

Durham County Council

At a Meeting of the Planning Committee held at the County Hall, Durham on **Wednesday 19 September 2007 at 11.00 a.m.**

Present

Councillor R Rodgers* in the Chair

Committee Members:

Councillors Armstrong*, Barker*, R Carr*, Chapman*, Coates*, Forster*, N C Foster*, Henderson*, Knox, Manton, Marshall* Priestley*, Shuttleworth*, Walker*, and Williams*

Other Members: Councillors Myers

Apologies for absence received from Councillors Bell, Douthwaite, Ebbatson, Gray, Robinson and Young

Those Members marked with an asterisk attended the site visit to Bishop Middleham Quarry

Prior to the commencement of the meeting the Chairman reminded Members that only those Members of the Committee who had attended the site visit were permitted to vote on that item of business.

A1 Minutes

The Minutes of the Meeting held on 17 August 2007 were confirmed by the Committee and signed by the Chairman as a correct record,

The Head of Environment and Planning provided the meeting with an update on the position at Todhills. Work was still on target to be completed by the end of September. The wheel wash facilities have been operational with one complaint received about mud around the entrance. This was investigated and was due to heavy rains and a power cut. The monitoring officer has visited the site and found everything to be in order.

A2 Applications to be determined by the County Council.

Sedgefield Borough: Proposal to vary Conditions 1 and 7 of Planning Permission T/APP/H1345/A/96/267255/P5 as amended by Planning Permission 7/2003/0045CM in order to: a) extend the date for completion of mineral extraction, b) revise the method of mineral extraction, c) revise phasing of inert landfill operations, at Bishop Middleham Quarry for W&M Thompson (Quarries) Limited

The Head of Environment and Planning presented a report on proposals to vary conditions of planning permission in respect of Bishop Middleham Quarry (for copy see file of Minutes).

A video of operations at the site showing the effects of dust blowing from the site across the surrounding area was shown. Following discussions with the operator an additional dust suppression system has been installed. Correspondence between Mr Thompson and Bishop Middleham Parish Council was circulated.

The Committee heard representations from Mr King and Mr Potts who objected to the proposal and from Mr Thompson, (WM.Thompson) the applicant.

Mr Thompson, Senior Director at the quarry informed the meeting that whilst Bishop Middleham Parish Council felt unable to support the current application there was still a good relationship between the Parish Council and Thompson's. The quarry provided 33 jobs all of whom received a proper rate of pay for their work. Sales of aggregate were 23% up on the previous year and lime sales were almost back to their previous levels. Thompsons are a family company and they believe that they go that little bit further for the company, the environment, their staff and the community. They are carrying out a lot of recycling work and apologise for the problems caused by the dust and hope that the additional measures they have taken will help to alleviate this problem.

Mr King, a local resident expressed his concerns that there was no guarantee that the year 2015 would be set in stone. They have lived in this area since work started and have put up with the dust problem all this time. He agreed that when he phoned to complain about the dust, the water bowser was used on site but queried why this was not done more often. Blasting was a big concern now as they were concentrating on the top benches and there was no set distance from nearby properties in which this was carried out. The proposed increase in blasting operations was a major concern for him.

Mr Potts referred to the information that was circulated prior to the meeting and suggested that there was a drop in demand for the materials and that the Scottish market was being supplied from other sources. Indeed due to technological improvements materials can be supplied by improved crushing techniques of materials collected from old housing. He asked why Bishop

Middleham was being changed into one big quarry and that the walk around the quarry now measured 3.4 km. This was having a disastrous effect on wildlife. Farmers can now obtain lime from other sources making lime operations at the quarry even more marginal. Sedgefield Borough is suffering from the effects of a declining population as more people move away. Only 4 people from Bishop Middleham are employed at the quarry and the Company Business Plan is over optimistic due to lack of demand for the materials.

Councillor Armstrong said there were a number of issues to consider including whether there is a market for the materials; the Committee has been told there has been a 23% increase, what would the effect be on the economy if 33 jobs were lost in the immediate and surrounding community. He accepted that the impact of the dust was significant and acknowledged that the Company had taken additional measures to mitigate this problem. It was also important not to sterilise aggregates. He supported the application with the proviso that 3 to 6 monthly monitoring reports were presented to the Committee. He would also like to have a Liaison Committee set up.

Councillor Walker recalled that County Durham had traditionally been built on coal and steel and that we must have regard for our carbon footprint and consider the effects on the environment. However, we must also be aware that if these aggregates are sterilised now it may be that sometime in the future it may have to be re-opened. He accepted that the dust was an issue and noted that the Company had installed additional dust suppression systems and wondered if it was possible to include any conditions relating to wind speed velocities.

Councillor Williams asked what the noise levels were during blasting compared to permitted levels and whether there were any additional effects caused by blasting at a higher level.

The Head of Environment and Planning informed the Committee that noise limits were imposed on all quarries usually 55dB(A) although there were certain exclusions for temporary increases. Limits are monitored by DCC staff and figures previously supplied by the applicants show that they do comply with the limits.

Councillor Foster asked how long blasting operations last and the Head of Environment and Planning replied that there was one blast per day that usually lasted for seconds and the Company were aware of the relevant controls.

Councillor Priestley suggested that liaison meetings should be arranged for local residents to attend and share their views and report any problems. Mr Thompson responded by informing the meeting that these had been used in the past but that the enthusiasm soon wanes, however, he would discuss this suggestion with Bishop Middleham Parish Council.

Councillor Knox agreed that there appeared to be some good relations between locals and the applicant and suggested that the applicant should notify the local community when blasting is to be carried out. However, the liaison has to be on both sides and it is up to the local people to make this happen.

Councillor Shuttleworth was concerned that there should be no loss of employment.

Councillor Coates had concerns about the blasting and traffic but noted some of the concerns were not planning related.

Councillor N Foster said that whether the company can sell the product was a commercial matter for them not Durham County Council. He also had some concern over the possible sterilisation of materials.

Councillor Barker suggested that there were methods to dampen down dust at source and asked that this be considered.

Resolved:

that the application to vary Conditions 1 and 7 of the current planning permissions (relating to the extension to the period for mineral extraction and to references in approved documents as to the use of the D11 excavator and the existing landfill phasing plan) be approved, for the following reason:

- (i) The proposal would ensure remaining mineral reserves at the site are not sterilised and that these can be worked in an environmentally acceptable manner within agreed limits and with limited impact on the visual and residential amenities of the surrounding area, in accordance with MLP Policy M36.

The Planning Committee may also wish to advise the applicant of its disappointment that mineral extraction has fallen significantly behind schedule and that it expects extraction to be completed within the revised timetable.

A3 Wear Valley District Council Local Development Framework

The Committee considered a report of the Head of Environment and Planning regarding consultation on Wear Valley District Council's Local Development Framework (for copy see file of Minutes)

Councillor Manton queried whether there was sufficient provision for manufacturing and commercial development as South Church Industrial Estate was currently full and suggested that it was necessary to strengthen up proposals on business parks.

Councillor Shuttleworth referred to the situation relating to Tow Law and the view of ONE North East. If someone wanted to spend some money developing a business in Tow Law this should be encouraged.

Resolved:

That the comments set out in the Appendix 2 form the County Council's response to the Wear Valley District Council on the three Local Development Framework Consultation Documents and the points made would be emphasised in the response to the District Council:

- i) "Creating a New District Plan: Setting the Context" document
- ii) Core Strategy: Issues and Alternative Options Report
- ii) Generic Development Control Policies: Issues and Alternative Options Report.

A4 City of Durham Council Local Development Framework

The Committee considered a report of the Head of Environment and Planning regarding consultation on City of Durham Council's Local Development Framework (for copy see file of Minutes)

Councillor Henderson said that he thought the response under the heading ENV1 was very woolly and not specific enough. There was a possibility that this may allow residential development in the countryside by the back door. He suggested that 'test' included in the policy approach be strengthened regarding employment uses.

Resolved:

That the comments set out in Appendix 2 form the County Council's formal response to the City of Durham Council on its two LDF documents.