

Item 6

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - COUNTY MATTERS

1. 7/2007/0265/CM

APPLICATION DATE: 25 April 2007

PROPOSAL: RETROSPECTIVE PLANNING APPLICATION FOR REMOVAL OF ASH DEPOSITS AND RESTORATION TO MIXED HABITAT

LOCATION: LAND AT SIMPASTURE JUNCTION NEWTON AYCLIFFE CO DURHAM

APPLICANT: Durham County Council
Environment, County Hall, Durham, DH1 5UQ

CONSULTATIONS

1. GREAT AYCLIFFE TC
2. Cllr. V Crosby
3. Cllr. B Hall
4. Cllr. J Croft
5. ENV. HEALTH
6. L.PLANS
7. LANDSCAPE ARCH
8. Colin Holm

PROPOSAL

This application is a County Matter to be determined by Durham County Council. The views of the Borough Council have been sought as a consultee.

The application is a retrospective application for the removal of ash deposits and restoration of mixed habitat by forming a new access into the site. An amended method statement for the works has been submitted with the application.

The current proposal is to relocate the site access track further north of the existing track. This will create a 3 metre wide track travelling from east to west almost centrally into the site. The works will mean the loss of a copse of ash trees and an area of broom scrub. The new access route into the site will slope to a depth of approximately 3m from the existing track located to the southeast of the site to join with the existing extraction area to the west. Steep slopes (batters) approximately 3 metres in height will be developed on the north and south sides of the access roads and these will join what is already in place in the existing site to the west.

CONSULTATIONS

Great Aycliffe Town Council has objected to the proposal and stated that the development should be built in accordance with the original conditions.

Forward Plans Team had no objections to make with regards to the proposal

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The Council's Countryside Officer has no adverse comments to make regarding the scheme

The Council's Landscape Officer has no objections to make regarding the scheme.

PLANNING CONSIDERATIONS

The application will involve further removal of ash deposits on the site and further remediation work. A method statement has been submitted with the application revising the previous method statement. Detailed plans showing the new location of the access track, a landscaping scheme and cross sections of the batters has not been submitted with the application, thereby making it difficult to fully assess the proposal.

The method statement included with the application has indicated that the works will mean the loss of a copse of ash trees and an area of broom scrub. The ash copse has arisen from seed produced from the mature trees located on the northern boundary of the site. It is considered that these mature trees will not be affected by the development. The ash copse comprises of immature (spindly) individuals growing on ash deposits and the broom scrub has spread by seed produced from other areas of scrub located in close proximity to the site's northern boundary. It is considered that the impact of the removal of these two habitats may be positive in the longer term when the potential for further important grassland habitat creation is considered.

The removal of the ash tree copse and associated scrub habitat will create a corridor into the site which the applicant states has the potential for recolonisation of important grassland species. As part of the scheme smaller groups of trees will be planted on the site to provide a variety of habitats in that site that will act as windbreaks when these trees mature. Individual trees will also be planted along the top of the batters, particularly on the northern batter to provide stability to the new landform.

The Council's Countryside Officer indicated that there are no significant ecological issues arising on site from the proposal.

The Council's Landscape Officer has stated that there will be no significant impact upon the Landscape of the area. Any impacts will be outweighed by the benefits to the site from the redevelopment.

In principle it seems that the proposed works carried out may be acceptable but it is considered that a determination of the application is not possible due to the lack of exact information submitted by the applicant. At this time it is impossible to determine exactly where the new access track is located and where the new planting has been carried out.

CONCLUSION

Although the scheme may be acceptable in principle it is considered that due to the lack of information submitted by the application a determination of this application cannot be made. The applicant is advised to submit more information detailing the exact location of the footpath and the batters and indicate the exact position of the trees that have been removed and the new areas of planting should also be clearly indicated.

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SECTION 17 OF THE CRIME AND DISORDER ACT 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

HUMAN RIGHTS IMPLICATIONS

It is considered that in general terms, the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

RECOMMENDATIONS

The Borough Council objects to the proposal due to the lack of information submitted with the application.

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2. 7/2007/0266/CM

APPLICATION DATE: 25 April 2007

PROPOSAL: RETROSPECTIVE PLANNING APPLICATION NOT TO COMPLY WITH CONDITIONS 1,3,6,12,22 OF PLANNING PERMISSION 7/2000/67/CM AS AMENDED BY PLANNING PERMISSION NO. 7/2005/0650/CM (RELATING TO REFERENCES IN APPROVED DOCUMENTS AS TO THE FINAL RESTORATION OF THE SITE)

LOCATION: LAND AT SIMPASTURE JUNCTION NEWTON AYCLIFFE CO DURHAM

APPLICANT: Durham County Council
Environment, County Hall, Durham, DH1 5UQ

CONSULTATIONS

1. GREAT AYCLIFFE TC
2. Cllr. V Crosby
3. Cllr. B Hall
4. Cllr. J Croft
5. ENV. HEALTH
6. L.PLANS
7. LANDSCAPE ARCH
8. Colin Holm

PROPOSAL

This application is a County Matter to be determined by Durham County Council. The views of the Borough Council have been sought as a consultee.

The application site is at Simpasture Junction, Newton Aycliffe. The application is seeking retrospective consent for permission not to comply with certain conditions attached to the original planning application (7/2000/0067/DM), amended by planning application 7/2005/0650/CM for the site.

Condition 1 lists documents which refer to the method of mineral extraction and restoration documents. Condition 3 refers to excavation, the tipping or storing of materials within a lateral distance of 5m from the railway boundary. Condition 6 states that the site will be restored in accordance with approved documents listed in Condition 1. Condition 12 refers to approved documents listed in Condition 1 regarding site restoration. Condition 22 refers to the approved documents listed in Condition 1 relating to the restoration of the site.

CONSULTATIONS

Great Aycliffe Town Council has objected to the proposal and stated that the development should be built in accordance with the original conditions.

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The Forward Plans Team has no objections to make with regards to the proposal.

Sedgefield Borough Council's Countryside Officer has no objections to make with regards to the scheme

Landscape Architect has requested further information.

PLANNING CONSIDERATIONS

The information accompanying this application is extremely vague and does not give any justification as to why the conditions have not been complied with.

It is understood that the conditions have been requested to be removed in order to carry out the works described in application no. 7/2007/0265/CM.

Specific concerns are raised with regards to the fact that the application is retrospective and that excavation or other works seems to have taken place within 5 metres of the railway line contrary to the requirements of Condition 3. It is considered that this condition was placed on the application for a specific reason yet no justification as to why the applicant wishes to remove the condition is forthcoming with the application.

Concerns have also been raised with regards to conditions for works to be carried out in accordance with approved plans and approved method statements. In the accompanying statement the applicant does not provide any details as to why these conditions have not been complied with, nor does the applicant state how the works that have been carried out differ from those that have been approved previously. Condition 22 states that the final contours of the site must be constructed in accordance with the approved drawings. This condition was necessary in order to create a satisfactory restoration process. Information has not been submitted to show what work has actually been carried out and how the contours differ from what has been approved. As this has not been shown on a plans then the Minerals Planning Authority will not have any control over the development.

It is considered that without the above information Sedgefield Borough Council cannot support the application.

CONCLUSION

It is considered that the applicant has not provided satisfactory information and justification to justify the variation of the original conditions. It is recommended to the County Council that the applicant submits further information to fully explain what works have been carried out and also to justify non-compliance with the approved conditions.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning

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permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

HUMAN RIGHTS IMPLICATION

It is considered that in general terms, the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

RECOMMENDATIONS

The Borough Council objects to the proposal on the basis that insufficient information and justification has been received to assess the application.

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3. 7/2007/0352/CM

APPLICATION DATE: 6 June 2007

PROPOSAL: PROPOSED NEW DOOR AND STEPPED ACCESS TO SCHOOL OFFICES

LOCATION: WEST CORNFORTH PRIMARY SCHOOL WEST CORNFORTH CO DURHAM

APPLICANT: West Cornforth
Primary School, High Street , West Cornforth , Co Durham

CONSULTATIONS

1. CORNFORTH P.C.
2. Cllr. A. Hodgson
3. Cllr. T D Brimm

This application (7/2007/0352/CM) is for development by Durham County Council and will therefore be dealt with by the County Council under Regulation 3 of the Town and Country Planning General Regulations 1992.

THE PROPOSAL

It is proposed to insert a new door and stepped access to West Cornforth Primary School. The need for the development has arisen because members of the public have entered through the main entrance and have walked around the school unsupervised. The new access will enable the public access to the building without the need to cross through the children's playground, improving the security of the site.

The proposed access arrangements will be located on the western side elevation of the school and will measure 9.3m in length by 3.3m in width. The maximum height of the handrail will be 3.2m from ground level. In addition an existing window will be partially replaced with an access door.

CONSULTATION AND PUBLICITY

No comments have been received to date.

PLANNING CONSIDERATIONS

The proposed stepped access is relatively small and therefore is unlikely to be visually intrusive in the street scene or significantly alter the character and proportions of the existing building.

No objections were raised from Members for a similar application for a ramped access (Sedgefield app. No. 7/2005/0792/CM). Although a ramped access would be preferable the

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future of the school is uncertain and following discussions with Building Control the temporary provision of steps for a period of 5 years would be acceptable. Furthermore, disabled access is achievable elsewhere within the school through other entrance ways.

It is considered that the proposal is in accordance with Local Plan Policy L11 (Improving the range and quality of leisure and community facilities). In terms of Local Plan Policy D1 (Design Principles) the design of the access and the external changes are considered to be acceptable.

HUMAN RIGHTS IMPLICATIONS

It is considered that in general terms, the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

RECOMMENDATION

It is recommended that the Council raise no objections to the proposal.

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4. 7/2007/0360/CM

APPLICATION DATE: 12 June 2007

PROPOSAL: ERECTION OF 3NO. STEEL CONTAINERS

LOCATION: STEPHENSON WAY PRIMARY SCHOOL STEPHENSON WAY
NEWTON AYCLIFFE CO DURHAM

APPLICANT: Durham County Council
Environment, County Hall, Durham, DH1 5UQ

CONSULTATIONS

1. GREAT AYCLIFFE TC
2. ENGINEERS
3. ENV. HEALTH
4. Cllr. George C. Gray
5. Cllr. E M Paylor
6. Cllr. Helen J Hutchinson

This application is for development by Durham County Council and will therefore be dealt with by the County Council under Regulation 3 of the Town and Country Planning General Regulations 1992. The views of the Borough Council have been sought upon the proposal as a consultee.

THE PROPOSAL

The proposal is very minor in nature and involves the erection of 3 no. steel containers at Stephenson Way Primary School.

The school is located on Stephenson Way, Newton Aycliffe. The school comprises of an Infant and Junior block with a new SureStart Unit on the road front. A play area lies to the south of the site.

Elmfield School is set to close in summer 2007 with the pupils from the school being transferred to other schools in the Newton Aycliffe area. Some of the pupils and all of their equipment will be transferred to Stephenson Way. The school currently has no storage space for play and sports equipment. The school will therefore require additional storage facilities for their current equipment and the equipment that will transfer from Elmfield Primary when it closes.

CONSULTATION AND PUBLICITY

No adverse comments or objections have been received in response to the consultation exercise.

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PLANNING CONSIDERATIONS

The proposal is designed to improve storage facilities within the site. The three storage containers will measure approximately 8m x 3m with a maximum height of just over 2m. All three storage containers will be located within the site away from residential properties. An amended plan was received moving container number 3 even further from the residential properties at the south of the site.

Two of the storage containers are to be located close to the school for equipment storage and one container will be located close to the school field for games and sports equipment. It is therefore considered that the application has provided justification for the siting of these storage containers. It is not considered that the development will have a detrimental impact on the character of the area of the neighbouring residential properties.

By virtue of creating more storage space for an expanding school, the proposal will therefore be an improvement upon the current situation and as such will not have an adverse impact upon the site or the neighbouring properties.

HUMAN RIGHTS IMPLICATIONS

It is considered that in general terms, the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

RECOMMENDATION

It is recommended that the Council raise no objections to the proposal as it will not have an adverse impact on the surrounding area

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5. 7/2007/0388/CM

APPLICATION DATE: 18 June 2007

PROPOSAL: APPLICATION NOT TO COMPLY WITH CONDITIONS 1 AND 7 OF APPLICATION 7/2003/0045/CM IN ORDER TO EXTEND THE DATE FOR COMPLETION OF MINERAL EXTRACTION TO 31ST DECEMBER 2015, REVISE THE METHOD OF EXTRACTION AND REVISE THE PHASING OF INERT LANDFILL OPERATIONS

LOCATION: THE QUARRY BISHOP MIDDLEHAM CO DURHAM

APPLICANT: W & M Thomson
(Quarries Ltd), Princess Way, Low Prudhoe, Northumberland, NE42 6PL

CONSULTATIONS

- | | | | |
|----|-----------------|------------|------------|
| 1. | BISH. MID. P.C | | |
| 2. | Cllr. T D Brimm | 21/06/2007 | 12/07/2007 |
| 3. | Cllr. B Lamb | 21/06/2007 | 12/07/2007 |
| 4. | ENV. HEALTH | 02/07/2007 | 23/07/2007 |

This application is a County Matter to be determined by Durham County Council as the Waste Planning Authority and the views of the Borough Council have therefore been sought as a consultee.

PROPOSAL

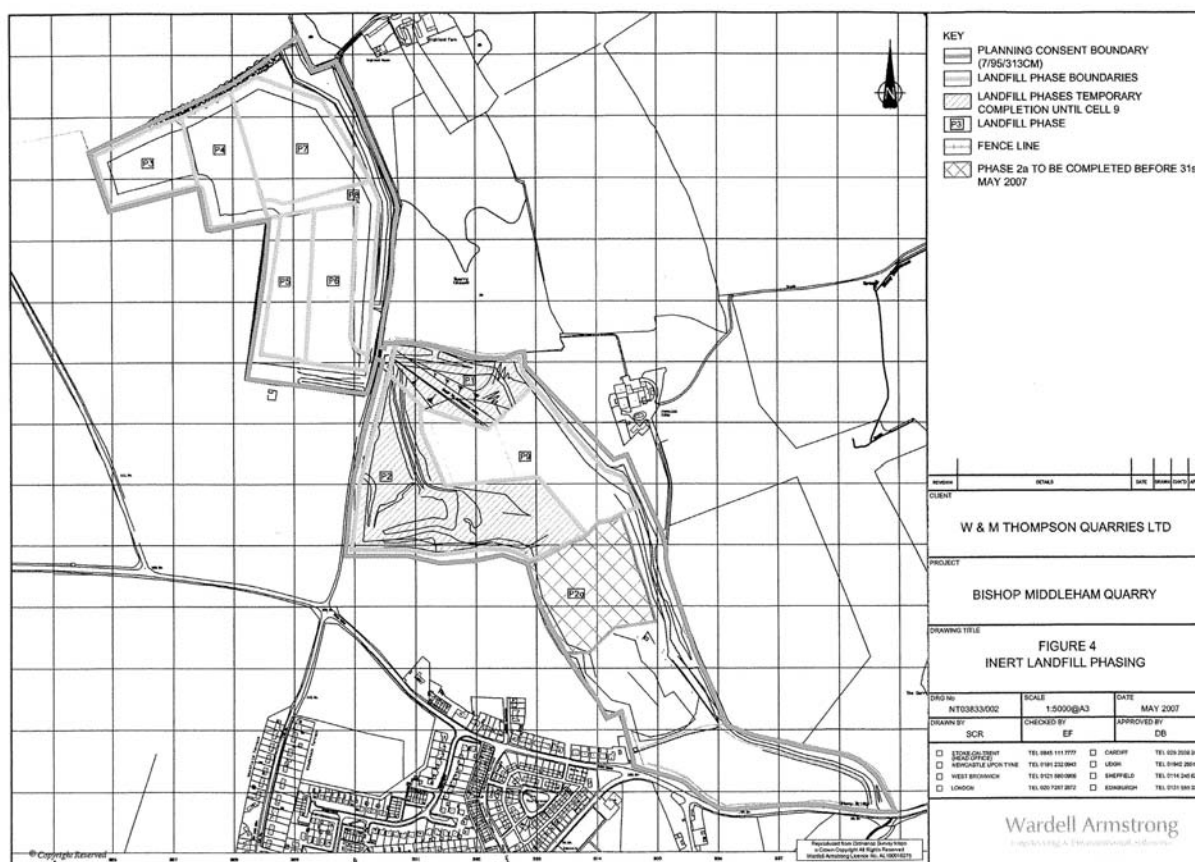
The Bishop Middleham Quarry operates with the benefit of various historic planning consents that permit limestone extraction from this site and allow for the importation of inert material onto this site.

Planning permission was granted to extend the existing quarrying operations in 1997 (Ref. T/APP/H1345/A/96/267255/P5). This approval permitted the extraction of 6.26 million tonnes of limestone and subsequent landfill operations. This permission was subsequently amended by permission 7/2003/0045/CM. At this time the sequencing of the phasing for both mineral extraction and landfill phasing were altered. The 2003 permission replaced the earlier 1997 approval.

The site is located immediately to the north of the village of Bishop Middleham. Sedgefield is approximately 2.5km to the south east and the A1(M) motorway is approximately 1km to the west.

The extent of the application site is shown below.

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This planning application seeks to vary two conditions of the 2003 planning approval. Permission is sought not to comply with conditions 1 and 7, which require that the development should be carried out in accordance with approved documents and that mineral extraction should be completed by 11th June 2009. The applicant is seeking to vary these conditions in order to:

- (A) Extend the date for completion of mineral extraction to 31 December 2015
- (B) Revise the method of mineral extraction
- (C) Revise the phasing of inert landfill operations.

These proposed changes are summarised below:

- (A) Extend the date for completion of mineral extraction to 31 December 2015

In support of this planning application, the agent has stated that extraction of the limestone has not taken place at the rate originally anticipated in the approval granted in 1997 i.e. 620,000 tonnes per year. A range of factors has contributed to this short fall including the Foot and Mouth outbreak in 2001, which suppressed demand for lime for agricultural purposes, and the greater use of secondary aggregates via onsite demolition and crushing of inert materials.

As such, it is estimated that at current levels of production, the remaining consented reserves at the quarry will last for a further 8 years until 2015. It has been stated that if no extension in time

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is granted approximately 2.2 million tonnes of consented reserves would remain on site. This would comprise the majority of the limestone reserve in phase's 6a and 6b of this site.

(B) Revise the method of mineral extraction

This proposal also involves a variation in the working method of mineral extraction. It is now proposed to utilise small scale blasting combined with an excavator rather than the use of a larger Cat D11 machine working to remove limestone from the blast pile at the base of the active face. This variation in working practices would result in an increase in blasting on site from an average of one blast every 5 to 6 weeks to one blast every 3 to 5 weeks, resulting in a total of between 15 and 20 blasts per year. Existing planning conditions relating to this site which allow a maximum of one blast per day (Monday to Friday) and limit blasting times and ground vibration levels would still apply.

(C) Revise the phasing of inert landfill operations.

In order to achieve the approved restoration levels inert land filling is taking place in a phased operation following mineral extraction. While there is no proposal to revise the extent or duration of landfill operations, it is stated that it has become necessary to revise the phasing to take account of operational requirements and to remedy an earlier oversight which failed to include provision for inert landfill to achieve the approved restoration contours to the area at the east of the quarry site and to the north of Bishop Middleham village. This variation is, however, in accordance with the existing Waste Management Licence. The revised phasing, would mean that temporary restoration works would be undertaken adjacent to vehicular access serving the Quarry and Highland Farm and along the southern boundary of the eastern part of the quarry site to screen quarry operations until final restoration works are completed at this site.

It is important to note that the timescale for the overall restoration of the site would remain unchanged even if the period for mineral extraction were extended as requested.

PLANNING CONSIDERATIONS

Whilst the proposal would extend the time period for mineral extraction from June 2009 till December 2015 it should be noted that the current proposal would not alter the agreed timescale for the overall restoration scheme for the site.

Visual impact

It is considered that the proposal will have a limited additional impact in terms of visual amenity. Temporary screening would be implemented in order to screen the mineral processing plant until final restoration works are carried out and the date of restoration for the site would be unaffected.

Traffic movements

The proposal to extend the time limit for mineral extraction and restoration will result in traffic movements to and from the site being carried out for an extended period above and beyond those previously anticipated when planning approval was first granted in 1997.

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However, it is anticipated that the bulk of traffic movements for limestone extraction would be taken out via the existing access onto Stoneybeck Lane where vehicles would turn left to join the A177 a little further to the east,. The return loads of waste would follow the reverse route. At the time of the planning appeal relating to this site in July 1997 it was stated that only 6 vehicles per day on weekdays would pass along High Road, Bishop Middleham to take agricultural lime to the railhead at Ferryhill Station.

This level and routing of traffic movements was deemed acceptable at the time of the earlier planning approvals relating to this site and it is considered that these would not unacceptably affect residential amenity.

Noise/ Dust

This proposal would result in the continuation of blasting on site during the extended extraction period. The proposed changes to the method of extraction, whereby the number of blasts would increase from 15-20 per year, would also lead to an intensification in blasting activities. Consultation with the Council's Environmental Health Department has established that blasting activities at present are well controlled and that as a consequence do not give rise to complaint from local residents. The proposed changes are not expected to change matters particularly as existing limitations on blasting will still apply. Despite this intensification it is considered that as conditions limiting the extent of blasting and vibration levels would still apply the impact upon the local environment and amenity of nearby residents would not be significant.

Mineral extraction and landfill operations can by their very nature give rise to dust generation as a result of both the operations themselves and vehicular traffic on and around the site. The existing planning approval includes for provision to ensure that vehicles leaving the site are fully covered by sheeting and dust suppression measures are implemented on site to minimise dust emissions from the site. These planning conditions from the existing planning approval would remain unaltered.

RECOMMENDATION

Bearing in mind the proposed variations would not extend the overall timescales for the restoration of the site and the limited additional impact of the proposed variations in terms of visual impact and residential amenity it is recommended that Sedgfield Borough Council raise no objections to this proposal.