

# Item 8

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - COUNTY MATTERS

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1. 7/2006/0179/CM

APPLICATION DATE: 20 March 2006

PROPOSAL: PROPOSED EASTERN EXTENSION AND RESTORATION TO NATURE CONSERVATION USES

LOCATION: THRISLINGTON QUARRY WEST CORNFORTH

APPLICANT: Larfarge Aggregates Ltd  
P.O. Box 36, Retford Road, Workshop, S81 7YU

#### CONSULTATIONS

1. BISH. MID. P.C
2. CORNFORTH P.C.
3. FISHBURN P.C.
4. BUILDING CONTROL
5. ENGINEERS
6. ENV. HEALTH
7. L.PLANS
8. LANDSCAPE ARCH
9. Cllr. A. Hodgson
10. Cllr. M. Predki
11. Cllr. Mr K. Noble
12. Cllr. J. Burton
13. Cllr. T. Ward
14. Countryside Team
15. Rodger Lowe

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**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.**

#### INTRODUCTION

Thrislington Quarry is located to the south of West Cornforth and is situated between the C69 to the west and the A1(M) to the east. To the south lies the Thrislington plantation. The quarry is operated by Lafarge Aggregates Ltd who are proposing to extend it east of the A1(M). The planning application is accompanied by a package of documents including an environmental statement assessing the environmental effects of the proposed development.

#### BACKGROUND TO THE PROPOSALS

Thrislington Quarry has been operational since the early 1950s, supplying Magnesian or Dolomitic limestone for the steel and chemical industries, together with construction materials

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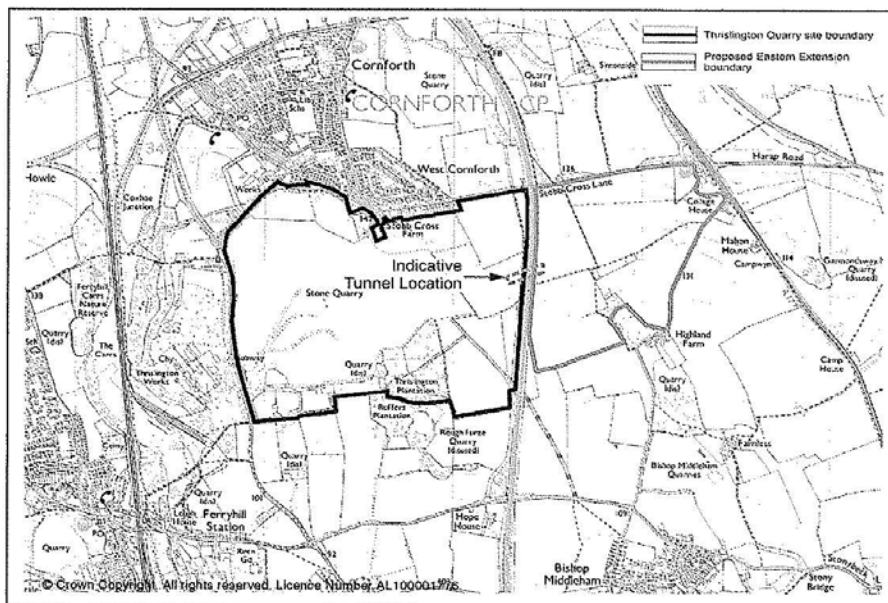
(aggregates). The Magnesian limestone at the quarry and the proposed eastern extension is very pure, which means that it can be used in kilns at the adjacent Thrislington Works, situated between the C69 and the East Coast Main Line, operated by Steetley Dolomite Limited. The kilns turn the limestone into a material used as a refractory product in steel making. Limestone that does not meet kiln specification is not wasted but is used as a construction material.

Mineral extraction at the existing quarry has planning permission up to 2015. Lafarge maintain that they need to open the proposed extension as quickly as possible. Should planning permission be granted by the County Council, a range of works would be completed before access to the better quality magnesian limestone can be achieved. One significant aspect of the works would be the creation of a 200m long tunnel under the A1(M) linking the proposed eastern extension to the existing quarry and via the existing subway to Thrislington Works.

Thrislington Quarry produces approximately 1.2 million tonnes per year of saleable mineral. The proposed eastern extension would release around 30 million tonnes of mineral over 30 years. An average of 500,000 tonnes per year would be transported through the tunnel for use at Thrislington Works and the ready mixed concrete plant in the main quarry. Around 700,000 tonnes per year of construction materials would leave the site via a new access onto Stobb Cross Lane which links West Cornforth to the A177 at the Hare and Hounds Junction.

#### LOCATION OF THE PROPOSED EASTERN EXTENSION

The proposed eastern extension covers approximately 78 hectares (193 acres) of mainly agricultural land, together with a small area of woodland. It lies to the south of Stobb Cross Lane, with the north-east boundary adjacent to the Hare and Hounds public house and the Cleanaway Depot. The eastern boundary is the lane that meets the A177 at College House and continues in a south westerly direction towards properties at Highland Farm. The boundary then runs westwards to the A1(M), north of the existing mineral extraction operations at Bishop Middleham Quarry. (See site location plan below).



Site Location

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**THE PROPOSED DEVELOPMENT**

**Phase 1: Initial Site Works (2 years)**

The works required during this period would involve the following:-

- Advance landscaping following initial excavations and soil and overburden removal in order to reach the tunnel and provide mounds to screen the site from public view.
- Construction of a new road access off Stobb Cross Lane for heavy goods vehicles removing construction materials from the site.
- Other site infrastructure including office facilities, weighbridge, sheeting bays and wheelwash to the north of the site.

**Phase 2: Tunnel Completion (1 year)**

- The first phase of extraction of the better quality limestone
- The construction of the tunnel under the A1(M) linking the main quarry and Thrislington Works to the eastern extension.
- Minerals extraction.

**Phases 3 to 7: Quarry Development (Approximately 29 years)**

- Minerals extraction starting in the north west corner and progressing to the east and south.
- Progressive restoration throughout the minerals extraction period when soils and overburden would be removed and used to establish the final landform restoration.

Lafarge proposes to focus the restoration of the eastern extension on nature conservation uses, particularly the creation of magnesian limestone grassland, to provide for the establishment of a range of habitats and to compliment the restoration proposals for the existing quarry.

Lafarge has managed the existing grassland at Thrislington Plantation in association with English Nature (now Natural England) for over 20 years. The plantation is a National Nature Reserve, a Site of Special Scientific Interest and has recently been designated a Special Area of Conservation.

The restoration for the proposed eastern extension would include:-

- 38 hectares of magnesian limestone grassland;
- 22 hectares of woodland and scrub planting;
- A water body covering approximately 16 hectares; and
- 2 hectares of marginal planting around the water body.

**PLANNING POLICY**

The proposed eastern extension is allocated in the County Durham Minerals Local Plan for the extraction of Magnesium limestone.

**THE ENVIRONMENTAL IMPACT ASSESSMENT**

A summary of the findings of the Environmental Impact Assessment (EIA) are as follows:-

**Water Management**

Where quarrying extends below the water table, groundwater flow, direction and levels can be affected. The proposed eastern extension would be developed within a site that is sensitive to quarrying effects, known as a major aquifer. The geology of the application site means that there are 3 aquifers; one in the limestone, one in the sands below the limestone and one in the

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coal below that. There is also a public water supply abstraction point known as Waterloo that needs to be considered. Without proper controls the development could result in quantitative and qualitative effects on these aquifers and the abstraction. Lafarge, in consultation with the Environment Agency, has investigated options for water management during the proposed works. The objective would be to return water collected in the base of the quarry to the local aquifers. The Environmental Statement proposes measures to minimise the risk of pollution covering the storage of fuels and other potential pollutants as well as keeping plant and machinery well maintained.

#### Nature conservation

The eastern extension is not covered by any nature conservation designations and is itself of low nature conservation interest. Lafarge maintain that the proposed works would have no significant effect on the nearby Thrislington Plantation or the Bishop Middleham site of special scientific interest.

#### Cultural Heritage

There are no designated cultural heritage features within 1km of the proposed eastern extension.

#### Landscape and Visual Effects

The proposed eastern extension is not designated for this landscape value nor is it close to designated areas and the quality of much of the landscape within the application site is considered low. The site is crossed by a designated public right of way which does not appear to be well used as it does not form part of the wider network. It is proposed to permanently divert this right of way around the western and southern boundaries of the site. The quarry design has paid particular attention to the view obtained by people who may use the diverted and new public rights of way, motorists and passengers on the A1(M) and Stobb Cross Lane, residents at the properties around Highland Farm and the Hare and Hounds public house and other nearby properties. Mitigation proposals in the form of bunds and earth mounds together with planting have been designed to minimise views from the locations.

#### Noise

The assessment has demonstrated that there would be no significant noise effects on a result of the proposed works.

#### Blasting and Vibration

The site geology means that the quarrying would be carried out by blasting. This breaks up the rock and piles it on the quarry floors so that it can be excavated more easily. The assessment concludes that there would be no significant environmental effects and that blasts would meet the relevant standards.

#### Air Quality

The assessment concluded that whilst there is potential for a small decrease in local air quality, it is unlikely to be significant.

#### Traffic and Highways

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Lorry movements associated with quarrying often concern local residents. During working of the proposed eastern extension, limestone to be used in the kilns or within the other operations would be transported through the proposed tunnel. Around 700,000 tonnes per year of limestone would leave the new access on Stobb Cross Lane per year equating to around 120 to 130 lorries per day. Lorries would turn right out of the proposed new access before joining the A177 at the Hare and Hounds Junction.

Thrislington Quarry uses two accesses: Entrance No1 at Thrislington Works and Entrance No2 on Garmondsway Road immediately to the west of the A1(M) corridor. Lorries leaving Entrance No 2 turn right and travel down Stobb Cross Lane before joining the A177 at the Hare and Hounds Junction.

The planning permission for Thrislington Quarry allows the following number of lorries to leave Entrance No2:-

- An average of 180 lorries per day
- A maximum of 250 in any one day

Lafarge maintain that the prepared eastern extension would not exceed those levels for lorries travelling east along Stobb Cross Lane. Lafarge also proposes the customary control measures which include wheel wash facilities, properly surfaced site access roads providing a significant distance between the wheel wash and the site exit to assist in providing material being deposited at the public highway, sheeting of lorries, sweeping the site access and nearby stretch of Stobb Cross Lane as required and the installation of traffic warning signs on the approach to the proposed site access. The assessment results show that because of low lorry and vehicle movements on Stobbs Cross Lane, there would be a relatively high increase of lorries along the road. Lafarge considers Stobb Cross Lane to be of low sensitivity and this, together with the fact that Lafarge's lorry movements would be 32% less than already consented along Stobb Cross Lane, led to the conclusion that the proposals would not lead to unacceptable effects.

### CONSULTATION RESPONSES

The Engineering Services Team raised no objections on highway grounds subject to the new vehicular access being constructed to Durham County Council specifications. However, there is a general concern within the planning section that the existing junction at the Hare and Hounds, because of its location at the brow of a hill with staggered junctions with relatively poor visibility and fast moving traffic along the A177, remains potentially hazardous in terms of accommodating slow moving heavy vehicles. This concern is made worse by the 30+ year timescale attached to these proposals and the inevitable increase in the number and speed of vehicles using the junction over that period.

The Tree Preservation Officer raised no technical objections to the proposal.

The Environmental Health Team raised no objections to the proposed development but made the following comments:-

*“With respects to noise nuisance the Environmental Health Team are satisfied that the assessment of potential noise nuisance gives a representative indication of expected noise levels and believe that should the proposed development proceed the operators of the site should pay particular attention to noise sensitive receptors during phase 1 of the site works (soil stripping and soil bund construction, and overburden stripping and landscape mound construction).*

*This stage of development has been identified to have the potential to cause the highest levels of noise nuisance to local sensitive receptors. Although it has been suggested that the site operators will engage in public liaison prior to works commencing it is suggested that particular*

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*attention should be paid to the date and time when works are permitted. During the phase of development, due to the stated noise levels, consideration should be given to the following quiet times where no works should take place; Monday to Friday (weekdays) 18:00 to 07:00; Saturday 13:00 to 07:00 hrs and Sunday 07:00 to 07:00 (all day).*

*With referal to air quality The Environmental Health Team would require the applicant to forward a copy of the proposal site's development plan for approval. This should occur at the applicants earliest convenience and prior to works commencing."*

The Forward Planning Team stated that proposals to extend Thrislington Quarry are earmarked within the County Durham Minerals Local Plan which was adopted in December 2000. Policies in the plan permit an extension of the working area east of the A1(M) and west of the A177 provided that a set criteria of these policies are met. Essentially, this relates to the production of high grade dolomite products remaining the primary purpose of minerals extraction and maximum utilisation of the high grade dolomite for high grade purpose being maintained; all lorry traffic being able to access the strategic highway network and a satisfactory programme of restoration being agreed. Given that the Minerals Local Plan has been through not only community consultation but also a public inquiry, the proposal to extend the quarry is firmly established in principle. Therefore, no objections were offered.

In response to the public consultation exercise undertaken by the County Council, there has been a great deal of public reaction to this proposed development. This adverse reaction is unprecedented in response to a mineral planning application in the Borough in your officers opinion. A carefully orchestrated campaign objecting to the proposed quarry extension has resulted in letters of objection and petitions being received by this Council which in turn have been forwarded to the County Council as the determining Minerals Planning Authority.

The "Stop Lafarge Action Group" or "SLAG" has been particularly active in this regard.

A substantial number of papers objecting to the proposal in some detail have been submitted to the County Council. It will be necessary for the County Council to examine the objections and to determine what can be considered to be material planning considerations in the context of the current proposals and what is not.

For the Members information, the objections, in broad terms, can be summarised as follows:-

- The current application provides an opportunity to reconsider the wide aspect of quarrying both for the operators and for the residents of West Cornforth.
- Previous operating hours conditions imposed at the quarry in 2002 are to the detriment of the residents of West Cornforth, especially in relation to dust and noise;
- Concerns about the traffic movements to and from the site, and their routing;
- Concern about the problems arising from mobile plant in the quarry;
- Concern about inadequate wheel washing facilities;
- Concern about the movements in the quarry and the preference to reduce vehicle movements in favour of more conveyor belts;
- Demolition of the Countryside in terms of the cumulative effect of quarrying in the area;
- Heavy goods vehicle movements over an excessive period (30+ years)
- Criticism of the public consultation exercise; and
- The business case for the mineral extraction. (Many of these issues are "commercially sensitive" and not for public consumption).

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Again, for Members information, Lafarge have written to the County Council explaining that they have been alarmed at some of the information circulating in the communities surrounding the site. They state that many of the issues are not planning issues and that may have been factually incorrect and may cause unnecessary concern among individuals and organisations with an interest in both the existing quarry and the proposed eastern extension.

**PLANNING CONSIDERATIONS**

Durham County Council notified this Council about the submission of this planning application in a letter dated the 16<sup>th</sup> March 2006. In the intervening period, the County Council has reconsulted this Council on three occasions as additional information was submitted in respect to queries raised by the County Council.

Reconsultation received on the 16<sup>th</sup> November 2006

This concerned the post application submission of a 'consolidated response' from Lafarge and its technical consultants following the submission of a number of policy and technical queries and points of clarification that has emerged from Durham County Council and various consultees. These comments necessitated amendments to the submitted text and plans on the working methods requested by County officers and others. There were amendments to the Phase 1 landform and restoration scheme that sought to provide for further environmental enhancement and the continuation of the screening mounds. The submission also included a soil Management Strategy, dust management plan, the final Noise and Blast monitoring schemes and a Groundwater monitoring and mitigation scheme following consultations with the Environment Agency. The duration of proposed development was clarified to be as follows:- Phase 1: 2007-2009; Phases 2 to 7: 2009 – 2039 and final site restoration and aftercare 2039 – 2044. The proposed working hours were amended in response to "helpful comments from the Environmental Health Officer of Sedgfield Borough Council."

Reconsultation received on the 22<sup>nd</sup> February 2007

This concerned addressing further issues raised during consultations regarding the market for dolomite products and the demand from the steel industry. Lafarge maintained that the steel industry is expected to grow in the short to medium term, using data derived from official sources, projections revealing a 45% increase in steel production from 2002 to 2012.

Reconsultation received on the 17<sup>th</sup> July 2007

This was in response to further comments made by the County Council seeking further clarification about the business and other detailed matters. Of particular interest is the comment by Lafarge in relation to hydro geological and hydrology issues which states:-

*"Lafarge is pleased that the response has now been received from the Environment Agency and their objection in principle has been removed subject to the agreeing of conditions that relate to the recharge and monitoring scheme."*

Also, Lafarge produced a separate report on the need for the minerals, primarily in the context of the potential requirements of the steel industry. That report concludes that "there is a national

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requirement for the continued supply of magnesium limestone from Thrislington Quarry and this is embedded in the County Durham Minerals Local Plan which provides for the strategic extension of the quarry. This note provides information that has been previously submitted as the need for the mineral focusing upon the existing reserves, site geology and the continued market for kiln and stone.

**RECOMMENDATION**

That this Council raises no objection in principle to the proposed development as it is already identified in the approved County Durham Minerals Local Plan but requests that the County Council consider the following matters before determining the application:-

- (1) That the proposed quarry extension fully meets the requirements of the relevant policies in the County Durham Minerals Local Plan;
- (2) That whilst the County Engineer supports the view that both Stobb Cross Lane and the Junction with the A177 can accommodate the proposed levels of heavy vehicle movements, careful consideration be given to the long term problems that might occur as a result of heavy goods vehicles using this junction and the potential for conflicting movements over the 30+ year lifespan of the quarry extension. In this regard, the County Council is urged to consider physical works to improve the junction, a perceived accident blackspot, as a community benefit arising from any planning permission.
- (3) That appropriate and robust conditions are applied and monitored if permission is granted to ensure that dust arising from the site and noise emanating from plant and machinery is kept to an absolute minimum in the interests of safeguarding residential amenity of the area.



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2. 7/2007/0538/CM

APPLICATION DATE: 16 August 2007

PROPOSAL: APPLICATION NOT TO COMPLY WITH CONDITION 3 OF PLANNING PERMISSION 3/97/20CM FOR AN EXTENSION OF TIME FOR A PERIOD OF 5 YEARS

LOCATION: TODHILLS HOUSEHOLD WASTE RECYCLING CENTRE NEWFIELD CO DURHAM

APPLICANT: Premier Waste Management Ltd, Prospect House, Aykley Heads Business, Centre, Aykley Heads, Durham

**CONSULTATIONS**

1. SPENNYMOOR TC
2. Cllr. W. Waters
3. Cllr. K Thompson
4. Cllr. Colin Nelson
5. ENV. HEALTH
6. L.PLANS

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

**PROPOSAL**

The Todhills Household Waste Recycling Centre (HWRC) has operated since 1998 and is situated at Whinney Bank, Cobey's Carr Lane, Newfield, just outside of the administrative boundary for Sedgfield Borough.

This site is located adjacent to the northern boundary of the Todhills Landfill site and approximately 600m northeast of Newfield, which is scheduled to close at the end of September 2007. After this date, restoration of this landfill site will take place in accordance with the previous planning consent, with a 5 year aftercare period following this restoration. As part of this previous planning approval (county reference: 3/97/20CM), Condition number 3 states:

*"All operations authorised by this permission shall cease by 31<sup>st</sup> December 2007, or upon cessation of imposition of waste material at Todhills Waste disposal site, whichever is the sooner"*

Premier Waste Management Limited are now seeking an extension of 5 years for the continued operation of Todhills HWRC (not the adjacent landfill) so that service provision can be maintained to local residents. Presently DCC is undertaking a review of Household Waste

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Recycling Centres across the county as part of its waste procurement strategy. It is anticipated that this review will take 3 years to complete, and the successful contractor may require an additional 2 years to implement this strategy. Bearing this in mind, it is likely that an alternative facility may not be operational for another 5 years, with this present application being seen to provide sufficient interim measures, thereby avoiding additional pressures being placed on alternative sites across the county.

#### CONSULTATION AND PUBLICITY

As part of the consultation exercise for this application:

- Spennymoor Town Council have raised no objections,
- The Sedgefield Borough Environmental Health Team have raised no objections,
- The Sedgefield Borough Forward Plans Team have raised no objections,

#### PLANNING CONSIDERATIONS

The continued operation of this facility as an interim measure for a further 5 years would ensure that the existing waste recycling service currently provided to local residents in this area is not disrupted, enabling DCC to comply with its duties under the Environmental Protection Act 1990. If this site were to close, undesirable pressures would inevitably arise from local residents who would be required to travel further to dispose and recycle household waste at Tudhoe or Romanway HWRCs, thereby increasing the risk of fly tipping and environmental harm, as well as encouraging longer travelling distances by motor vehicles. The continued operation of the Todhills HWRC will contribute to nationally prescribed waste management targets and help divert waste from landfill by providing a range of existing and already established recycling options to local residents.

**For clarity, this application does not influence the proposed closure of the Todhills Landfill Site by 30<sup>th</sup> September 2007, or its subsequent restoration in accordance with the approved documents and conditions, approved under planning reference: 3/97/20CM. Following the closure of this operation it is anticipated that the impact of waste operations in this locality will significantly decrease.**

With the strategic review on HWRC provision across the County likely to take some time before completion, it would be inappropriate to encourage any investigation and acquisition of alternative sites until this review is complete, with this current site therefore considered as an acceptable and already functional interim measure which may continue to operate with minimal disturbance.

#### 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

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

**RECOMMENDATION**

That Sedgefield Borough Council raises no objections to the proposal.

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