Teesdale District: Planning application for the consolidation of extant Planning Permissions together with an eastern extension of the permitted mineral extraction area at Hulands Quarry, Bowes for Aggregate Industries UK Limited.

Introduction

1 Hulands Quarry is a long standing carboniferous limestone quarry (current area 35.8ha) located in an Area of High Landscape Value and situated between roads A66(T) and A67, 2km to the east of Bowes and 4km to the south west of Barnard Castle (see attached location plan). It is a regionally important producer of coated roadstone, single sized and blended aggregates, agricultural lime and rock armour.

2 Carboniferous Limestone extraction at the site dates from the 1850's. Formal planning permission was first granted for its continued use as a quarry by the North Riding of Yorkshire Joint Planning Board Scheme in 1947. In March 1991 planning permission was granted for various alterations to the quarry's infrastructure, including provision of a coated roadstone plant, concrete batching and screening and crushing plant. In 1998 an extension to the existing quarry and infill with inert waste was granted planning permission with an accompanying Section 106 Agreement. Elements of this scheme modified the restoration proposals and removal of the waste importation.

3 Mineral extraction is currently taking place in the north eastern part of the quarry and existing reserves (280,000 tonnes at 1 January 2009) are likely to be exhausted by August 2009 at present rates of extraction. Planning permission is therefore being sought for an eastern extension to the existing quarry. The application is accompanied by an Environmental Statement (ES). This report has taken into account the information contained in the ES and that arising from the statutory consultations and other responses. Additional information received since the application was submitted has also been considered.

Proposal

Extension to Working Area

4 It is proposed to extend extraction operations over an area 17.1 hectares to the east to obtain an additional 4.59 million tonnes of carboniferous limestone over 15 years. The extension area is currently in agricultural use and has a residential dwelling located on it (known as Northside West) owned by the applicant.

5 The area would be worked in a southerly direction in 2 phases. Phase 1 would commence in 2009 with the stripping of 140,000 cubic metres of soils and overburden that would be used to extend the existing raised landform (screening mound) along the northern side of the site. 1.83 million tonnes of carboniferous limestone would then be extracted over 5 to 6 years at predicted rates of production.

6 Phase 2 would commence in 2016 following the demolition of the existing house and associated buildings at Northside West in 2014/15. This would involve the initial stripping and storage of 55,000 cubic metres of soils and overburden to create a 3m high noise attenuation bund running to the south and east of the extension area that would be planted with native broadleaf trees and shrubs. 2.76 million tonnes of carboniferous limestone would then be extracted over an 8 to 9 year period that is expected to extend until 2024/25.

7 Present working involves the use of a 360° excavator at the quarry face. This feeds a dump truck which hauls the limestone to the processing area in the south of the site to be crushed by the primary crusher. This currently generates 6 truck movements per hour. As part of the proposals two mobile crushers would be fed by the existing 360° excavator at the blast pile and once crushed, the limestone would be carried to the processing plant via a new field conveyor system.

8 The proposed hours of operation were originally 06.00 – 20.00 Monday to Friday and 06.00 – 13.00 Saturdays for aggregate production, 24 hour operating for coated roadstone production and related haulage Monday to Sunday, with no working on Public or Bank Holidays. However, the applicant has since revised this to a start time of 07.00 Monday to Saturday, with only maintenance operations beginning at 06.00 in order to reduce the possibility of noise nuisance at nearby residential properties.

9 18 people are directly employed at the site and all live within a 30 minute drive from the quarry. In addition 57 hauliers and 10 skilled local contractors rely on the site to varying degrees.

Concept Restoration

10 The 1998 planning permission to extend the quarry involved restoration to pasture and seasonal wetland and the importation of 370,000m^3 of inert material. Subsequent planning permissions in 2005 modified the approved restoration scheme by removing the importation of inert material and backfilling the quarry void with material sourced from within the existing quarry landholding and the creation of a lake.

11 A revised concept restoration scheme for the existing quarry and proposed extension area has been submitted as part of this application. The scheme would mainly involve restoration of the quarry to calcareous grassland with limited agricultural use and a 3.75 ha lake that would provide a secure deep water crayfish reserve. Restoration would be carried out once mineral extraction has ceased. The quarry floor would be covered with a variable depth of limestone fines to facilitate the natural development of a limestone/calcareous community. Areas to be restored to agriculture would be those formally occupied by the central raised landform to the north of the quarry void and the southern raised landform in the south eastern part of the quarry. Crags and screes would be created along the western and south-western quarry faces by means of restoration blasting.

Consultations and Views Received

12 Teesdale District Council has no objection to the proposed extension of the quarry subject to the current mitigation measures to protect existing properties in respect of noise, dust, vibration and movement of vehicles being extended to Northside Farm. It is also stated that the local ward member has recommended increasing the frequency of monitoring noise levels and that good neighbour checks for dust and air quality in periods of dry weather be carried out.

Comment: Appropriate mitigation and monitoring measures would be put in place if planning permission is granted.

13 Bowes Parish Council (consulted on 22 April 2008) has not responded.

14 Boldron Parish Council and Gilmonby Parish Council (consulted as neighbouring Parishes on 22 April 2008) have not commented.

15 The Environment Agency (EA) originally objected to the planning application on the grounds that insufficient information was submitted to demonstrate that the risk to controlled water receptors was acceptable or could be sufficiently managed. However following the submission of further information the EA has withdrawn its objection and suggested amendments to the monitoring scheme which the applicant intends to implement.

16 North East Assembly supports the principle of the proposed extension and considers it to be generally consistent with regional planning policies provided the Mineral Planning Authority is satisfied about the environmental assessment of the proposal and mitigation and highways issues.

17 Natural England (North East Regional Team) originally had major concerns with the application and requested further information in relation to protected species and biodiversity action plan habitats and species. This was submitted and has allowed Natural England to withdraw its objection subject to condition.

18 Natural England (Geology, Landscape and Soils Team) recommend that any granting of planning permission should be made subject to appropriate conditions linked to an approved scheme, to safeguard soil resources together with relevant agricultural and other environmental interests.

19 English Heritage offers no comments but advises that the conservation section of the local authority and appropriate archaeological support staff are closely involved throughout the planning process.

20 The Highways Agency originally requested further information as no traffic survey was submitted with the planning application. Following receipt of a transport statement the Agency has advised that the impact

of the development is unlikely to have any significant implications for the Strategic Road Network, and consequently has no objections to the proposal.

21 Durham Wildlife Trust has no objections to the proposals provided sufficient mitigation measures are taken to safeguard great crested newts, bats, hedgerows, adjacent watercourses and grasslands.

22 The Ramblers Association is in general agreement with the proposed public right of way diversions but has concerns about the paths connecting the diversions and would like to see an improvement to the path network between the A66 and A67.

23 Durham Bat Group believe that the proposed bat boxes are unlikely to make any positive contribution to the bat ecology of the area and that the applicant would be better off considering making an artificial hibernaculum as part of the restitution of the site.

24 The application has been advertised on site and in the local press and the occupiers of residential properties in close proximity to the site and its access were notified. Two letters of objection have been received from neighbouring residents. The grounds of concern can be summarised as follows:

i) Dust – Dust deposition at residential properties has been an ongoing problem at the existing quarry. Recent recorded levels (submitted as part of the planning application) at Northside West show mean rates of dust deposition of up to nearly 350 milligrams per sq m per day and 14 of the 17 sample periods between 09/2006 to 03/2008 exceeded 200 milligrams per sq m per day which are considered nuisance levels. No details of enhanced dust mitigation measures have been submitted by the applicant to deal with this issue and it is suggested that all processes are encapsulated, checks established and other mitigation measures in the Dust Assessment implemented. Alternative dust mitigation measures should be put in place in winter periods when water bowsers are frozen, and a positive obligation to maintain regular dust monitoring (capable of audit by Durham County Council and any third party), should also be in force together with a condition to cease extraction if the 200mg/m2/day level is exceeded.

Comment: Dust levels and mitigation measures are discussed in paragraphs 46and 47.

ii) Noise – An assessment of background noise levels when the quarry is non operational has not been carried out and is an essential part of establishing noise levels that represents the contribution the quarry has on the noise climate on an adjacent house (excluding contributions from road traffic etc). The use of a maximum noise level of 55dBA daytime and 42dBA night time is unacceptable as it makes no reference to existing noise levels. Concerns are also raised regarding night time working, the lack of

details of the sound attenuation measures and the need for a permanent monitoring system capable of independent audit.

Comment: Mineral Planning Statement 2: Controlling and Mitigating the Environmental Effects of Mineral Extraction in England provides advice in relation to planning conditions limiting noise levels. These proposed noise mitigation measures are discussed in paragraph 49. Noise levels at the site are specified by planning condition and the position is monitored.

Landscape – The quarry workings would be clearly visible from the western boundary of Northside Farm (East). If a bunding scheme is introduced then this could be mitigated. However, it is currently not shown on any drawings.

Comment: Details of a proposed sound attenuation mound which would run the length of the eastern boundary of the site are now available and would assist in screening views of the quarry from this area.

Public Right of Way – Clarification was sought of whether or not the redirection of Bridleway No 7 and Footpath No 6 is over neighbouring land.

Comment: All redirected footpath and bridleway routes would be within the land ownership of Aggregate Industries. Recreational Amenity is discussed in paragraph 73 and 74.

Hydrogeology and Hydrology – Recently there has been a noticeable reduction in the flow of the Thorsgill Beck and section 6.6.1 of the ES makes reference to a sink hole in the Beck and instances when all the flow enters the sink hole. It is therefore considered appropriate for the volume and quality of water in Thorsgill Beck to be regularly monitored.

Comment: The Environment Agency has suggested monitoring of the levels in Thorsgill Beck and the applicant has made amendments to the submitted monitoring scheme.

Planning Considerations

National Policies

25 Government guidance of particular relevance to the development is contained in Minerals Policy Statement 1: Planning and Minerals (MPS1) (November 2006) and Minerals Policy Statement 2: Controlling and Mitigating the Environmental Effects of Mineral Extraction in England (MPS2) (October 2006).

26 MPS1 sets out the Government's national objectives and policies for minerals planning and seeks to secure the adequate and steady supply of minerals that are needed by society and the economy, whilst ensuring the environment and amenity of local communities are adequately protected. It requires MPAs to make provision for sufficient aggregate minerals to meet each county's sub-regional apportionment as set out in

the approved Regional Spatial Strategy. MPAs are advised that they should use the length of the landbank in their area as a key indicator of when new permissions for aggregate extraction are likely to be needed and that landbanks need to be considered flexibly to take into account a range of matters including the need to supply a range of types of aggregates. It also states that if existing landbanks are judged to be excessive new planning permissions should only be given where it can be shown that demand could not be met from existing permitted reserves, for example, for reasons of type and quality of the aggregate. In terms of supply, it requires MPAs to consider the benefits in terms of reduced environmental disturbance and more efficient use of mineral resources including full recovery of minerals, or extensions to existing mineral workings rather than new sites.

27 MPS2 states the principles to be followed in considering the environmental effects of minerals extraction and provides guidance on detailed issued including noise and dust.

Development Plan Policy

28 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The Development Plan consists of the Regional Spatial Strategy for the North East of England (July 2008) (RSS) and the 'saved' policies of the County Durham Minerals Local Plan (December 2000) (MLP).

Regional Spatial Strategy for the North East of England (RSS)

29 The overall objective for minerals policy in the Region, as set out in the RSS, is to ensure the prudent use of the Region's indigenous natural resources in line with sustainable development objectives. Policy 42 sets out the overall strategy and amongst other matters states that the planning system should ensure that land is made available to provide an appropriate contribution to local, regional and national needs for minerals.

30 Policy 43 of RSS requires that the planning system should make provision to maintain a landbank of planning permissions for primary aggregates which is sufficient to deliver 156 million tonnes of crushed rock over the 2001-2021 period. Within this figure it is also stated that County Durham has an apportionment of 99.5 million tonnes of crushed rock which is equivalent to an annual target for production of 4,737,500 tonnes.

County Durham Minerals Local Plan

31 There are a number of MLP policies relevant to the proposed development. Policy M1 requires that a 10 year crushed rock aggregate landbank be maintained throughout the Plan period.

32 Policy M3 states that extensions to mineral workings will be allowed under allocations made in the MLP and under criteria set out in relevant policies including Policy M23 which relates to development in Areas of High Landscape Value. In addition it states that extensions will be permitted provided they meet certain criteria in relation to the mitigation of adverse impacts.

33 Policy M23 states that within Areas of High Landscape Value proposals for mineral working will be given the most careful consideration and will only be allowed where the environmental impact on the special character and quality of the landscape is acceptable, or can be made so by planning conditions or obligations and, in the case of non-energy minerals where relevant criteria are met. This includes a need for the mineral which cannot be met from alternative sites or sources elsewhere, and where it involves an extension to existing mineral working in accordance with Policy M3.

34 Policy M35 aims to prevent development that would have an unacceptable impact on the recreational value of the countryside unless there is a need for the mineral which cannot be met from suitable alternative sites or sources. It also requires adequate arrangements for the continued use of public rights of way both during and after mineral development, either by means of existing or diverted routes.

35 Policy M36 requires the incorporation of suitable mitigation measures to ensure potentially harmful impacts from pollution by noise, vibration, dust and mud, visual intrusion, traffic and transport, and related issues are reduced to an acceptable level.

36 Policy M38 states that if a proposal for mineral development would affect the supply of, or cause contamination to, underground, or surface waters, it should not be permitted unless measures are carried out as part of the development to mitigate those impacts throughout the working life of the site and following final restoration.

37 Policy M46 indicates that conditions will be imposed and planning obligations or other legal agreements sought as necessary to cover a range of issues relating to the satisfactory restoration of minerals sites. Policy M47 provides advice in relation to proposals for the afteruse of mineral sites. Policy M52 states the ability and commitment of the intended operator to operate and reclaim the site in accordance with the agreed scheme will be taken into account.

Landbanks and Need for the Mineral

38 The latest North East Regional Aggregates Working Party (NERAWP) Annual Aggregates Monitoring Report for 2006 states that the crushed rock landbank in County Durham was equivalent to 36.9 years (174,647,964 tonnes) at the end of 2006. This exceeds the Policy M1 requirement to maintain a 10 year crushed rock landbank. In quantitative terms there is therefore no need to make any further provision for

crushed rock extraction from this quarry. Paragraph 4.10 of the MLP explains that although existence of a landbank does not automatically preclude the granting of further planning permissions, landbanks are one criterion which is used to assess the need for new working to be permitted.

39 In determining this application it is necessary to consider the composition of the landbank and the qualitative differences and the different uses of the component parts of the crushed rock landbank. The majority of the county's crushed rock landbank consists of magnesian limestone. Magnesian limestone and carboniferous limestone are different in terms of their physical properties and make up and so have different uses.

40 The production of carboniferous limestone from Hulands Quarry needs to be considered in relation to overall crushed rock production in County Durham. In recent years Hulands Quarry has produced approximately 350,000 - 400,000 tonnes of aggregates per year. This includes over 100,000 - 150,000 tonnes of coated roadstone product from its asphalt plant (1 of only 4 in the County) and 100,000 tonnes of high quality aggregate suitable for the manufacture of concrete. During 2007 it is estimated that just under 4 million tonnes of crushed rock was extracted from County Durham's quarries including approximately 1 million tonnes of carboniferous limestone. Should production at Hulands Quarry cease this would have a number of implications including a 10% fall in the production of crushed rock in the County and a 40% reduction in carboniferous limestone production.

41 The available evidence suggests that any shortfall in production of carboniferous limestone could not currently be met by existing permitted reserves. At the end of 2007 remaining permitted reserves were estimated to be 8.7 million tonnes which is 5% of the total crushed rock landbank. These were contained within 5 sites: Broadwood, Heights, Kilmond Wood, Hulands and Newlandside Quarry which is no longer an operational quarry. There are no other quarries with planning permission for carboniferous limestone extraction. While further working could potentially occur in the future at Harrow Bank and Ashby Bank Quarry (between Eastgate and Rookhope), these reserves are currently unavailable for extraction and cannot be worked until modern working and restoration conditions are agreed by the Mineral Planning Authority. Given the limited quantity of permitted reserves it does not appear that the loss of future extraction at Hulands could easily be made up from existing sites.

Future Demand

42 There is a well established market for the material produced at Hulands with coated roadstone products used in schemes throughout the county and beyond. The operator believes there is a continuing demand for the material and expects annual production to remain in the region of 350,000 to 400,000 tonnes despite the economic downturn.

Environmental Considerations

Residential Amenity

43 The site is some distance from the nearest settlement of Bowes but there are several isolated properties close by. Two farms to the east and south of the proposed extension area are owned by Aggregate Industries, Northside Farm West and Bowes Cross Farm North. Northside Farm West would be demolished prior to the commencement of Phase 2 and Bowes Cross Farm North is not currently occupied. A further property, Northside Farm East lies to the east and Hulands Farm and High Broats Farm are located to the north west and west of the existing quarry. The proximity of the extraction area to neighbouring properties at any one time would depend upon the phase of working but at its closest would come within 180m – 200m of Northside Farm East (site boundary and screening mounds approximately 130m), and 30m from Bowes Cross Farm North (screening mounds some 10m from the property).

44 Phase 1 enabling works would involve the formation of a temporary mound adjacent to the northern boundary of the site which would form an extension to the 12m high central raised landform that screens views from the north. In addition a 3m high planted attenuation bund is proposed to be positioned adjacent to the eastern and southern boundaries to help reduce noise and visual impact during Phase 2.

Dust

45 The ES has assessed the potential impact of dust from the proposed extension. The most sensitive receptor would be Northside Farm East but it is expected that as extraction would be undertaken at depth the dust impact from this source would be minimal. There is potential for vehicle movements along internal haul roads to generate dust during dry weather. However, it is considered that the impact from this source would be minimised with the implementation of a conveyor system to transport material from the working face to the existing processing plant. Because the proposed extension would move operations away from residential properties to the west such as High Broats Farm and Hulands Farm it is not expected that these receptors would experience any increase in dust exposure. The assessment concludes overall that whilst there is potential for fugitive dust emissions from the proposed development, this is unlikely to be significant.

46 Soil stripping operations during Phases 1 and 2 of mineral extraction, and the construction of the raised landform and attenuation bund would have most potential to generate dust. Mitigation measures are proposed including a dust action plan. This would cover the implementation of a conveyor system and the replacement and encasement of roadstone coating plant the use of a water bowser, wheel wash, water sprays surface binders and a 15mph speed restriction during dry conditions. In addition, if a dust nuisance is detectable, operations would be temporarily suspended until the nuisance is suitably mitigated. Monitoring of dust deposition levels around the site would also take place and results would be made available to the Authority.

47 A number of the mitigation measures are currently in place at the existing site, although the residents of Northside Farm East have complained about dust deposition on vehicles and property. Recorded dust levels at some of the agreed monitoring points during 2007 were high. However, in 2008 the operator implemented a number of further dust mitigation measures (tractor and bowser use throughout the quarry, dampening of haul roads, stockpiles and production shots, the encapsulation of plant and improvements to cleaning out of the asphalt plant), as part of a long term commitment on the part of the operator to improving dust management at the site. Recent dust levels have been significantly lower in comparison.

48 Teesdale District Council's Environmental Health Officer (EHO) has no objections to the proposed extension stating that the current quarry does not give rise to a large number of complaints in respect of dust and that the proposed mitigation measures are in line with the measures currently used and therefore should protect occupiers of neighbouring properties.

Noise

49 Government guidance (MPS2) advises that during normal working hours (0700 – 1900) and subject to a maximum of 55dB(A) L_{Aeq}1h (free field), mineral planning authorities should aim to establish a noise limit at noise sensitive properties that does not exceed the background level by more than 10bB(A). It is recognised, however, that in many circumstances this will be difficult to achieve without imposing unreasonable burdens on the mineral operator. In such cases, the limit set should be as near to that level as practicable. During the evening (1900 – 2200) limits should not exceed background level by 10dB(A) and during the night should not exceed 42dB(A) L_{Aeq}1h (free field) at noise sensitive properties. MPS2 also recognises that mineral operations will have some particularly noisy short term activities that cannot meet the limits set for normal operations. These include soil stripping and the construction and removal of mounds. The advice is that increased temporary daytime noise limits of up to 70 dB(A) L_{Aeq}1h (free field) for periods of up to 8 weeks in a year at specified noise sensitive properties should be considered in order to facilitate essential site preparation and restoration work and construction of baffle mounds where it is clear that this will bring longer-term environmental benefits to the site or its environs. Where work is expected to take longer than 8 weeks a lower limit over a longer period should be considered and in wholly exceptional cases, where there is no viable alternative, a higher limit for a very limited period may be appropriate in order to attain the environmental benefits.

50 A noise assessment has been carried out as part of the ES and establishes a background noise level of 49dB(A) at the nearest occupied residential property to the quarry extension (Northside Farm East) and a predicted level of 55dB(A)L_{A90} with the extension operational. This would be an increase of less than 10dB(A) in accordance with MPS 2. Although an objection to the way in which the background noise levels were calculated has been raised by a local resident (as detailed in

Paragraph 24 of this report). Annex 2 of MPS 2 states that "Background noise levels can be established by continuous monitoring over a period sufficient to prove a representative picture of the noise environment". The existing quarry is long established and contributes to the noise climate in the area, along with other noise sources such as road traffic on the adjacent A66 and aircraft movements. Artificially removing the contribution of existing and permitted site noise to the climate area would therefore mean that any further site work is compared to a noise climate that is not representative.

51 The extension to the central main raised landform would be constructed prior to the commencement of mineral extraction in Phase 1 and the noise attenuation bund to the east of the mineral extension area would be constructed prior to the commencement of extraction in Phase 2. Proposed noise mitigation measures include steps to reduce noise levels at source, daily and weekly checks of mobile plant and machinery and inspections of vehicle transmission, exhaust and hydraulic systems, the silencing of machinery where appropriate and the installation of 'white noise' reversing alarms. Noise from extraction operations would be screened by the attenuation bund that would run along the eastern and southern boundary of the site as extraction operations in the extension area develop. The EHO has no objections to the proposed development and notes that because of the exposed location of the quarry, it is difficult to monitor noise levels at specified times. However, he is satisfied that the proposed arrangements would allow for the effective monitoring of noise levels produced from the site and allow for any problems to be identified and actions taken to mitigate the effect of noise.

52 As stated in paragraph 8 only maintenance activities would take place between 06.00 and 07.00 Monday to Saturday to reduce potential noise nuisance at Northside Farm East. Operations which have previously given rise to complaints, the use of the hydraulic breaker on the primary crusher between the specified hours and the use of a dumper to feed the primary hopper and crushing and screening operations, would not commence until 07.00.

Blasting

53 Blasting is currently permitted at the existing quarry twice daily and the number of blasts and blast levels are controlled through planning condition. Blast monitoring results over the past three years show compliance with the stipulated levels.

54 Up to two blasts per day are proposed in the extension site and these would only take place between 10.00 – 12.00 and 14.00 – 16.00 Monday to Friday. The ES has assessed the impacts of blasting and notes that there is a potential for the occupants of neighbouring residential property to be aware of production blasts taking place in the application area. However, the design and calculation of blasts would ensure that vibration levels at all nearby properties are controlled and kept within limits set out in Government guidance. If planning permission is granted it would be appropriate to impose a range of conditions to regulate the number and level of blasts and ensure that these are appropriately monitored.

55 A recent complaint was received by the Mineral Planning Authority where it was reported that a blast caused some guttering to become dislodged and a pane of glass to crack. Details of the blast were shown to be within the limits set by the existing planning permission and should not have resulted in property damage. The Council's monitoring officer attended the subsequent blast at the monitoring point at the property which was also within the limits set by planning condition and caused no complaint.

Landscape

56 The site lies within an AHLV and in the Dales Fringe west of Barnard Castle and east of Boldron, in a landscape transitional in character between the upland fringes bordering the moorland plateau and the more settled lowlands of the Tees vale. The site forms part of a gently rolling plateau which falls away steeply south of the A66 at Kilmond Scar.

57 The application area is made up of improved and semi-improved pastures bounded by a mixture of hedges and walls with sparse to abundant mature hedgerow trees. The field boundary network is relatively intact and includes old curvilinear boundaries in the south and parliamentary enclosures in the north. It is crossed by an abandoned railway line and an old quarry tramway colonised by trees. Scrub forms its eastern boundary.

58 The proposals would involve a permanent modification of the natural topography of the extension area leaving a partially flooded residual void bounded by cliff and scree along its northern, eastern and western edges and steep slopes along its southern edge. Although the modified landform could be seen from a wide area, the shallow nature and small scale of the visible features in distant or middle distance views are such that significant impacts would be restricted to the immediate locality and particularly views from along the A67 to the north.

59 The scheme would cause the permanent loss of historic medieval field boundaries which are an intact example of the type. However, the applicant has agreed that the final restoration scheme should retain/reinstate relict hedges and walls.

60 During the operational life of the quarry the main part of the void would be screened by a raised temporary landform in the centre of the site south of the Thorsgill Beck. This would represent an extension of an existing feature and seeded to pasture would not look particularly conspicuous. After construction of the Phase 1 landform, extraction in Phase 1 should be entirely screened and the main impact of operations would be the landform itself. The Phase 2 landform would screen most extraction operations, although at some times and in some views a small part of the upper retreating extraction face would be visible. Although the proposal would have a localised adverse impact on the special character and quality of the AHLV its impact is expected to be low overall.

Hydrology

61 The site lies on the Great Limestone Aquifer which is classified by the Environment Agency as a minor aquifer capable of supporting local water supplies and base flow to streams but not large scale water supply.

62 Mineral extraction currently takes place below the water table but the quarry does not actively dewater significant volumes of groundwater but does remove surface run off which is returned to Thorsgill Beck. It is proposed that the same conditions would continue in the extension area. The ES concludes that some activities associated with quarry working would have a potential impact on the two private wells at Northside Farm East. The applicant has agreed to seek agreement from the landowner to install a permanent water level monitoring device in the deeper well at Northside Farm East in order to monitor potential impacts from the loss of aquifer through quarrying operations.

63 The operator currently has a valid consent to discharge into controlled waters. Water collected from the sump at the base of the quarry is transferred into lagoons in the north-west corner of the site. The overflow from these ponds enters Thorsgill Beck and assists in regulating its flow at certain times of the year.

64 In addition two troughs in the water table exist with an approximate east to west trend through the existing quarry workings and close to Thorsgill Beck. An area of low permeability is located between Phase 1 and Thorsgill Beck and on this basis it is likely that the proposed extension would have no significant interaction with the beck.

65 Four private water supplies are located to the south of Hulands Quarry and abstract groundwater. They are isolated from the Great Limestone Aquifer by thick deposits of siltstone and mudstones and are not hydraulically connected to this groundwater. It is therefore not considered that these water supplies would be affected by the proposed quarry extension.

66 Given the proposed mitigation measures, including the recharge of collected rainwater runoff back into Thorsgill beck, it is considered that the impacts on the groundwater regime would be acceptable.

67 The EA had some initial concerns but is now satisfied that the aquifers and private water supply at Northside Farm East and the Thorsgill Beck can be protected from potential impacts of the proposed development through a series of planning conditions that have been produced in association with the Agency. The views of the EA are contained in paragraph 15.

Cultural Heritage

68 There are no Scheduled Monuments or Listed Buildings within the immediate vicinity of the site, although there are 3 Sites of Cultural Heritage Interest located to the south of the extension area adjacent to

the A66, (two former quarry sites and an associated kiln) that are considered to be of local importance. The site has been the subject of a geophysical and walkover survey the results of which were submitted to the Mineral Planning Authority and the Director of Cultural Services.

69 The proposed extension area is characterised by pasture land, enclosed with a mixture of dry-stone walls and mature hedgerows. These boundaries have a characteristic 'S-shape' and may represent a field system of medieval origins.

70 Although the archaeological potential at the site is likely to be limited the applicant has agreed to carry out a scheme of archaeological works in all areas of the proposed extension that would be affected by limestone extraction or landscaping works. The submitted scheme would include a site evaluation, intrusive evaluation of the southern area of the extension and archaeological attendance during all topsoil stripping activities.

Nature Conservation

71 An ecological impact assessment for the proposed extension concluded that the site is of low intrinsic ecological interest. Protected species surveys have been undertaken and the results included in the ES. It is not considered that the existing population of great crested newts within the lagoons at the north west side of the existing quarry would be affected by the proposed quarry extension, as it is unlikely that they would commute as far as the extension area. After consultation with Natural England the restoration scheme has been amended and the existing lagoons are to be retained and adapted to support the existing newt population. No sign of badger activity was recorded within the proposed extension area and the bat survey concluded that following recent renovation works Northside Farm was of low potential for bats.

72 The restoration proposal has been designed to provide nature conservation benefits in the context of the Durham Biodiversity Action Plan (BAP). The proposed restoration scheme would create a lake and limestone/calcareous mosaic community in the southern sector of the quarry, providing a wetland wildlife resource, (particularly reed marsh habitat) in line with the aims of the Durham BAP. A Section 39 Agreement for the long term management of the quarry currently exists and it is intended to extend this agreement to cover the proposed extension area if permission is granted. The proposed mitigation measures within the overall scheme, including advanced planting and a comprehensive programme of restoration and management, would outweigh any adverse impacts that working would have on the existing ecology of the area and create a varied wildlife habitat.

Recreational Amenity

73 The proposal would involve the modification of part of the local footpath and bridleway network in the vicinity of the site. A section of Bridleway No.7 runs north to south along the east of the existing quarry void and

through the proposed extension area. It is proposed that this section of Bridleway would be permanently diverted and relocated to the east of the proposed extension area.

74 A section of Footpath No.6 which runs to the south of the existing void then north into the proposed extension area would require diverting to the north of Bowes Cross Farm North along the same alignment as Bridleway No.7. The proposed diversions are acceptable and would maintain a link to the wider public rights of way network.

Agricultural Quality and Use

75 The undisturbed part of the application area is currently in agricultural use and according to a site survey is mainly Grades 3b (14.4) Ha and 4 (0.3 Ha). The comments of Natural England in terms of soils and agriculture are contained in paragraph 18. The proposal raises no significant issues in terms of the loss of good quality agricultural land and soils would be used in the restoration of the site.

Restoration

76 The approach to restoration is based upon that permitted by the existing planning permission. This would be extended, restoring the site to wildlife conservation, agriculture and forestry with associated land management.

77 The scheme includes the creation of a 3.75 ha lake across the northern part of the site. The least visible, south-western section of the quarry floor will be retained to enable the long term development of a bare limestone/calcareous mosaic community, whilst the remainder of the floor and margins of the site would be restored to pasture with winter flooded grassland adjoining the lake

78 The principal objectives of the restoration are to create a valuable wetland wildlife resource, and especially a reed marsh habitat in accordance with the objectives of the Durham BAP. This lists eutrophic standing water, mesotrophic lakes and reed beds as priority habitats.

79 Given the nature of the final restoration of the site, particularly the creation of the lake, there is only limited opportunity for progressive restoration during the working life of the site and restoration would begin in earnest when extraction operations cease in 2025.

Traffic and access

80 Hulands Quarry is currently served by two vehicular accesses, one on the A66(T) and another on the A67 for quarry traffic travelling west towards Cumbria (which was included to eliminate the need for vehicles to cross the A66(T)). The proposals would not affect existing access arrangements.

81 An average of 150 vehicle movements (75 in / 75 out) currently occur at the quarry per day, (although this figure is not restricted by planning condition). The Transport Survey supporting the planning application found that on an average weekday the quarry traffic made up a maximum 1% of traffic in the AM and PM peak hours (09.00 – 10.00 and 16.00 – 17.00) and a maximum 18% of the HGV's on the neighbouring A66 and A67.

82 The volume and routeing of quarry vehicles entering and leaving the site is not expected to increase or change. Highway issues relating to the sheeting of vehicles leaving the site, provision of wheel washes, maintenance of haul roads and cleanliness of the adjacent highway are controlled by planning conditions. The Head of Highway Management has no objections to the proposals.

Legal Agreements

83 The applicant has agreed to enter into a Legal Agreement to only work the site under one mineral planning permission, surrender relevant existing permissions at the site and provide an additional 5 years aftercare for the entire site. This would supersede the legal agreement that is currently in place at the quarry.

84 The applicant has also agreed to enter into an Agreement under Section 39 of the Wildlife and Countryside Act 1981 to provide for the long term management of the site in accordance with a suitable management plan.

Conclusion

85 Hulands Quarry is an established minerals site that produces carboniferous limestone for use as coated roadstone. The site has a planning history dating from 1947 and a current permission that extends to January 2011 although mineral reserves are expected to be exhausted during 2009.

86 Despite the overall healthy landbank position for crushed rock in the county, Hulands is an important supplier of carboniferous limestone and closure of the site would reduce the volume of material produced in the county by approximately 350,000 – 400,000 tonnes per annum. This cannot readily be made up from existing permissions or alternative sites and would affect the county's ability to achieve its apportionment for crushed rock over the period to 2021. It is therefore considered that there is an established need for the mineral and need to maintain a landbank that ensures both carboniferous and magnesian limestone reserves are maintained.

87 In detailed environmental terms, the proposed extension would have some impact on the local area. Initial works to extend the central main raised landform and the creation of the attenuation bund would cause some disruption to nearby residential properties both visually and in terms of noise and dust nuisance. However, when formed, these would moderate the worst effects of working in those phases. Additional

mitigation measures would be employed to keep the effect of noise, dust and vibration within recognised limits and these would be monitored and reported upon.

88 Although the site can be seen in the wider area it is relatively well contained visually and these views would be shallow in nature. The main views of the modified landform would be from the north along the A67 and these can be effectively screened by the central main raised landform which would be seeded and grazed to pasture and should not be particularly conspicuous. Similarly the noise attenuation mound to the east would be planted and as it matured it would become assimilated into its surroundings, following and reinforcing an established linear woodland feature.

89 Final restoration would be in line with the previously agreed restoration scheme for the site and would accord with BAP principles. Appropriate agreements would be put in place to ensure the long term management of the restored site.

Recommendation and Reasons

90 Having regard to the Development Plan and other material planning considerations, including those arising from the submitted ES and consultation responses, I conclude that the proposal would accord with the requirements of Policies M3, M23 and M36 of the MLP in that there is a demonstrated need for the mineral which cannot be met from alternative sites and sufficient safeguards would be put in place to allow the site to be worked in an environmentally acceptable way.

91 I therefore **recommend** that planning permission be granted for the proposed eastern extension to Hulands Quarry, subject to appropriate planning conditions and the completion of legal agreements, for the following reasons:

i) The development would accord with adopted County Durham Mineral Local Plan Policies M3 and M23 in that it involves an extension to an existing mineral site and there is an established need for carboniferous limestone which could not be met by alternative sites.

ii) The development would not have a significant detrimental impact on the character of the surrounding landscape, residential amenity or wider environmental considerations and working can be adequately controlled through mitigation and by conditions in accordance with adopted County Durham Mineral Local Plan Policy M36.

No departure from policies contained in the County Durham Minerals Local Plan (2000)
Background Papers: Planning application and supporting statement, plans and additional information on planning application file ref: CMA/6/36.

Contact:	**John Byers Tel: 0191 383 3408**
Local Members:	**Councillors R Bell and B Harrison (Barnard Castle West)**

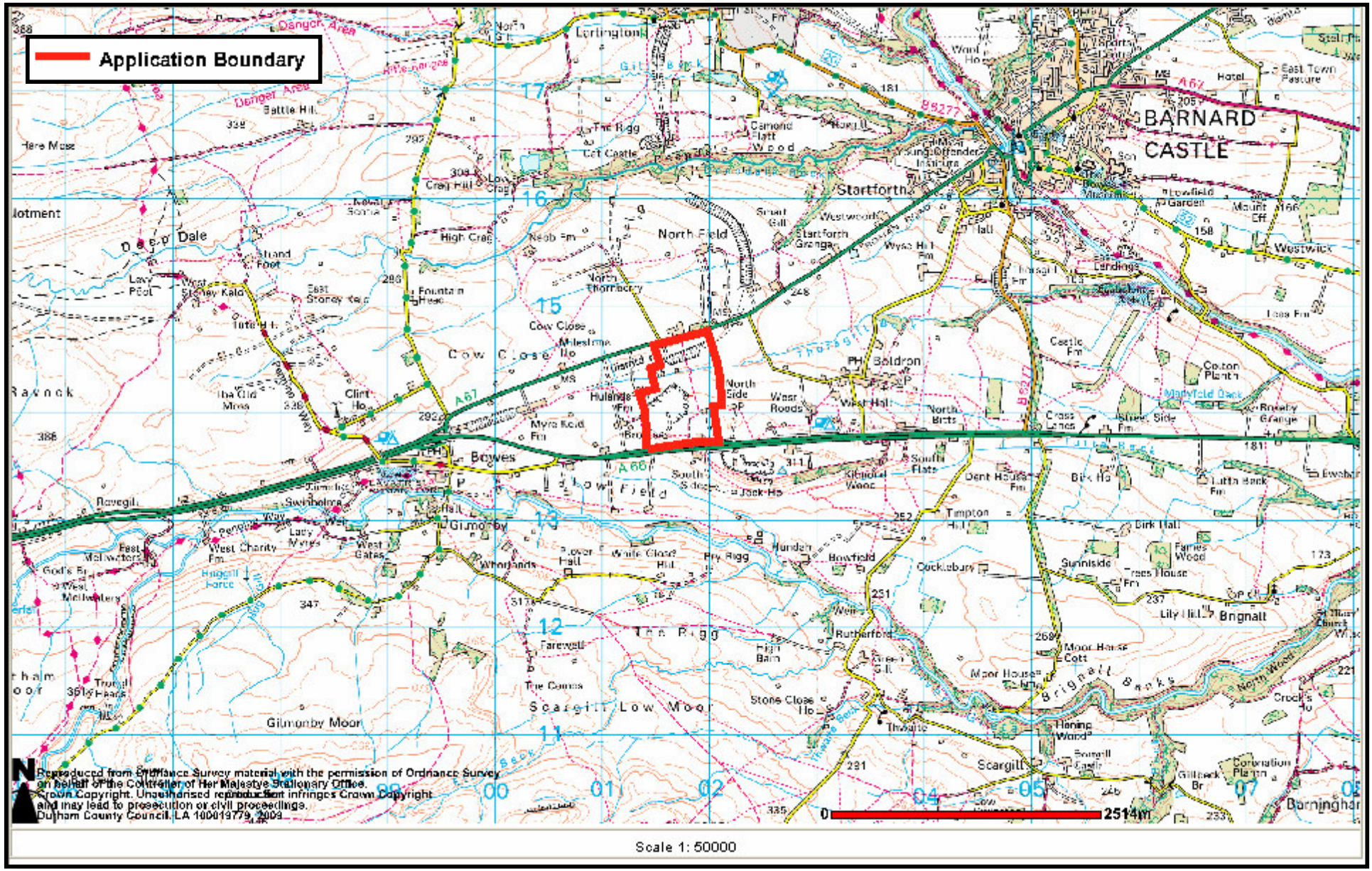
Teesdale District: Planning application for the consolidation of extant Planning Permissions together with an eastern extension of the permitted mineral extraction area at Hulands Quarry, Bowes for Aggregate Industries UK Limited

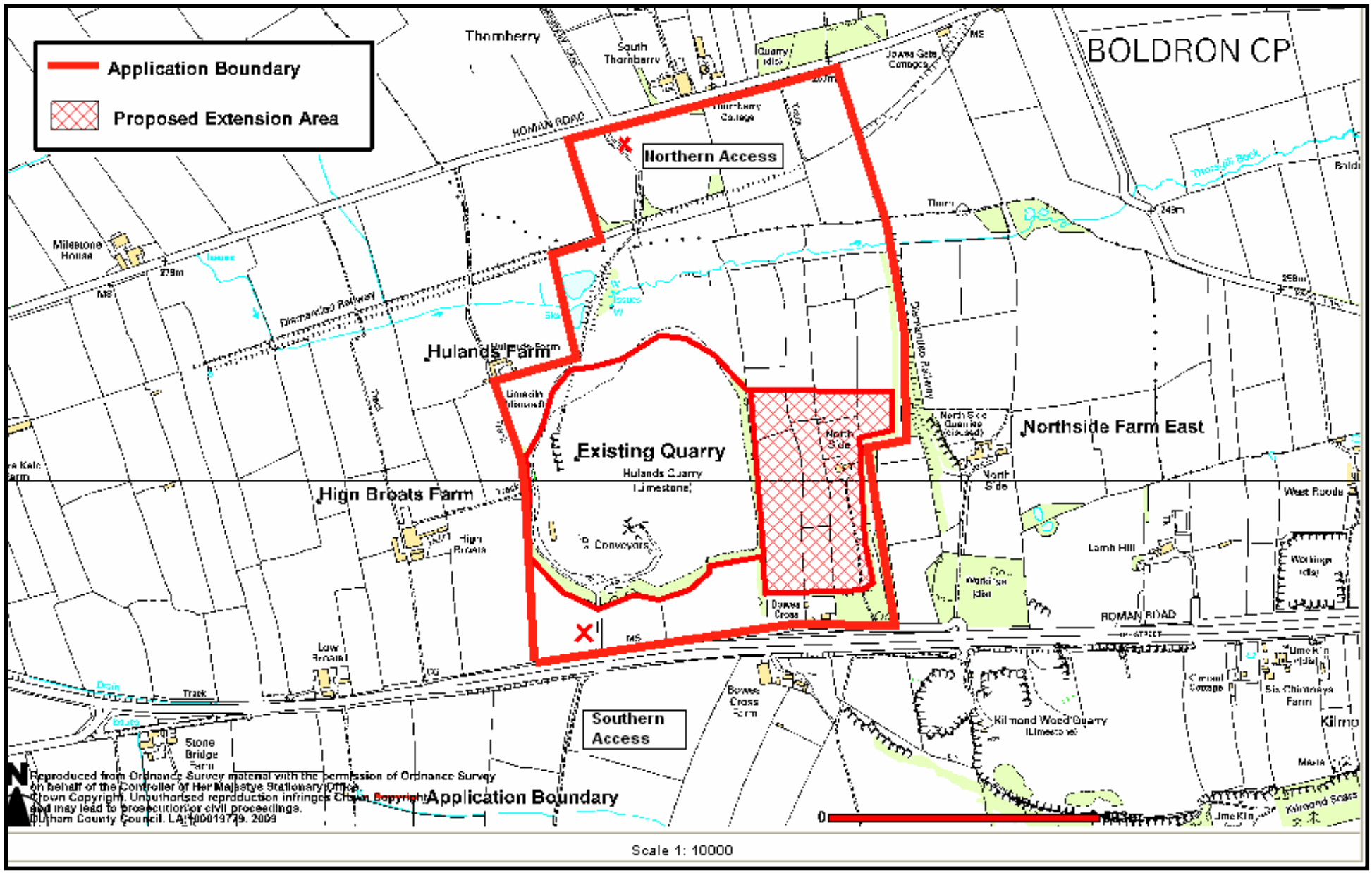
Key Facts

Site area:	52.9ha in total (comprising 35.8 ha within the existing quarry and a 17.1 ha extension area)
Existing land use:	Agriculture Grade 3(b) (14.4Ha) Grade 4 (0.3Ha)
Proposed restored land use:	3.75 ha Lake Limestone Calcareous Mosaic Community Agricultural pastureland
Mineral resources to be extracted:	4.59 million tonnes of Carboniferous Limestone.
Use of mineral resources:	The high quality processed limestone is used for structural concrete uses and coated roadstone. Limestone from the quarry is also used for agricultural lime, large sized bulk fills, general fills, rock armour and drainage and pipe bedding.
Seams to be worked:	Carboniferous Great Limestone Series Yordale Series
Duration of working	15 years mineral extraction 18 months restoration
Hours of operation:	Aggregate Production: 07:00 – 20:00 Mon. - Fri. 07:00 – 13:00 Sat No working Sundays or Bank Holidays Coated Roadstone Production: 00:00 – 24:00 Mon. – Sun. 24 Hour Operating No working on Sundays or Public/Bank Holidays. Haulage to and from site (save for movements associated with coated roadstone production) 06:00 – 20:00 Mon – Fri 06:00 – 17:00 Sat No maintenance of plant or vehicles outside these hours at anytime on Sundays or Bank Holidays

Lorry movements:	It is anticipated that an average of 3 laden HGV's would leave the site every hour (6 movements per hour). (The above figures are based on a 5.5 day working week.)
Lorry routeing:	Vehicles leaving the quarry and travelling east would use the A66 and those travelling west would use the A67 as per the current arrangements at the site.
Blasting:	Some blasting would be required to loosen the Limestone prior to the transportation via conveyor to the processing plant.
Employment:	Up to 18 full time jobs directly through the development for the duration of the scheme are anticipated, 67 created indirectly through hauliers, suppliers etc.

Teesdale District: Planning application for the consolidation of extant Planning Permissions together with an eastern extension of the permitted mineral extraction area at Hulands Quarry, Bowes for Aggregate Industries UK Limited




Application Boundary
Proposed Extension Area
BOLDRON CP
Thornberry
South Thornberry
ROMAN ROAD
Northern Access
Milestone House
Hulands Farm
Existing Quarry
Hulands Quarry (Limestone)
Northside Farm East
High Broats Farm
Conveyors
Lamb Hill
ROMAN ROAD
Low Broats
Track
Stone Bridge Farm
Borrax Cross Farm
Kilmond Wood Quarry (Limestone)
Six Chimneys Farm
Southern Access
Application Boundary
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