gary Ridley Director of Central Resources Ext 227
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Question	Title	Answer
Minerals Core Strategy		
Q1	Spatial Vision	Yes, this is an appropriate vision
Q2	Strategic Aims	<p>Yes, these are appropriate aims.</p> <p>Footnote 2 should refer to the most recent Sustainable Development Strategy. 'Securing the Future: Delivering the UK Sustainable Development Strategy' (2005) as this Strategy builds upon the 1999 Strategy.</p> <p>We consider that Table 2 is a more appropriate and clearer way of presenting the core strategy's vision, aims and objectives, than the text on the previous pages.</p>
Q3	Strategic Objectives	<p>Several of the strategic objectives are very similar or just expansions on other objectives such as 1(c), 1(d), 4(a) and 4(b).</p> <p>This should be avoided in an effort to make the core strategy as concise and as easy to use and monitor as possible.</p> <p>The core strategy should not contain site specific allocations and therefore Objective 2(d) only applies to the site allocations DPD.</p>
Q4	RSS Apportionment	<p>Strategic Objective 2(b) could be amended address the County's commitment to meeting the RSS sub-regional apportionment.</p> <p style="text-align: center;"><i>"To secure the provision of a sufficient and steady supply of non-energy minerals to enable County Durham to achieve the apportionment as set out in the current RSS, and so contribute appropriately to the local, regional and national need for minerals"</i></p> <p>Referring to the current RSS will direct readers to the most recent version without naming it. This will avoid the need to amend the objective every time it is replaced or superseded.</p>
Q5	Encouraging recycling	<p>Yes the MWDF should continue to identify active quarries as suitable locations for temporary aggregate recycling.</p> <p>If feasible the waste produced at one site should be processed at that site to minimise the distance the waste material should be transported.</p> <p>Is it possible to have a policy that would only allow extraction at certain sites if the proposal incorporated the recycling of or use of secondary aggregates? Or that extraction will only be permitted on certain sites where it can not be demonstrated that the need for that mineral/use of mineral can not be met through the use of secondary or recycled materials.</p>
Q6	Landbanks	It will not be necessary to make provision for landbanks until the end of the plan period, as the annual monitoring process should identify any surplus or shortfalls in the landbank.

Q7	Landbanks	There is insufficient evidence or justification to answer this question.
Q8	Provision of crushed rock and sand & gravel	Option A , as it is in line with Government guidance.
Q9	New Allocations	<p>The Core Strategy should not identify specific sites. It should only contain clear and concise policies for delivering the strategy. Site specific allocations and preferred areas should only appear in the minerals site specific DPD.</p> <p>A geological map of which minerals could potentially be extracted could be included. If the MWDF were to follow a landscape character (Q21) based approach, where different policies, requirements or criteria applied to each of the different character areas, this could also be contained in the core strategy.</p>
Q10	Magnesium Limestone Escarpment	<p>As the cumulative provision for magnesium limestone already exists then there is no justification for adopting a more relaxed approach.</p> <p>The only circumstance where a new permission should be considered is if an existing permission were to be surrendered or revoked, and the new site had lesser adverse impacts on the surrounding area.</p>
Q11	Extensions to existing works	There is the need to control the cumulative impact of extensions at each site and so the approach could possibly be strengthened by either restricting the number of extensions a site can have, or by distinguishing between small scale and large extensions.
Q12	Building Stone	Option B – Any policy must however be strongly worded to ensure that the policy is not misused to secure a permission for alternative uses.
Q13	Brick Making Raw Materials	15 year landbank should be maintained but with a regular review to ensure that a shortfall is not experienced.
Q14	Brick Making Raw Materials	Option A – The quarrying of brickmaking material in County Durham should only supply the existing brickworks within the County, unless it can be clearly demonstrated that the sources in County Durham are the most sustainable option for other brickworks in the Region, bearing in mind the proximity principle.
Q15	Cement Works	In the justification there is no mention of the existing supply or need for cement making materials or if this situation is set to change. If it can be demonstrated that there is no existing need or likely future need for cement in the County (or in the proximity) there would be no need for the preferred area. It is therefore considered that more evidence should be provided before the preferred area and cement making raw material landbank is reviewed.
Q16	Opencast Coal	Policy M7 could be strengthened by criteria a) and b) both having to apply (instead of one or the other). This would ensure that the significant impacts of the development are a few as possible.

Q17	Firecaly	<p>Without the alternative options been outlined in the report we are not in a position to answer this question in full.</p> <p>It is, however, considered that wherever possible fireclay should be extracted for commercial use alongside the extraction of coal seams. This would provide the most economically viable use and minimise the waste produced by the coal extraction.</p>
Minerals Development Control DPD		
Q18	Scope of Policies	<p>The minerals DPD should contain as few key policies as possible and only repeat national guidance when translated to the local level.</p> <p>Note: A smaller number of key policies will avoid confusion and ease the task of developing SMART targets and monitoring the DPD.</p>
Q19	Environmental Protection SPD	The use of an SPD relating to environmental protection and enhancement would avoid the need for a comprehensive suite of environmental policies. An SPD could also offer more detailed guidance than a suite of policies.
Q20	Landscape - AONB	<p>The AONB is a protected landscape and, although we acknowledge that much of the landscape has evolved through minerals extraction, there is still the need to protect it. Therefore please note the following comments:</p> <ul style="list-style-type: none"> i) Is it appropriate to have preferred areas in the AONB, and if so, should they still not be subject to the criteria set out in the policy? ii) The criteria in the policy should be applied to extensions as well as new mineral sites (so an application for an extension would also have to be judged against the criteria) iii) What are exceptional circumstances and how do they differ from the circumstances identified through the criteria?
Q21	Designated Landscapes	<p>The MWDF should adopt a character-based approach to landscape conservation and enhancement, providing that these are not too broad and/or generic.</p> <p>These areas could be identified through the Core Strategy.</p>
Q22	Historic Parklands	<p>The criteria are the same as those applied to the AONB but slightly less weight is applied to the designation of these sites. Is there not a way of combining policies where the criteria are the same to avoid repetition?</p> <p>Again it is considered that the criteria should be applied to new sites and extensions alike.</p>
Q23	Biodiversity and Geodiversity designated areas	<p>Will these policies not be prepared and contained within the LDF prepared by each district?</p> <p>This policy should only be contained in the MWDF where site allocations or preferred areas directly affecting one of the designated sites, and then it should be a criterion for the site allocation. The MWDF could point the reader to the</p>

		<p>appropriate LDF for the appropriate polices. There is otherwise going to be a mismatch or criteria and unnecessary repetition.</p> <p>Because of duplication of criteria there may be scope to combine some policies, perhaps in to a matrix.</p>
Q24	Biodiversity and Geodiversity designated areas	<p>All international, national, regional and local designations should be contained on a separate map to the proposals map for two key reasons:</p> <ul style="list-style-type: none"> i) They are not proposals contained within the MWDF; ii) Their boundaries are subject to change from sources outside the county planning authority and so it would reduce the number of times the proposals map would need to be amended. <p>Any maps prepared alongside the proposals map could have a disclaimer stating that the information was correct as of a date, and that it is important to note that the boundaries may have altered since the map was produced. Such maps would have to be reviewed regularly to capture any key changes.</p> <p>GIS mapping should be adopted to improve accessibility and in an effort to continue to work towards the E-Gov agenda.</p>
Q25	Ancient Woodlands	<p>Areas of ancient woodland could also be identified on the map mentioned in Q24. Would the criteria applied to ancient woodland not be similar to that applied to national or local designations?</p> <p>Will this not be covered by the LDF produced by each District?</p>
Q26	Nationally Important Habitats	<p>The level of protection awarded to locally important species should be in line with the guidance provided by the Government. Care must be taken not to provide a level of protection different to that provided by each of the LDFs.</p>
Q27	Nationally Important Habitats	<p>No, the MWDF does not have a role to play in identifying opportunities to enhance and add to nationally important habitats as this will be achieved through the LDF produced by each district planning authority. The only occasions when the MWDF should identify opportunities for priority habitats are when they are directly linked to site allocations and preferred areas where policies could sway their restoration towards the creation of that specific priority habitat.</p> <p>This approach would avoid unnecessary duplication.</p>
Q28	Networks of Natural Habitats	<p>The MWDF should only identify opportunities for networking natural habitats when they are directly linked to site allocations and preferred areas where policies could sway their restoration towards the creation networking natural habitats.</p> <p>Links should be formed closely with LDF production to avoid missed opportunities.</p> <p>A policy should not be included until all the supporting</p>

		evidence (regarding the mapping of habitat networks for a regional Biodiversity Action Plan or DBAP priority habitats) has been collected, to ensure that the policy is based upon sound evidence.
Q29	Restoration or creation of priority habitats	Identification of priority habitats will need to be based upon the network of natural habitats to be robust, avoid mismatched priorities and duplication of work and resources. Broad areas would feature in the core strategy
Q30	Protected species	Yes, as long as it isn't contrary to the LDF policies.
Q31	BAP priority sites	Any policy contained in the MWDF should not repeat Government guidance.
Q32	BAP priority sites	The level of protection awarded to locally important species should be in line with the guidance provided by the Government. Care must be taken not to provide a level of protection different to that provided by each of the LDFs.
Q33	General Biodiversity and Geodiversity	Yes, as long as it isn't contrary to the LDF policies.
Q34	Environmental Enhancement and Protection SPD	The SPD should be used to provide guidelines on protecting and enhancing each designated area. The level of content required in the SPD will have to be discussed with other local planning authorities to avoid duplication and minimise the contradiction between the SPD and the LDFs produced by each LPA.
Q35	Archaeology	The policies should be amended so that they are in line with PPG16 but should avoid repeating national policy.
Q36	Green Belt	Any policy developed should avoid repeating the guidance in PPG2.
Q37	Local Amenity	No, all the main sources of disturbance have not been identified. The operations on the site will cause additional noise levels, especially where blasting is required. Vehicular movements to and from the site will also add to the increased noise levels. There are also the potential problems associated with landslip, subsidence and gaseous emissions. The Minerals Development Control DPD is very heavily weighted towards the environment with the impact on local community been awarded less consideration. Should the existing land use and the impact of the loss of the land to the community have not been considered. Should this section not also cover loss of, open space, PRoW or open access sites? The issue of increased flood risk associated with the development needs to be incorporated The section does not outline the potential for how commuted sums or planning obligations could be used to minimise the adverse impacts on the local community.
Q38	Local Amenity	Yes this approach should continue to be taken in the MWDF. The exceptions to the policy should be strengthened to ensure that local amenity is still awarded a high priority, especially where excess noise levels will still be experienced.

		Should the exceptions not be weighed up against the existing supply and land bank of that mineral against the demand placed on it? For example, if there is sufficient supply to meet the existing and future demand then the fact that the site is contaminated should not be placed above local amenity.
Q39	Use of rail network	Yes, the promotion of rail use should continue, despite the limited of opportunities in the County. The use of rail would minimise the impacts on the local community. Could commuted funds not be secured to finance rail links to areas a high density of mineral extraction, or sites a certain number of miles away from existing rail links?
Q40	Protection of rail routes	Yes, rail routes should continue to be protected. This policy will overlap with the LDF and so should be developed in liaison between the county planning authority and the appropriate district planning authorities
Q41	Mineral Consultation Areas	Insufficient information to answer this question – further discussion requested. Also for 42
Q42	Mineral Consultation Areas	As above
Site Allocations DPD only questions relevant to Wear Valley have been answered		
Q43	Areas of search for sand and gravel	The report seems to suggest that the MWDF move away from the use of areas of search as site allocations and/or preferred areas would provide the local community with more certainty of mineral working in their area, as there is a strong presumption of extraction awarded to site allocations and preferred areas. The Council therefore support this approach. Note: Advice would be welcomed with reference to the procedure/protocol involved if an area of search is more sustainable than a preferred area? Are sites going to be ranked in order of preference so only the most sustainable sites are developed/developed first?
Q44	Areas of search	We are not in a position to answer this question.
Q45	Eastgate Cement Works – Preferred Area	Existing permission was tied to cement manufacturing at Eastgate and can not be manufactured elsewhere. It is therefore assumes that the preferred area also existed on the basis that any quarrying of limestone for cement would have to be manufactured at Eastgate. Therefore there is no need for a preferred area (for cement making raw materials) in this location.
Q46	Todhills Brickworks	See attached committee report
Q51	Heights Quarry	See attached committee report.
Q57	Carboniferous Limestone Site	a) We consider that there is insufficient evidence provided to answer this question. b) See attached committee report for the answer to this question.
Q58	Low Harpley sand and gravel extraction	See attached committee report.
Q59	Hummerbeck sand and gravel extraction	See attached committee report.
Q64	White Lea	See attached committee report

Further comments relating to the Minerals Issues and Options Report

- With respect to the Minerals Development Control DPD - there appears to be bias towards the Biodiversity and Geodiversity issues, with little mention of the local amenity issues in comparison, with no mention of mitigation measures and how they would be secured.
- Many of the proposed types of policy mentioned in the Minerals Development Control DPD do not refer specifically to minerals related development. Although the protection of designated areas applies to Minerals development will the relevant policies not be contained within the LDF produced by the relevant Local Planning Authority? Such an approach would avoid duplication of policies and the potential for possible contradiction in criteria or weight awarded to them.
- If these policies have to be contained in the Minerals Development Control DPD, is there no way to simplify the approach towards biodiversity and geodiversity designations? Has the possibility of a matrix of criteria been considered? Could all the designations be covered by one policy (or one policy for landscape designations, one for ecological and one for geological or similar. The SPD could go in to more detail)
- The criteria for each site allocation or preferred area could be specific to that site and so relate directly to national habitat networks, priority habitats or designated areas for that site, without there been too many generic biodiversity or geodiversity policies.
- Are the potential or expected planning obligations/commuted sums for each site allocation or preferred areas going to be contained under each site allocation, or is there going to be a generic policy or guidance outline this?
- Has a sustainability criteria based policy been considered for any proposals that have not been allocated in the Site Allocations DPD?
- Answering many of the above questions proved difficult because insufficient supporting evidence or justification was provided to base an answer upon. This especially relates to including and discounting sites for specific minerals where existing and future supply, need and demand were not mentioned. Problems were also encountered in considering site allocations because limited and varying information was provided for each site.

SPECIAL REGENERATION COMMITTEE

13 FEBRUARY 2006

Report of the Director of Regeneration

COUNTY DURHAM MINERALS AND WASTE DEVELOPMENT FRAMEWORK: MINERALS ISSUES AND OPTIONS REPORT CONSULTATION

purpose of the report

1. To advise Members of the salient points regarding Durham County Councils Minerals Issues and Options report that is subject of third party consultation and recommend responses to the questions posed.
2. To advise Members upon the suitability of specific mineral extraction sites within Wear Valley District which will form the basis of the Councils response to the consultation exercise.

background

3. The Planning and Compulsory Purchase Act 2004 heralded the reform of the development plan system. In the same way that this Council has commenced the production of a new style development plan, a Local Development Framework, Durham County Council as Minerals and Waste Local Planning Authority has commenced the production of a Minerals and Waste Development Framework (MWDF). This will progressively replace the existing County Durham Minerals and Waste Local Plans (adopted December 2000 and April 2005 respectively). The current Minerals and Waste Development Plans have been 'saved' and will remain in force until the Minerals and Waste Local Development Framework replace them. Once adopted the MWDF will represent the principal documents for making decisions on planning applications for minerals and waste development in County Durham.
4. This current Issues and Options Report represents the first formal stage in preparing the emerging minerals core strategy, development control and site allocations DPDs. The Councils' views have been invited. A series of 68 questions are posed regarding the issues and options of the three DPDs. A list of the questions and a summary of the responses are tabled for Members information. This report identifies the main comments. In addition a number of sites throughout the County are identified and comment regarding the appropriateness of allocating them as minerals extraction sites is invited. Comment on those in Wear Valley is included in this report.

5. County Durham possesses a range of mineral resources, some of which are of regional or national importance. These include aggregates (sand and gravel and crushed rock used by the construction industry), energy minerals (coal), non aggregate minerals (clay, building stone) and industrial and vein minerals, (Dolomite, Ganister, Fluorspar and Barytes).
6. Planning for minerals is unique in that minerals can only be worked where they are found, the choice of location for minerals extraction being primarily determined by geology.

emerging issues for the district identified

7. The proceeding sections of this report present the main issues raised which are directly relevant to Wear Valley District.

minerals core strategy development plan document (DPD)

- **spatial vision**

8. It is proposed that a Minerals Core Strategy DPD will set out the key elements of the minerals planning framework for the County. It will contain a spatial vision and strategic objectives, a spatial strategy, core policies, and a monitoring and implementation framework with objectives for achieving delivery. Individual sites will be identified in a Site Allocation DPD. The MWDF time period is set at 2008 – 2021 in order to correspond to the time in the submission draft Regional Spatial Strategy (RSS) to which the MWDF must conform.
9. The County Council proposes that the spatial vision should take the form of a concise overarching statement. They suggest that this recognises the balance that must be struck in the County between contributing appropriately to national, regional and local requirements for minerals, whilst at the same time ensuring that minerals extraction is socially and environmentally acceptable. The following draft spatial vision is proposed:

“A minerals extraction industry which meets the social and economic needs of the County and make an appropriate contribution to the national and regional need for minerals in ways which conserve and enhance the quality of life for existing and future generations, in accordance with the principals of sustainability”.

10. I consider this to be an appropriate spatial vision.

- **strategic objectives**

11. The Minerals Core Strategy DPD is required to include a number of strategic objectives in order to help deliver the spatial vision. In relation to this the County Council suggests that it seems appropriate

to use the 4 strategic aims of current minerals local plan to form the basis for that of the Minerals Core Strategy DPD. These existing aims are considered to still be broadly in line with those of government policy in relation to minerals planning. A range of strategic objectives are also proposed which seek to deliver the 4 overarching strategic aims. These strategic aims and objectives are summarised in Annex 1.

12. I consider that these are generally considered to be acceptable. However, it is suggested that some refinement will be required to eliminate repetition.
13. The consultation document identifies following issues in relation to the supply of minerals:
 - Issue 1: Regional Apportionment
14. The draft RSS, seeks the provision of 20m tonnes of sand and gravel and 11.9m tonnes of crushed rock to be met from within the Region in the period 2001 – 2016, of which County Durham is required to make provision for 6.1m tonnes of sand and gravel and 75.8m tonnes of crushed rock. The MWDF therefore needs to ensure that land is made available to meet this regional requirement.
 - Issue 2: Recycling
15. Government Policy (draft MPS1 'planning and minerals) requires more secondary and recycled materials to be used in the overall supply of minerals. This policy has been embraced in the submission RSS which requires the MWDF to facilitate the increased use of alternative (secondary and recycled) materials, including identifying suitably located minerals recycling facilities, to enable the regional target of supply 76 million tonnes of alternative material to be met.
16. The current Waste Local Plan identifies existing minerals sites amongst potentially suitable locations for recycling facilities. The adopted Minerals Local Plan also encourages the use of recycled and waste materials and identifies active quarries as potentially sustainable location for temporary aggregate recycling facilities.
17. I consider that is an appropriate stance to continue to take in relation to this issue.
 - Issue 3: The approach to aggregate landbanks
18. Government guidance requires that the Minerals Core Strategy DPD contains a policy for the maintenance of landbanks i.e. a stock of planning permission for the winning and working of minerals including dormant sites or currently non-worked sites. The emerging draft Minerals Planning Statement 1 (MPS1) indicates that a landbank is the

key indicator in assessing when a new permission should be considered. It also suggests that the minimum length of a landbank should be 7 years; a landbank of less than 7 years is an indication that additional resources may need to be permitted; and on the other hand it suggests steps should be taken to avoid or reduce excessive landbanks.

19. In response to this issue, given Government advice on maintaining landbanks and the fact that the Minerals Core Strategy DPD will be regularly reviewed to reflect revisions to national and regional aggregate guidelines I consider that it will not be necessary to make provision for landbanks at the end of the plan period.

- Issue 4: The approach to crushed rock and sand and gravel provision.

20. The consultation paper presents 3 options in relation to meeting the sub regional apportionment set out in the RSS. It advises that the preferred option in relation to this issue will affect the extent of new reserved which will be needed over the plan period. These options are as follows:-

- (a) Plan for crushed rock and sand and gravel without any distinction between different types of rock, or sand or gravel.
- (b) Plan for different types of crushed rock and sand and gravel separately.
- (c) Considering productive capacity of reserves.

In relation to the latter, whilst estimated reserves at permitted sites may suggest an adequate landbank to meet requirements, in reality it may be that those sites making up the landbank may not be able to make their required contribution due to operational or other restrictions, including limitations of planning permissions. An approach that considers productive capacity could offer an alternative to landbanks and represent a more realistic indication of the volume of aggregates available. However the consultation paper suggests such an approach would be unworkable given the range of factors that would need to be taken into account and the reliability of required information in order to allow accurate assessment.

21. In my opinion it is most appropriate to consider the overall supply of rocks as shown in option (a) as this approach is in line with national and regional guidance, the sub regional apportionment and policy 44 of the emerging submission RSS.

22. The consultation document also identifies options relating to the following, which are relevant to Wear Valley District:

- Approach to permitted extensions to existing workings
23. The current Mineral Local Plan allows extensions to some existing mineral workings in certain circumstances. An extension maybe less environmentally intrusive than a wholly new proposal. I consider that this approach should be carried through into the MWDF.
- Building Stone
24. Two options are presented in relation to this – continue with a landbank policy or adopt a policy based upon need for stone of a specific quality and characteristic that cannot be met from existing sites. The County has evidence that suggests that the former option is not working.
25. I therefore consider that the latter is more appropriate option to pursue to ensure that an effective supply can be provided according to demonstrated actual need.
- Brick making raw materials
26. The options presented relate to whether this resource should continue to be won to supply brickworks beyond County Durham. There is no evidence of a shortage of common clay and shale to meet the region’s requirements for red brick manufacturing. However, supplying brickworks further afield raises issues of sustainability.
27. I concur with the County Council that it would seem reasonable to require operations elsewhere in the region to demonstrate that brick making material could not be supplied from closer sources before supplies in County Durham are considered.
- Cement Making Materials
28. The consultation paper highlights the fact that no evidence has been presented so far to demonstrate a definite need for a landbank for this purpose. Therefore the paper suggests that in the absence of such evidence in planning terms there is no need to retain the commitment in policy to ensure dedicated reserves for Eastgate Cement Works. I consider that this would be appropriate course of action given.
- Open Cast Coal
29. Evidence collated suggests that operators continue to seek possible future sites as the price of coal is once again rising. Given past activity and settlement patterns it is becoming increasingly difficult to find sites in the County that can be worked without unacceptable environmental effects. The consultation paper suggests that some scope still exists where environmental consequences can be mitigated and planning gain secured for affected community.

30. In view of this I consider it appropriate to continue with this existing policy approach to determining applications for open cast works and extraction.

minerals development control dpd

31. This document will contain a range of such policies for determining all future minerals planning applications. It is proposed that these will cover topics including:
- Landscape
 - Nature Conservation
 - Archaeology
 - Agricultural Land
 - Water Resources
 - Transport
32. I consider that this approach will provide adequate policy coverage to enable the effective determination of planning applications. However, given the spatial overlap between the MWDF and the district Local Development Frameworks there is a need to liaise closely with the district councils in the development of evidence bases and policies relating to local and national designations and nature conservation.
33. The consultation paper suggests that a Supplementary Planning Document (SPD) on environmental protection and enhancement could be prepared to supplement policies. The new development plan system advocates such an approach. I am of the opinion that such a SPD would assist in the pursuit of the strategic objectives and effective implementations of individual policies. This approach is therefore welcome. Again, there is scope for the County Council and Districts to jointly work to develop a generic document relating to this issue for both the MWDF and LDF purposes.

minerals site allocations dpd

34. The consultation paper sets out operator proposals relating to a number of sites including 5 within Wear Valley District. These are summarised in the table 1 below. The consultation paper emphasises that the sites set out have been proposed by the minerals industry and are included for consultation purposes only. The County Council has endorsed none of the sites. Neither have they been the subject of any planning or sustainability appraisal. One of the purposes of such an appraisal is to identify the most sustainable site options available within the County as a whole. This is a significant consideration in justifying the selection of one site over another.
35. I am concerned that the information provided to support these proposals is very limited. In most instances for example the proposed period of extraction, anticipated vehicle movements, mitigation

measures and after uses proposals are not stated. It is not clear as to how many of these additional new sites would be required in order to meet the RSS target. As no sustainability appraisals have been carried there is inadequate information to comment with any degree of certainty as to the appropriateness and priority that should be attached to each proposal. In general terms each site presents some issues of concern. These are summarised in table 1.

Table 1 Summary of potential extraction sites identified in Wear Valley District

SITE	PROPOSAL	RESPONSE
Eastgate Quarry	<p>Small scale aggregate extraction within area of current permission for extraction of limestone for cement manufacture.</p> <p>To be considered as part of the Eastgate redevelopment proposals and assessment needed of the contribution to the delivery of the master plan</p>	<p>Concerns raised relating to</p> <ul style="list-style-type: none"> • Cumulative impact • Impact upon the AONB • Landscape impact • Impact upon bio diversity flora & fauna.
Heights Quarry, Westgate	Extension to existing quarrying activity (22ha)	<p>Concerns raised relating to</p> <ul style="list-style-type: none"> • Impact upon the AONB • Traffic impact • Cumulative impact • Impact upon bio diversity flora & fauna.
Low Harperley	A new mineral site for sand & gravel extraction in the river valley. Site not previously worked.	<p>Concerns raised relating to</p> <ul style="list-style-type: none"> • Potential landscape impact in relation to its position alongside the A689, the main tourist route in to the dale. • Impact on nearby tourist attractions (ie Harpley Camp) and Harpley Forensic Science Centre, a proposed strategic development. • Impact upon bio diversity flora & fauna • Traffic impact • Cumulative impact • Noise impact

Hummerbeck, West Auckland	Implementation of existing permission and extension to permitted site for sand and gravel extraction.	<p>Accept principle of extraction already established given existence of dormant planning permission. This site is already identified as a commitment in the Wear Valley District Local Plan</p> <p>Concerns raised to extension of site relating to</p> <ul style="list-style-type: none"> • Impact upon residential amenity. • Impact upon bio diversity flora & fauna. • Landscape impact. • Impact on route of West Auckland bypass and a potential industrial development site
White Lea, Crook	New minerals site for open cast coal extraction (122ha)	<p>This site was subject to a planning application in the mid 1990's which was turned down on appeal.</p> <p>Concerns raised relating to:</p> <ul style="list-style-type: none"> • Landscape impact • Due to the scale of the site, the impact on the Crook area • Impact upon bio diversity flora & fauna. • Noise impact • Traffic impact • Impact upon residential amenity.
Sites in close proximity to Wear Valley District Council		
Todhills Brickworks, Sedgefield	Area of search to South East of existing site.	Due to the proximity of the site to the brickworks the site can be justified under the proximity principle.
Eldon Brickworks, Sedgefield	Extension to existing quarry to supply brickworks.	Due to the proximity of the site to the brickworks the site can be justified under the proximity principle. However as the proposed extension would move the works closer to Old Eldon concerns are raised with regard to residential amenity.

36. It is recognised that the County is bound by the RSS to make provision in the MWDF to meet the sub regional target in terms of supply of minerals. However at this stage, in view of the above, I would recommend that the Council raise the above concerns about each of the aforementioned sites. This stance can be revisited once more details of each proposal become available.

conclusion

37. The emerging LDF for Minerals and Waste will be an important document which will affect the extraction industries of Wear Valley and ultimately have an impact on the environment and amenity of our communities. The Issues and Options Consultation reports present the first stage in the review of the framework for Minerals Planning in the County. The comments made seek to influence the ultimate content of the Plan. Members will continue to be involved in considering future plan documents as they emerge.

RECOMMENDED

- 1 That Members endorse the response contained in this report to the questions posed in the County Durham MWDF Minerals Issues & Options Report.
- 2 That Members raise initial concerns as contained in table 1 about the sites in Wear Valley District that have been presented in the MWDF Minerals Issues & Options Report for comment.

background documents

County Durham Minerals & Waste Development Framework Minerals Issues & Options Report (November 2005).

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