

**Regulation 22 Statement of
Consultation on the County Durham
Minerals and Waste Policies and
Allocations Document**

May 2023

Durham County Council

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Chapter 1 - Introduction

1.1 This statement has been prepared to accompany the submission of the County Durham Minerals and Waste Policies and Allocations Document (Publication Draft M&WDPD) for examination. The M&WDPD reached its Publication Draft stage of consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations¹ in November 2022.

1.2 In accordance with the Council's approved **Local Development Scheme**² (November 2022) (DCC1), the Publication Draft M&WDPD will be submitted to the Secretary of State for examination in June 2023.

1.3 This statement seeks to show compliance with paragraph 22(c) and 22(d) of the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 22 requires the council to prepare a statement setting out:

- Which bodies and persons the local planning authority invited to make representations under Regulation 18;
- How those bodies and persons were invited to make representations under regulation;
- A summary of the main issues raised by the representations made pursuant to Regulation 18;
- How any representations made pursuant to Regulation 18 have been taken into account;
- If representations were made pursuant to Regulation 20 the number of representations made and a summary of the main issues raised in those representations; and
- If no representations were made in Regulation 20 that no such representations were made.

¹ <https://www.legislation.gov.uk/uksi/2012/767/contents>

² <https://www.durham.gov.uk/article/7440/What-is-the-County-Durham-Plan->

Chapter 2 - Overview of consultation undertaken

2.1 All consultation undertaken has been in accordance with the Council's adopted **Statement of Community Involvement**³ (DCC2) and has been undertaken in accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2.2 The Council chose to undertake two consultations pursuant to Regulation 18 of the 2012 Regulations. These two stages enabled the Council to initially consult on the scope of the M&WDPD and undertake a call for sites and then to consult upon a Draft Plan. The first stage of consultation under Regulation 18 was undertaken between Friday 15th January 2021 and Friday 26th February 2021, when the Council consulted for six weeks on its **Regulation 18 Statement - Notice of Intention to Prepare a Local Plan Document**⁴ (DCC3) and at the same time commenced a call for new minerals and waste sites (**Call for Minerals and Waste Sites 2021**)⁵ (DCC4). The outcome of the first stage of consultation and the call for sites is set out in detail in the first two documents listed in paragraph 2.3 below (DCC6 and DCC7).

2.3 The second stage of consultation under Regulation 18 was undertaken between Friday 24th September and Friday 5th November 2021 when the Council consulted for six weeks on the **County Durham Minerals and Waste Policies and Allocations Document Draft Plan (September 2021)**⁶ (DCC5). This consultation was directly supported by:

- **County Durham M&WDPD Assessments of potential Minerals and Waste sites in County Durham – submitted in response to a call for sites 2021 (September 2021)** (DCC6) (also known as Minerals and Waste Development Plan Document Site Assessments) - This document appraises the sites proposed by the minerals and waste industry which were submitted as potential allocations in January and February 2021.
- **County Durham M&WDPD Statement of Consultation in relation to Regulation 18 Statement - Notice of Intention to Prepare a Local Plan** (DCC7) - This document provides a summary of the comments submitted at the initial first stage of consultation in January and February 2021 and the Council's response.
- **Sustainability Appraisal of the Minerals and Waste Policies and Allocations Document Draft Plan September 2021**
 - Main Report (DCC8); and
 - Appendices (DCC9)
 - Non-Technical Summary (DCC10).

³ <https://www.durham.gov.uk/article/3282/Statement-of-Community-Involvement>

⁴ <https://consult-durhamcc.objective.co.uk/kse/event/35975/section/>

⁵ <https://consult-durhamcc.objective.co.uk/kse/event/35973/section/>

⁶ <https://consult-durhamcc.objective.co.uk/kse/event/36490>

- **Habitat Regulations Assessment Screening Report for the Draft County Durham Minerals and Waste Policies and Allocations Document (DCC11);** and
- **Joint Local Aggregate Assessment for County Durham, Northumberland and Tyne and Wear (April 2021) (DCC12).**

2.4 The third stage of consultation under Regulation 19 was undertaken between Friday 28 November 2022 and Friday 13 January 2023 when the Council consulted for six weeks on the **Publication Draft County Durham Minerals and Waste Policies and Allocations Document (November 2022)**⁷ (DCC13). This consultation was directly supported by:

- **Publication Draft County Durham Minerals and Waste Policies and Allocations Development Plan Document Submission Policies Map November 2022 (November 2022) (DCC14):** This seeks to show the spatial extent of the four proposed allocations for new mineral working and/or waste disposal proposed within the Publication Draft M&WDPD upon map tile 22 and map tile 24 of the adopted County Durham Plan Policies Map.
- **Statement on the Duty to Cooperate (November 2022) (DCC15).** This statement is to provide communities and other stakeholders with a transparent picture of how the Council has been collaborating under the Duty to Cooperate. It explained that the Council recognises that compliance with the Duty to Cooperate is an ongoing process and therefore explained that following the consultation on the Publication Draft M&WDPD current Statements of Common Ground will be updated as required. They will be appended to a Duty to Cooperate Statement which will form part of the evidence base for the M&WDPD.
- **Statement of Consultation Regulation 18 Draft Plan (November 2022) (DCC16):** This details the consultation and engagement undertaken on the Draft Plan (stage two) which was held between Friday 24th September and Friday 5th November 2021.
- **Updated Assessment of potential Minerals and Waste sites in County Durham (November 2022) (DCC17):** This assesses all the proposed minerals and waste sites as potential allocations from the call for new sites which was held between Friday 15th January 2021 and Friday 26th February 2021.
- **Publication Draft County Durham Minerals and Waste Policies & Allocations Document Heritage Impact Assessment (November 2022) (DCC18):** This provides a detailed assessment of designated and non-designated heritage assets.
- **Joint Local Aggregate Assessment for County Durham, Northumberland and Tyne & Wear (April 2022) (2020 and 2019 Sales & Reserves Data) Accessible Version (DCC19):** This monitors the provision of aggregates and forecasts future demand.

⁷ <https://consult-durhamcc.objective.co.uk/kse/event/37209>

- **Joint Local Aggregate Assessment for County Durham, Northumberland and Tyne & Wear (April 2021) (2018 reserves and sales) Accessible Version (DCC12):** This monitors the provision of aggregates and forecasts future demand.
- **County Durham Minerals and Waste Policies and Allocations Document Sustainability Appraisal Report November 2022 (including appendices and non-technical summary documents)⁸ (DCC20) (DCC21) (DCC22):** This shows we have appraised each of the policies and allocations in the Publication Draft for their environmental, economic and social effects.
- **Habitat Regulations Assessment Screening Report County Durham Minerals and Waste Policies and Allocations Document Publication Draft Plan⁹ (DCC23):** This shows that we have screened the Publication Draft to ensure it will not negatively affect the ecological integrity of key wildlife sites, referred to as European sites, in County Durham.
- **Statement of Representations Procedure & Statement of Fact: (DCC24):** This provided information on the stage and role of the consultation, the subject matter under consultation, area covered by the document; the representation period; how to make comments; how to request notification of further stages from submission to adoption; and the availability of documents, see Appendix A.
- **Guidance to making Comments Publication Draft County Durham Minerals and Waste Policies and Allocations Document (M&WDPD) (DCC25):** This provided an introduction to the consultation; explained what the Council had already done, what the Council was now consulting upon; information relating to Legal Compliance and Soundness; the availability of documents, how comments could be submitted; information relating to data protection and privacy; information relating to taking part in the examination; what happens next; contact details for further information; and useful web links including to the County Durham Local Development Scheme, the County Durham Statement of Community Involvement and the Town and Country Planning (Local Planning)(England) Regulations 2012. See Appendix B.

⁸ <https://consult-durhamcc.objective.co.uk/kse/event/36491>

⁹ <https://consult-durhamcc.objective.co.uk/kse/event/36492>

Chapter 3 - Regulation 18 Consultation - Notice of Intent to Prepare a Development Plan Document and Minerals and Waste Call for Sites (January 2021)

3.1 The purpose of the first Regulation 18 consultation was to enable the Council to notify specified bodies and persons of the subject matter of the development plan document (DPD) which it proposed to prepare and invite each of them to make representations about what the DPD should include. The **Regulation 18 Notice of Intention to Prepare a Development Plan Document** (Regulation 18 Notice) (DCC3) set out the Council's proposals and advised that the Council will take into account representations made in response to this notification and in addition we will also consider the representations of additional persons and organisations who respond as a result of the publicity we undertake.

3.2 A detailed statement of consultation upon the Regulation 18 Notice which also summarised the proposals which were received in response to the **Minerals and Waste Call for Sites** (DCC4) was published alongside the consultation on the Draft Plan in September 2021. The '**Statement of Consultation Regulation 18 Notice of intention to prepare a Development Plan Document and Minerals and Waste Call for Sites (September 2021)**' (DCC7) sets out in full all comments received in response to the Regulation 18 Notice of intent to prepare a Development Plan Document which was consulted upon between Friday 15th January 2021 and Friday 26th February 2021. In addition, it also sets out the Council's response to the matters raised. However, a summary is provided in Table 1 below.

3.3 In terms of which bodies and persons the local planning authority invited to make representations under Regulation 18, prior to undertaking the consultation in late 2020 the Council had updated its consultation database to ensure that it continued to meet the requirements of the Town and Country (Local Planning) (England) Regulations 2012. This process involved updating contact details for all Specific and General Consultation Bodies, ensuring the database contained contact details for all minerals and waste businesses operating in County Durham and writing to all other consultees and residents who had been on the Council's consultation database for the County Durham Plan to ask if they wished to remain upon the database.

3.4 The Statement of Consultation on the Regulation 18 Notice explained at paragraph 1.5 that, 'Statutory consultees (Specific Consultation Bodies) outlined in the Town and Country Planning (Local Planning) (England) Regulations 2012 were notified/consulted on the Regulation 18 Notice of Intention to Prepare a Development Plan Document. In addition, all other consultees on the Council's consultation database were also notified/consulted via letter or email'. To clarify, in addition to the Specific Consultation Bodies the Council's consultation database also included many other consultees which included General Consultation Bodies as defined under the Regulations and such residents or other persons carrying out business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations. The Council's Consultation and Engagement Officer in the County Durham Partnership Team also distributed information to all of the interest groups on their circulation list, many of which fall within the General Consultation Bodies category of consultees outlined in the Town and Country

Planning (Local Planning) (England) Regulations 2012 (see Appendix J). Through this consultation process the Council sought to make sure that all businesses with an interest in the preparation of the Minerals and Waste Policies and Allocations Document operating in County Durham would be consulted.

3.5 In terms of how those bodies and persons were invited to make representations under Regulation 18, comments were invited by using our online form or by email or in writing using the Council's Freepost Address:

- The Regulation 18 Notice of intent to prepare a Development Plan Document and Minerals and Waste Call for Sites documents were available online to view. The Regulation 18 Statement - Notice of Intention to Prepare a Development Plan Document¹⁰ and Call for Minerals & Waste Sites 2021¹¹ had their own dedicated webpages, which were accessed from the Council's Planning Policy Consultation webpage¹² and the Council main Consultation webpage¹³ and a dedicated consultation webpage¹⁴. The Council's dedicated consultation webpage is shown in Appendix F F1.
- Copies were also available on request from the Spatial Policy Team.
- Due to the Coronavirus Pandemic and the closure of Council Libraries and Customer Access Points (CAPs) it was not possible to place hard copies of the documents in these locations at this time. The Council is satisfied that this did not prejudice anyone or anybody's opportunity to get involved and comment and no complaints have been received at any stage of the plan preparation process in this regard.
- Due to the Coronavirus pandemic no in-person consultation events were held.

Comments Received on Regulation 18 Notice and Call for Sites

3.6 The consultation on the Regulation 18 Notice yielded 11 responses in total to the Regulation 18 Statement. Respondents were Natural England, Historic England, The Forestry Commission, The Coal Authority, Northumberland County Council, The Council for the Protection of Rural England (CPRE), The Mineral Products Association, Tarmac, Redmond's, Avison Young on behalf of the National Grid and Anglian Water Services.

3.7 The Call for sites yielded in total 13 (four of which also involve the deposit of inert waste) site allocation proposals. These site allocation proposals were subsequently assessed in 'County Durham M&WDPD Assessments of potential Minerals and Waste sites in County Durham – submitted in response to a call for sites 2021 (September 2021) (DCC6)'.

¹⁰ <https://consult-durhamcc.objective.co.uk/kse/event/35975/section/>

¹¹ <https://consult-durhamcc.objective.co.uk/kse/event/35973/section/>

¹² <https://consult-durhamcc.objective.co.uk/kse/folder/91734>

¹³ www.durham.gov.uk/consultation

¹⁴ <https://www.durham.gov.uk/article/24743/Consultation-on-our-Minerals-and-Waste-Policies-and-Allocation-Document-stage-one-14>

Main Issues Raised, Council's Response

3.8 Table 1 details the main issues raised and the Council's response / how the M&WDPD has responded to the issues raised. Please note the full text of what respondents said is set out in the Statement of Consultation on the Regulation 18 consultation (DCC7).

3.9 Representations were also received from Historic England who had no comments at this stage but then made comments at the Draft Plan stage which were then addressed by the Council, the Coal Authority who had no comments, Anglian Water who had no comments and Redmond's a waste management company.

3.10 Table 1 focuses on comments made by Northumberland County Council, the Mineral Products Association, the Council for the Protection of Rural England (CPRE), Natural England, The Banks Group, Tarmac and the Forestry Commission.

Table 1: Regulation 18 Notice of Intention to Prepare a Development Plan Document Main Issues Raised and Council's Response

Respondent	Main Issues Raised	How the M&WDPD has responded to the issues raised.
Northumberland County Council	<ul style="list-style-type: none"> The broad scope and proposed coverage of the Minerals and Waste DPD is considered to be appropriate to address those matters not covered by the County Durham Plan and required by national planning policy. The nature of the minerals and waste topics means that there will be matters under consideration in preparing the DPD that give rise to cross-boundary issues: i.e., cross boundary movement of waste or aggregate minerals. The DPD could allocate sites for extraction of aggregates to support the delivery to meet the forecast demand in the Local Aggregate Assessment from County Durham. Policies for waste management will be important to meet the aim of CDP Policy 60 to plan for net self-sufficiency and avoid reliance on facilities outside of the County. 	<ul style="list-style-type: none"> All strategic cross boundary issues were addressed through the preparation of the County Durham Plan. The M&WDPD identifies two allocations which will contribute to the steady and adequate supply of aggregates in accordance with the Council's Local Aggregate Assessment. The M&WDPD identifies two allocations for inert waste disposal in order to contribute to meeting the waste capacity gap for waste disposal. Policies are also included for inert waste recovery Policy MW16), inert waste disposal (Policy MW17) and non-hazardous waste disposal (Policy MW18).
Minerals Products Association	<ul style="list-style-type: none"> The scope of the document may also seek to consider/include the recent proposed changes to the NPPF and any corresponding changes to the Planning Practice Guidance. The Government has committed to a 'Green Revolution', Many minerals and geologically related opportunities may exist within Durham, with potential for geothermal and former mine water heating systems. Support the wider consideration of other minerals such as Silica Sand and vein minerals. 	<ul style="list-style-type: none"> The Council considers that the Publication Draft has addressed all relevant NPPF changes and is consistent with the NPPF and Planning Practice Guide. Geothermal power falls outside of the scope of the M&WDPD. It is addressed through CDP Policy 33 (Renewable and Low Carbon Energy). Policy MW14 of the Publication Draft addresses

		lithium which is a critical mineral associated with the Government's Green Revolution. Policy MW14 also addresses vein minerals and silica sand.
CPRE	<ul style="list-style-type: none"> • If sites are within, or may affect, the North Pennines Area of Outstanding Natural Beauty (AONB), it should be made clear that the Planning Guidelines for the AONB are material considerations. • Some minerals may be in the area of the Magnesian Limestone Plateau. If any sites are allocated in this area, we represent that the provisions of Policy 50(d) of the CDP restricting such sites on prominent escarpment slopes needs to be reflected in this proposed Plan. • The provisions of the Environment Bill for Biodiversity Net Gain. We represent that this issue needs to be fully addressed in any new policies, both in respect of the operational time and subsequently the restoration. • The removal of Paragraph 209(a) is clearly significant in relation to the weight to be given to policies for the extraction of oil or gas, be it by conventional or unconventional means, it is still not government policy to ban such extractions. However, we note that fracking is subject to a moratorium which is unlikely to be lifted until and unless it can be shown to be safe. • Extracting oil and gas is clearly controversial when considering climate change matters but if it is decided to include policies for such extractions, we represent: <ul style="list-style-type: none"> • that the traffic implications are significant. Any sites should be easily accessible from the major highway network. • that, if possible, they should be incorporated in existing quarries where the activities are likely to be screened that similar criteria to those in respect of surface mined coal and fireclay in Policy 53 of the CDP should be considered. 	<ul style="list-style-type: none"> • The policies within the M&WDPD have been prepared to complement CDP Policies and Policy 38 North Pennines Area of Outstanding Natural Beauty already refers to the North Pennines AONB Planning Guidelines. Policy MW1 provides general criteria for considering minerals and waste applications. Policy criteria and supporting text address protected landscapes, landscape character and quality. • CDP Policy 50 has been prepared to provide locational guidance for future aggregate working and will be adhered to. It is not necessary to duplicate these provisions. • Biodiversity is addressed primarily by policies of the CDP. Where necessary M&WDPD policies address biodiversity including Policy MW1 and Policy MW20. • Chapter 5 of the M&WDPD addresses oil and gas through the provisions of Policy MW12 and MW13. Supporting text to this chapter reflects Government energy policy including the reconfirmation of the moratorium on fracking. Policy MW13 has been prepared to determine planning applications for the transport of oil and gas. • Given that minerals can only be worked where they naturally occur it is not possible to seek to require that sites for oil and gas should be in incorporated into existing quarries.
CPRE	<ul style="list-style-type: none"> • In addressing waste management and issues like inert landfill/landraise it is essential to consider the nature of the roads that would be used for 	<ul style="list-style-type: none"> • Policy MW7 addresses traffic and transportation. Criterion 1 seeks to ensure that the transport implications of all

	<p>access/egress and recreational use of such roads; and the damage that can be caused by heavy vehicles to such roads.</p> <ul style="list-style-type: none"> • Non-hazardous waste disposal in existing quarries, especially when used as part of a restoration scheme, should be acceptable provided it is consistent with any such restoration scheme. • There are clearly health considerations with incineration. Energy generation should always be considered where incineration is proposed and that this should be always on suitable employment sites, • Specialist and hazardous waste a) Sites will need an impervious lining. b) Access must be along suitable roads that do not go through residential areas. Rail access may be an important consideration. c) They should be well away from watercourses or underground aquifers. 	<p>minerals and waste developments which generate significant movements will be assessed. Criterion 3b addresses vehicular traffic generated from the proposed development. Criterion 4 addresses matters including number of lorry movements and routing to minimise amenity impacts of traffic on local communities; highways improvements and the prevention of mud and dirt onto public highways.</p> <ul style="list-style-type: none"> • Policy MW1 includes provisions which address health. However, proposals for waste management which involve incineration will require a permit from the Environment Agency. CDP Policy 61 will be used to determine the acceptability of new waste management facilities (excluding inert waste recovery, disposal and non-hazardous waste disposal) and includes locational criteria which directs incineration facilities to employment sites where they can be 'satisfactorily located'. • Policies have been prepared to address the 'other recovery' of inert waste and disposal of non-hazardous and inert waste. Policies have also been prepared which address the water resource implications of the disposal of waste. The supporting text of the Publication Draft at paragraph 7.7 refers to Environment Agency guidance on Landfills, it states, "The Environment Agency have published detailed guidance for landfill operators on the requirements of the Landfill Directive and technical standards required to meet environmental protection and permit conditions".
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CPRE	<ul style="list-style-type: none"> • When considering detailed policies that may impact on local communities, we represent that it is imperative to consider establishing liaison committees. Decisions of such committees should be material considerations that affect how the quarry operates. • Suitable routes along adequate roads must also be material considerations, even when ROMP applications are being considered. • We are opposed to the concept of Borrow Pits but represent that, if any are unavoidable, they should be restored in much the same way as with any modern quarry operation. • Issues such as noise (short or long-term) stand-off distances, vibrations and stability are likely to be site specific but clearly communities should be able to expect that the impact will not be unreasonable so that it amounts to a nuisance. • Dust can be a significant issue both from the workings themselves and any access road to it. Consideration should always be given to dust mitigation conditions. • When considering cumulative impacts, we represent that the sequential effect is also important • All modern quarries should restore to a standard to ensure biodiversity net gain. • It is necessary to consider how works should proceed if there is a significant wildlife issue. 	<ul style="list-style-type: none"> • Supporting text has been included to address local liaison committees. • Policy MW7 addresses traffic and transportation. Criterion 1 seeks to ensure that the transport implications of all minerals and waste developments which generate significant movements will be assessed. Criterion 3b addresses vehicular traffic generated from the proposed development. Criterion 4 addresses matters including number of lorry movements and routing to minimise amenity impacts of traffic on local communities; highways improvements and the prevention of mud and dirt onto public highways. • Policy MW9 has been prepared to address any future proposals for borrow pits. Criterion 5 of Policy MW9 cross refers to Policy MW20. • Policy MW4 has been prepared to address noise. • Policy MW5 has been prepared to address air quality and dust. • Policy MW1 addresses cumulative impacts. • Criterion 4 of Policy MW20 addresses biodiversity net gain.
Natural England	<ul style="list-style-type: none"> • The Plan's vision and emerging development strategy should address impacts on and opportunities for the natural environment and set out the environmental ambition for the plan area. The Plan should take a strategic approach to the protection and enhancement of the natural environment, including providing a net gain for biodiversity, considering opportunities to enhance and improve connectivity. Where relevant there should be linkages with the Biodiversity Action Plan, Local Nature Partnership, Area of Outstanding Natural Beauty Management Plans, Rights of Way Improvement Plans and Green Infrastructure Strategies, and Nature Recovery Network 	<ul style="list-style-type: none"> • The M&WDPD does not have its own specific vision. The policies within the M&WDPD seek to complement CDP policies. The M&WDPDs vision is the County Durham Plan vision. Similarly, the County Durham Plan's strategic Objectives will remain unchanged, but the M&WDPD sets out six additional non-strategic objectives to provide the direction for the M&WDPDs policies. NSO 1 and 5 relate directly to Natural England's advice. Where relevant linkages with other relevant plans and strategies have been provided within the

		M&WDPD. See the supporting text to Policy MW3 and MW20.
Natural England	<ul style="list-style-type: none"> In accordance with the paragraph 171 of NPPF, the Plan should allocate land with the least environmental or amenity value. Natural England expects sufficient evidence to be provided, through the SA and HRA, to justify the site selection process and to ensure sites of least environmental value are selected. 	<ul style="list-style-type: none"> All sites which have been allocated have been subject to a planning assessment and assessed through both Sustainability Appraisal and Habitats Regulation Assessment. However, it should be note that minerals can only be worked where they naturally occur. NPPF para 203 states, "Since minerals are a finite natural resource and can only be worked where they are found...".
Natural England	<ul style="list-style-type: none"> Natural England expects the Plan to include strategic policies to protect and enhance valued landscapes, as well criteria-based policies to guide development. Designated sites - The Plan should set criteria-based policies to ensure the protection of designated biodiversity and geological Sites. The Plan should set out a strategic approach, planning positively for the creation, protection, enhancement and management of networks of biodiversity. There should be consideration of geodiversity conservation in terms of any geological sites and features in the wider environment. Natural England focusses our advice on embedding biodiversity net gain in development plans, since the approach is better developed than for wider environmental gains. However, your authority should consider the requirements of the NPPF (paragraph 72, 102, 118 and 170) and seek opportunities for wider environmental net gain wherever possible. The Plan should be screened under Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended). 	<ul style="list-style-type: none"> The policies within the M&WDPD seek to complement the County Durham Plan. It is not therefore necessary for the M&WDPD to prepare a suite of criteria-based biodiversity, geodiversity, landscape etc related policies. Policies on these matters are already prepared in the County Durham Plan. However, an overarching policy (Policy MW1) has been prepared to set out the range of issues which proposals for mineral working and waste development including landfill and landraise proposals will need to address and appropriate cross referencing is provided to both the County Durham Plan and the Planning Practice Guide. A policy on restoration and after use is also included to address necessary matters. The policy seeks high quality restoration in accordance with NPPF requirements. The M&WDPD recognises that restoration and after use of quarries etc provides a mechanism through which environmental gains/benefits and through which net gains to biodiversity can be delivered thereby assisting in the implementation of nature recovery networks.

		<ul style="list-style-type: none"> • Where necessary policies within the M&WDPD address and biodiversity and geodiversity, see the provisions of Policy MW1, MW3 and MW20. The policy approach seeks to achieve wider environmental gain whenever possible. • The County Ecologist has considered the requirements of the Regulation 105 of the Conservation of Habitats and Species Regulations 2017. Site allocations have been screened. The County Ecologist has been consulted on all site allocations and further consultation on potential site allocations and non-allocated sites was undertaken with Natural England where necessary.
Natural England	<ul style="list-style-type: none"> • Where a plan area contains irreplaceable habitats, such as ancient woodland, ancient and veteran trees, there should be appropriate policies to ensure their protection 	<ul style="list-style-type: none"> • CDP Policy 26 Green Infrastructure addresses Green Infrastructure. Criterion 2b of MW1 addresses biodiversity including nationally and locally protected sites, protected and priority species and habitats and trees, woodland and hedges.
Natural England	<ul style="list-style-type: none"> • Soil, Agricultural Land Quality and Reclamation - The Plan should give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpins our well-being and prosperity. Decisions about minerals development and restoration should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. 	<ul style="list-style-type: none"> • CDP Policy 14 addresses the best and most versatile agricultural land and soil resources. M&WDPD policies also address these matters specifically criterion 2e of Policy MW1 and Policy MW20. • The Council has considered the available information as part of considering site allocations. An ALC assessment will be carried out at the planning application stage. The supporting text of Policy MW20 at paragraph 8.17 of the Publication Draft refers to the DEFRA Guidance for the 'Successful Reclamation of Mineral and Waste sites' (Defra, 2004) and the Good Practice Guide for Handling Soils' (MAFF, 2000). It also refers to Natural England's 'Guidance on Planning and

		Aftercare Advice for Reclaiming Land to Agricultural Use’.
Natural England	<ul style="list-style-type: none"> Natural England advises that the Plan should include policies to ensure protection and enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. 	<ul style="list-style-type: none"> These matters are addressed by Policy MW1 and Policy MW20.
Natural England	<ul style="list-style-type: none"> Where relevant, Natural England expects the Plan to consider the type of policies and developments that would be appropriate for a defined Coastal Change Management Area. We would also expect the Plan to consider the marine environment and apply an Integrated Coastal Zone Management approach. 	<ul style="list-style-type: none"> Coastal issues were addressed through the preparation of the County Durham Plan. The Policies Map of the County Durham Plan identifies that much of the Durham Coast is identified as a combination of Heritage Coast, Ramsar and, SAC, SPA and SSSI and the County Durham Plan contains policies to protect these internationally and nationally important environmental designations.
Natural England	<ul style="list-style-type: none"> We would expect the Plan to address the impacts of air quality on the natural environment. It should address the traffic impacts associated with new development, particularly where this impacts on European sites and SSSIs. The environmental assessment of the Plan (SA and HRA) should also consider any detrimental impacts on the natural environment and suggest appropriate avoidance or mitigation measures where applicable. Natural England advises that one of the main issues which should be considered in the Plan and the SA/HRA are proposals which are likely to generate additional nitrogen emissions as a result of increased traffic generation, which can be damaging to the natural environment. 	<ul style="list-style-type: none"> Air pollution is considered via specific policies including Policy MW1, Policy MW5. Policy MW7 addresses traffic and transport.
Natural England	<ul style="list-style-type: none"> The Plan should identify relevant areas of tranquillity and provide appropriate policy protection to such areas as identified in paragraph 100 and 180 of the NPPF 	<ul style="list-style-type: none"> Tranquillity is addressed by the County Durham Plan. However, the NPPF is clear that since minerals are a finite natural resource and can only be worked where they are found.
Natural England	<ul style="list-style-type: none"> Natural England expects the Plan to consider the strategic impacts on water quality and resources as outlined in paragraph 170 of the NPPF. We would also expect the Plan to address flood risk management in line with the paragraphs 155-165 of the NPPF. 	<ul style="list-style-type: none"> Criterion 2d of Policy MW1 addresses surface water, groundwater and flood risk. Policy MW19 also addresses water resources and water quality in detail.
Natural England	<ul style="list-style-type: none"> The Plan should consider climate change adaption and recognise the role of the natural environment to deliver 	<ul style="list-style-type: none"> Criterion 4 of Policy MW1 addresses County Durham’s ability to meet the challenge

	<p>measures to reduce the effects of climate change.</p>	<p>of climate change requiring a demonstration from applicants on how proposals will minimise greenhouse gas emissions and how they have incorporated measures to adapt, mitigate, reduce vulnerability and increase resilience to the future impacts of climate change. Climate change is also addressed by Policy MW3 which emphasises that value will be placed upon benefits which help mitigate and adapt to climate change and promote nature recovery by delivering net gains to biodiversity and the delivery of the County Durham Local Nature Recovery Strategy. Policy MW7 requires that minerals and waste proposals should always seek to maximise the use of sustainable forms of transport and minimise greenhouse gas emissions. Criterion 3a of Policy MW20 requires delivery of climate change adaptation and mitigation measures.</p>
National Grid	<ul style="list-style-type: none"> • Provided details of proposed development sites crossed or in close proximity to National Grid assets. 	<ul style="list-style-type: none"> • CDP Policy 28 (Safeguarded Areas) seeks to safeguard specific areas including major gas transmission pipeline. Should National Grid wish for further assets to be specifically safeguarded then safeguarding will need to be considered through future reviews of the CDP.
Banks Developments	<ul style="list-style-type: none"> • The text of the CDP does not give sufficient recognition to the chemical and physical qualities displayed by coals from the Durham coalfield in supplying UK based industries which continue to use coal as an essential raw material. Our representations made it clear that we expected the Mineral Planning Authority (MPA) to actively engage with the industrial sectors and individual industries in the UK which wish to be served by coal from the Durham coalfield. Our representation also included an invitation for us to facilitate this engagement in any way possible. However, our offer was not taken up, and so far as we are aware, to date the 	<ul style="list-style-type: none"> • CDP Policy 53 (Surface Mined Coal and Fireclay) provides the policy framework for considering planning applications for surface mined coal. The role of the M&WDPD in respect of surface mined coal is to consider potential site allocations. Other than Banks Developments one proposal there have been no other representations from UK based coal users. The Council advised the Banks Group that potentially coal users may either provide

	<p>MPA has not undertaken any meaningful engagement with UK based coal users. Before any substantive policy formulation work is undertaken officers and members of the Council actively engage with industries and niche coal users such as the Heritage rail sector in the UK to gain an understanding of their requirements and the role coal from the Durham coalfield can play in meeting those requirements. The UK industrial sector typically requires high volatile grade coal, with characteristics including high calorific value, low sulphur and low ash content. Having reviewed our own drilling and borehole data combined with the very extensive bore hole data gathered by the former NCB and data from the BGS, Banks in-house geologists have identified that coal seams which occur specifically in the North West of the Durham coalfield have qualities which fit these particular characteristics (data available on request). The extent of the area is outlined in red on the plan at Appendix 1 of this submission. It should be noted that our research has also identified that a number of the coal seams within the area shown are associated with the occurrence of good quality fireclay and brick shale used by brickworks in the County and the wider North East Region. The concurrent working of minerals is supported by national planning policy and guidance.</p>	<p>comments on the draft plan or Banks may circulate the Draft Plan to their intended client base. In response to consultation on the Pre-Submission County Durham Plan, Banks submitted a large Preferred Area. However, this site was submitted at the final stage of consultation and did not constitute a submission for a genuine site allocation covering a large area of North Durham. This area has been resubmitted in response to the Council's call for minerals and waste sites which was undertaken between January and February 2021.</p> <ul style="list-style-type: none"> • The Council advised Banks that this resubmitted proposal does not constitute a genuine site allocation for a preferred area. The proposed Preferred Area covered a very large area of County Durham, part of which has been extensively worked by previous surface mined coal permissions and is also overlain by a plethora of environmental designations and contains areas close to settlements. • The Council advised Banks that the submission did not contain sufficient site-specific detail. The Council's call for sites document advised that, "Failure to provide the information as set out above may impact upon the Council's ability to assess the suitability of a site and therefore the ability to allocate a site".
<p>Banks Developments</p>	<ul style="list-style-type: none"> • The most recent publication of the Joint Local Aggregate Assessment (December 2019) (JLAA2019) concluded that in quantitative terms County Durham had sufficient permitted reserves of both crushed rock and sand and gravel to meet the calculated demand from quarries in the county. As part of the preparation of the MWAP this conclusion requires careful examination. It is clear the landbank of permitted reserves of sand and gravel in County 	<ul style="list-style-type: none"> • The CDP addressed the issue of competition in terms of aggregates supply (see paragraph 5.517 and paragraph 5.518). • The Council is not convinced and does not accept the view that, "It is also clear the geographical distribution of operational sites, being heavily skewed to the east of the County, is likely to be

	<p>Durham is inadequate to cover the plan period and there is a grave risk that competition to supply the market is being stifled. It is also clear the geographical distribution of operational sites, being heavily skewed to the east of the County, is likely to be having a negative impact on the strategic supply of sand and gravel from the County. In accordance with NPPG, the MWPAD represents the opportunity to fundamentally address this issue by adopting a policy stance which will encourage new developments for sand and gravel to come forward in the west of the county.</p>	<p>having a negative impact on the strategic supply of sand and gravel from the County". Existing operational sites are well related to the principal markets for sand and gravel served by County Durham's sand and gravel quarries.</p> <ul style="list-style-type: none"> • Through the M&WDPD the Council will seek to identify environmentally acceptable allocations for further sand and gravel working to meet the scale of provision outlined in the Council's current Local Aggregate Assessment. • Banks are proposing an area of search approach, this is may only be required if the Council cannot identify sufficient sites either through Site Specific Allocations or Preferred Areas. In any event CDP Policy 51 provides the decision-making framework to allow the consideration of non-allocated sites. The information which has been submitted is no more than the full extent of the areas identified by the British Geological Survey as the glacial and fluvial sand and gravel resource in County Durham, which in turn provided the basis for the Council's safeguarding of this resource in the CDP. The proposed area of search covers a very large area of County Durham, part of which has been worked by previous permissions and is also overlain by a plethora of environmental designations and contains areas close to settlements. The submission does not contain sufficient site-specific detail. The Council's call for sites document advised that, "Failure to provide the information as set out above may impact upon the Council's ability to assess the suitability of a site and therefore the ability to allocate a site".
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<p>Banks Developments</p>	<ul style="list-style-type: none"> The landbank for carboniferous limestone is inadequate to meet requirements over the plan period. In response to the quantitative landbank shortfall, the MPA should adopt policies which prioritise the reopening and working of dormant carboniferous limestone quarries to modern working and restoration standards. Such an approach would have a greater potential to increase competition than the further allocation of extensions to existing active sites. At the same time, it would enable the planning permissions for such sites to be updated to modern working and restoration standards. 	<ul style="list-style-type: none"> It is not necessary for the M&WDPD to prioritise the reopening and working of dormant carboniferous limestone quarries to modern working and restoration standards. All dormant sites are safeguarded under CDP Policy 48 (Safeguarding Minerals Sites, Minerals Related Infrastructure and Waste Management Sites). Dormant sites have permission until 2042 and operators in association with landowners/ owners of the mineral rights are entitled to come forward and agree new modern schemes of working and restoration with the Council.
<p>Banks Developments</p>	<ul style="list-style-type: none"> County Durham has a significant number of dormant and/or abandoned mineral sites, including mineral working deposits, which continue to remain a blight. The Banks Group see the preparation of the MWPAD as an opportunity for the Council to take a strategic look at all of these sites and encourage landowners and industry to come forward with proposals as appropriate. The MPA should carry out a comprehensive review of dormant/abandoned mineral sites and engage with industry/landowners with a view to identifying priority sites for restoration/reclamation. 	<ul style="list-style-type: none"> It is neither necessary or desirable for the Council to carry out a comprehensive review of dormant/ abandoned mineral sites and engage with industry/ landowners with a view to identifying priority sites for restoration/ reclamation. All dormant sites are safeguarded under CDP Policy 48 (Safeguarding Minerals Sites, Minerals Related Infrastructure and Waste Management Sites). Dormant sites have permission until 2042 and operators in association with landowners/ owners of the mineral rights are entitled to come forward and agree new modern schemes of working and restoration with the Council. Many dormant sites and abandoned sites are likely never to be worked again and the Council places no reliance upon them for future mineral supply.
<p>Forestry Commission</p>	<ul style="list-style-type: none"> In relation to the restoration and aftercare conditions for minerals / waste disposal sites where the after use is 'forestry' we recommend the Forestry Commission guidance booklet Reclaiming Disturbed Land for Forestry (Bulletin 110). 	<ul style="list-style-type: none"> The supporting text to Policy MW20 includes information on the Forestry Commission guidance booklet Reclaiming Disturbed Land for Forestry (Bulletin 110).

Tarmac	<p>In order to help meet existing and emerging policy requirements, it is suggested that the M&WDPD considers the</p> <ul style="list-style-type: none"> • The allocation of additional Permian sand reserves at Thrislington. • Potential for the current restrictive sales conditions for limestone at Thrislington East and West to be relaxed to help meet anticipated additional demand for construction aggregates. • The allocation of an additional 1mt of limestone and 400,00 m3 of inert void space at Cold Knuckle, Quarrington. • The allocation of additional Permian sand and inert landfill void at Quarrington north. 	<ul style="list-style-type: none"> • The Publication Draft allocates land at Thrislington West Quarry under Policy MW21- Site specific allocations at Thrislington West Quarry. • The Publication Draft allocates land at Cold Knuckle Quarry under Policy MW24 - Site Specific Allocation Inert Waste Disposal at Cold Knuckle Quarry. • The Council determined it could not support an allocation of additional Permian sand and inert landfill void space at Quarrington north. The reasoning for this decision is set out in an Updated Assessment of potential Minerals and Waste sites in County Durham (November 2022). • The Council considered the proposal to relax the conditions at Thrislington East and responded in detail in the Statement of Consultation Regulation 18 Notice of intent to prepare a Development Plan Document and Minerals and Waste Call for Sites (September 2021).
Redmondis	<p>Our site at Birtley is a totally new development and there is no scope to increase or extend our operations at this site. Remondis currently has no other land within County Durham that we would wish to be allocated in the plan for future waste operations.</p>	<ul style="list-style-type: none"> • Comments noted.

Chapter 4 - Regulation 18 Consultation - Draft Minerals and Waste Policies and Allocations Document (September 2021)

4.1 A detailed statement of consultation on the Draft Plan was prepared and published alongside the Publication Draft Plan. The 'Statement of Consultation Regulation 18 Draft Plan (November 2022') (DCC16) sets out in full all comments received and the Council's response to the matters raised in response to the second Regulation 18 consultation on the Draft Plan which was consulted on between Friday 24th September and Friday 5th November 2021. However, a summary is provided below.

4.2 In terms of which bodies and persons the local planning authority invited to make representations under Regulation 18, the Council consulted all Specific Consultation Bodies, identified General Consultation Bodies and other consultees including such residents or other persons carrying out business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations. The Council's Consultation and Engagement Officer in the County Durham Partnership Team also distributed information to all the groups on their circulation list, many of which fall within the General Consultation Bodies category of consultees outlined in the Town and Country Planning (Local Plan) (England) Regulations 2012 (see Appendix J). Through this consultation the Council sought to make sure that all businesses with an interest in the preparation of the Minerals and Waste Policies and Allocations Document operating in County Durham would be consulted.

4.3 In terms of how those bodies and persons were invited to make representations under Regulation 18, the 'Statement of Consultation (Regulation 18) Draft Plan November 2022', set out (in paragraph 1.5 to 1.12) how bodies and persons were invited to make representations under Regulation 18. It advised that the second stage of consultation was:

- Publicised on the Council's website on its Consultation page¹⁵ where all Council consultations are publicised, a consultation page was also prepared (see Appendix F F2)¹⁶ which linked to the Council's online planning consultation portal¹⁷, where copies of all the documents listed in paragraph 2.3 were available to download.
- A press release was issued on 19 October 2021 (see Appendix G G1).
- The Council also used social media, both Facebook and Twitter to provide publicity to the consultation. The Facebook story was posted at 5pm on 19 October. It was also posted on Twitter on three separate occasions (see Appendix B of document DCC16).

¹⁵ <https://www.durham.gov.uk/consultation>

¹⁶ <https://www.durham.gov.uk/article/26303/Consultation-on-the-County-Durham-Minerals-and-Waste-Policies-and-Allocations-Document-stage-two->

¹⁷ <https://consult-durhamcc.objective.co.uk/kse/folder/91734>

- Copies of all the documents listed at paragraph 2.3 were also distributed to libraries and Customer Access Points (CAPs) where they were available for reference purposes.
- Copies were also available on request from the Spatial Policy Team.
- Statutory consultees (Specific Consultation Bodies) outlined in the Town and Country Planning (Local Plan) (England) Regulations 2012 were notified/consulted at the start of the consultation period by email or letter. In addition, all other consultees which include a range of General Consultation Bodies outlined in the Town and Country Planning (Local Plan) (England) Regulations 2012 and other groups and individuals on the Council's consultation database were also notified/consulted via letter or email.
- The Council's Consultation and Engagement Officer in the County Durham Partnership Team also distributed information to all of the interest groups on their circulation list, many of which fall within the General Consultation Bodies category of consultees outlined in the Town and Country Planning (Local Plan) (England) Regulations 2012.
- Due to the Coronavirus pandemic no in-person consultation events were held, but two Microsoft Teams Engagement events were organised where the public were invited to register and attend to find out information about the Council's work to prepare, and the contents of, the Minerals and Waste Policies and Allocations Document. These were organised for Tuesday 5th and Wednesday 6th October. One Microsoft Teams Engagement event was also organised for the Minerals and Waste Industry on the 21st of October 2021. At all of these events a PowerPoint presentation was given followed by a question-and-answer session.
- The Consultation was also publicised at the North East Minerals and Waste Policy Officers Group meeting on Tuesday 12th October 2021. This is a group which is organised by Durham County Council and its membership includes all North East Minerals and Waste Planning Authorities and both North Yorkshire County Council and Cumbria County Council.
- In accordance with the methodology adopted by the Council during the preparation of the County Durham Plan, all properties within 500 metres of the boundary of each of the site allocation proposal was sent a letter. 103 letters were sent out to properties within 500m of the boundary of Policy MW21- Site specific allocation at Thrislington West Quarry; and 2 letters were sent to properties within 500m of the boundary of Policy MW22 - Site Specific Allocation Northern Extension to Crime Rigg Quarry, (see Appendix D D2 & D3).

Comments Received on Draft Plan

4.4 The consultation process on the Draft Plan under Regulation 18 yielded 148 comments in total to the Draft Plan from 25 organisations, groups and individuals. The responses which were received were set out in full within the Statement of Consultation (Regulation 18) Draft Plan November 2022 (DCC16) together with the Council's detailed response or rebuttal to each representation.

Main Issues Raised, Council's Response and how the Plan has been changed.

4.5 A summary of the main issues raised by the representations made pursuant to Regulation 18 and how any representations made pursuant to Regulation 18 have been taken into account is set out below. Please note the full text of what respondents said is set out in the Statement of Consultation on the Regulation 18 (DCC16). Please note references to policies and paragraphs in the tables below relate to the numbering within the Draft Plan. Through work to prepare the Publication Draft Plan, including that involved with responding positively whenever possible to issues raised, some policy numbers and many paragraph numbers have changed.

Table 2: Chapter 1 of the Draft Plan Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Northumberland County Council	The Council supports the principle of allocations for aggregates to ensure County Durham continues to contribute to supply to help meet local and regional needs and have not identified any cross-boundary issues that require further discussion.	Noted.
North Yorkshire County Council	No comments to make in relation. There are currently no unresolved cross boundary issues and so the Duty to Cooperate has been achieved.	Noted.
Sunderland City Council	The Council notes the Plan's intention to establish a range of policies directly applicable to mineral and waste development, the allocations which Durham Council propose to make in respect to Thrislington West Quarry and the extension to Crime Rigg Quarry. The Council have no comments to make.	Noted.
Redcar and Cleveland Borough Council:	We welcome general aims of the Draft Plan, the allocations of sand and gravel to meet identified need in the Local Aggregate Assessment, the policies to consider waste facilities, the recognition of interconnected movements of minerals and waste with the Tees Valley and the opportunity to continue to co-operate with Durham County Council.	Noted.
Historic England	Support the preparation of the local plan. The plan does not contain specific policies on managing change within the historic environment. However, the County Durham Plan (adopted 2020) does contain a number of policies on the historic environment including policy 44 (Historic Environment), policy 45 (Durham Castle and Cathedral World Heritage Site) and policy 46 (Stockton and Darlington Railway). When making decisions the plan will be read as a whole including the historic environment policies. Comments in relation to harm to heritage assets and	Historic England do not have any objections to the wording of the policies in the Draft plan. Comments made by Historic England to the Sustainability Appraisal have been responded to in the Statement of Consultation and wording has been revised accordingly to reflect the comments which have been made.

	substantial harm and less than substantial harm. We do not object to the wording of the policies in the draft plan in this regard but are instead concerned with the way they may have been interpreted in this context within the Sustainability Appraisal.	
The Coal Authority	No specific comments to make. General comments refer to the surface coal resource present in County Durham and the fact that the Coal Authority will no longer be requiring those authorities with responsibilities for minerals to specifically include surface coal resource within Mineral Safeguarding Areas.	Noted. The safeguarding of coal resources and prior extraction are addressed by County Durham Plan Policy 56 (Safeguarding Mineral Resources).
Health and Safety Executive	HSE is not a statutory consultee for local and neighbourhood plans or Minerals and Waste Development Plans	Noted.
Marine Management Organisation:	If you are consulting on a minerals and waste local plan or local aggregate assessment, the MMO recommends reference to marine aggregates, and to the documents referred to in our comments.	County Durham Plan Policy 49 (Primary Aggregates Provision) set out the Council's commitment that throughout the Plan period a steady and adequate supply of primary aggregates will be maintained and how this will be achieved. Whilst County Durham does not have a marine wharf within its area, it has sought to safeguard land at the Port of Seaham through the provisions of County Durham Plan Policy 48 (Safeguarding Minerals Sites, Minerals Related Infrastructure and Waste Management Sites). The Council's LAAs which were prepared jointly with Council's in Northumberland and Tyne and Wear until 2023, where such imports have occurred in the past, have addressed marine dredged aggregates and crushed rock imported by the sea in the past.
National Highways	National Highways is generally supportive of the Minerals and Waste P&A. We would request that National Highways is notified by DCC regarding future site allocations that are either in the vicinity of the SRN or are likely to generate trips on the SRN, so that National Highways can prepare and provide formal responses to be submitted during any relevant planning application processes. It is crucial that the Minerals and Waste P&A ensures that future minerals and waste development sites do not hinder the operation of these elements	A detailed response including details of further engagement with National Highways is provided in the Statement of Consultation on the Draft Plan. Through this process, National Highways subsequently confirmed that they have "no objections to the proposed allocations at Thrislington West Quarry or Crime Rigg Quarry in principle, provided that the

	<p>of the SRN. The two site specific allocations included in the Minerals and Waste P&A are reviewed. National Highways requests notification of any future significant site allocations. It is important to assess the Minerals and Waste P&A against DfT (Department for Transport) Circular 02/2013, which makes several recommendations regarding the delivery of local plans, (sections 12, 14, 15, 17, 18 and 19).</p>	<p>information contained within the Minerals and Waste P&A is accurate". In response to comments received the Council also added further information on anticipated vehicle movements associated with all operators proposed sites and content relating to the minimisation of trip generation at source within the site assessment document. The Council also confirmed to National Highways that that Transport Assessments will be undertaken at the planning application stage in accordance with CDP Policy 21 (Delivering Sustainable Transport) and Policy MW7. National Highways views were also sought on other potential site allocations.</p>
Tarmac	Submitted further information on potential site allocations.	Tarmac's comments on specific areas of the Draft Plan are addressed below.
County Durham Green Party	<p>Dispute the statement that 'waste-from-energy', otherwise known as incineration, should be placed further up the 'waste hierarchy' than landfill waste. A large portion of household waste consists of plastics, synthesised from oil, so this is a roundabout way of burning fossil fuels for energy that already accounts for 6% of the UK's carbon emissions.</p>	<p>The Council's response explains that a number of Government publications explain the Waste Hierarchy, which is now a well-established component of planning policy, including the Waste Management Plan for England, National Planning Policy for Waste (NPPW) and Planning Practice Guide (Waste). That Government policy on plastics is set out in "Our Waste, Our Resources: A Strategy for England" December 2018. The Strategy identifies plastics waste as a priority material to focus upon. In this respect, County Durham already contains a state-of-the-art plastics recycling and processing plant at Seaham which is capable of recycling over 1 billion bottles a year and has therefore made a substantial contribution to increasing the UK's plastic recycling capabilities.</p>
County Durham Green Party	Climate change commitments (as well as the need to reduce the output of disposable plastics) on a global level imply	The Council's response explains that it is required by Section 17

	<p>that most known fossil fuel reserves must be left in the ground. Carbon emissions from cement and similar building materials must also be eliminated, either by considerable changes in their formulations or by moving to alternative building materials. Request that greater weight is given to climate change commitments and future decarbonisation plans when approving all projects.</p>	<p>of the NPPF to facilitate “the sustainable use of minerals to ensure that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. The guidance within the NPPF, relating to mineral supply, has been published in association with guidance within section 14 of the NPPF relating to meeting the challenge of climate change. The Council recognises the importance of meeting the challenge of climate change and where it has been possible and appropriate to do so the Minerals and Waste Policies and Allocations document addresses climate change, however, this is within the context allowed by the provisions of section 14 of the NPPF. The Council cannot seek to restrict the supply of the materials that the country needs on climate change grounds, or the use of these materials by industries who will have their own plans to decarbonise in accordance with wider UK Governmental strategy such as that set out in the UK’s Net Zero Strategy: Build Back Greener (December 2021), Industrial Decarbonisation Strategy (March 2021) and the Transport decarbonisation plan (July 2021).</p>
<p>County Durham Green Party</p>	<p>Where mention is made of oil and gas producers mitigating their carbon emissions, it is not clear to us which emissions this refers to; whether it is only the emissions produced in the mining process or the emissions of the final product. If the former, this is somewhat tokenistic. It should include a realistic, external assessment of any unplanned greenhouse gas emissions.</p>	<p>The reference referred to relates to only emissions produced in the extraction process and not the final product. Where proposals require an Environmental Impact Assessment, Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 requires at point 5, “A description of the likely significant effects of the development on the environment resulting from, inter</p>

		alia: the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;”.
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Table 3: Draft Plan Chapter 2 Overview of Minerals and Waste in County Durham - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Tarmac	Paragraph 2.2 should make a distinction within the breakdown of aggregates that the County contains basal Permian sand reserves.	Comments accepted. To make a distinction between different types of sand and gravel, paragraph 2.2 of the Draft Plan has been amended and reference has been added.

Table 4: Draft Plan Chapter 3 An overview of the issues addressed by the draft M&WDPD - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Durham Green Party	Under Climate Change, the impact of the use of extracted materials, e.g., for cement, and its inclusion in the overall footprint of the County's carbon needs to be clearer.	In considering the acceptability of proposals the Council will seek to assess the environmental effects of the proposed development for which planning permission is being sought i.e., the development of land and the environmental effects of that development and its operation. It is not necessary for the Minerals and Waste Policies and Allocations Document to address the downstream impacts of extracted materials at the point of their end use. The Council cannot restrict the supply of the materials that country needs on climate change grounds or the use of these materials by industries who use minerals and who will have their own plans to decarbonise in accordance with the UK's carbon budgets and in accordance with wider UK Governmental strategy as set out in the UK's Net Zero Strategy: Build Back Greener (December 2021), Industrial Decarbonisation Strategy (March 2021) and Transport Decarbonisation plan (July 2021). Within this wider context the Minerals Industry are progressing plans to work towards net zero.

Table 5: Draft Plan Chapter 4 Vision and Objectives - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Environment Agency	We support the inclusion of the seven non-strategic objectives. We accept that allocations will need to be made, however, it should be acknowledged that there may be a finite resource that could be quarried without resulting in environmental impact.	The Council understands the Environment Agency's concerns regarding 'finite resources'. The Council will ensure that through the consideration of planning applications that all relevant environmental impacts will be considered. In making decisions the Council will need to ensure that societies need for minerals are met, and in accordance with the NPPF, which is clear that the planning policies should provide for the extraction of mineral resources of local and national importance (see also NPPF para 213, 214 and 215-217).
Historic England	We support the proposal for the vision for the minerals and waste plan to directly align with the vision for the adopted County Durham Plan (2020) which provides for the protection of the historic environment. We support the non-strategic objectives of the plan.	Noted.
Mineral Products Association	Non-Strategic Objectives. We do not feel these add to the document and may cause confusion for a number of reasons. Consider what these "non-strategic objectives" add to the document and planning process and amend accordingly.	The Council considers that it is necessary for the Minerals and Waste Policies and Allocations document to contain non-strategic objectives to which the draft plans policies can seek to deliver. In response to objection and further redrafting a number of non-strategic objectives were renamed and the objective relating to community involvement was deleted.

Table 6: Draft Plan Policy MW1 (General Criteria for considering minerals and waste development) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Historic England	Support. The policy ensures that proposals will not have unacceptable adverse impacts on the historic environment.	Noted.
Mineral Products Association	Suggest wording as is used elsewhere in the plan. 'Proposals for minerals and waste development will [insert text: be permitted where it can] be [remove text: required to] demonstrated that the proposal will not result in unacceptable adverse impacts on...'	Comment accepted. Wording has been amended to incorporate, "permitted where it can".
Mineral Products Association	In order to accord with the Paragraph: 017 Reference ID: 27-017-20140306 of the PPG, this section should refer to mineral's developments	Comment accepted. Wording has been amended to incorporate both individual and cumulative impacts and minerals development.

Mineral Products Association	Paragraph 5.6 - There is an inference that all these environmental effects are associated with all minerals' developments. It needs to be made clear that this is not the case.	Comment accepted. As part of preparing the Publication Draft Plan both Policy MW1 and its supporting text has been revised to identify the wide range of necessary issues which should be considered by the Council in considering minerals and waste development.
Breedon	Paragraph - 5.6 This implies that all the effects listed are associated with all mineral developments. It should be made clear that this is not the case. We would suggest "the main sources of disturbance to local communities maybe...."	Comment accepted. As part of preparing the Publication Draft Plan both Policy MW1 and its supporting text has been revised to identify the wide range of necessary issues which should be considered by the Council in considering minerals and waste development.
Tarmac	Policy MW1 - We support paragraph 5.10 in that separation distances should be determined on a site-by-site basis. This policy could acknowledge the Agent of Change Principle.	Support noted. This policy is for the determination of new minerals or waste proposals rather than development of sensitive receptors in proximity of existing minerals or waste operations, which would be covered by the policies in the County Durham Plan, including Policy 31 (Amenity and Pollution). Where an existing business or community facility could have a significant adverse effect on new minerals or waste proposals in its vicinity, it would be for the applicant (or agent of change) to provide suitable mitigation before the development was complete. This is in accordance with the 'agent of change' principles set out in paragraph 187 of the NPPF.
Environment Agency	We agree with the general criteria set out in Policy MW1 for considering mineral and waste proposals. Policy MW1 also requires developers to consider both the individual and cumulative impacts of development. This is of particular importance for any new and existing mineral sites on the Magnesian Limestone, especially along the escarpment. There are already many existing quarries that are within close proximity. Cumulative impact of environmental risks is more clearly stated within this section of the plan.	Comment accepted. To address comment in relation to cumulative impact the initial sentence of Policy MW1 has been amended. The supporting text relating to cumulative impact has also been amended, rather than being included under landscape, cumulative impact is now addressed under its own section of text and the issues which are now addressed extend beyond only landscape and the amenity of local communities. Wording has been included to make clear that cumulative impact is a cross cutting issue and is of relevance to both the

		amenity of local communities and the natural environment.
Environment Agency	It is important to consider other nearby waste management facilities and the cumulative effects whenever a new facility is proposed.	Policy MW1 addresses both individual and cumulative impact.
Mineral Products Association	Paragraph 5.19 - It may not always be appropriate or practicable to deliver priority habitats to achieve BNG and other non-priority habitats may deliver more species rich BNG. We suggest insertion of the word 'or' to address this.	Comment accepted. Paragraph 5.19 has been amended to read "the restoration of sites can help deliver net gains to biodiversity which contribute towards establishing coherent and resilient ecological networks through the creation of semi-natural habitats and the delivery of the County Durham Local Nature Recovery Strategy (once prepared).
Environment Agency	Paragraph 5.19 - We advise that Biodiversity Net Gain (BNG) assessments should be carried out for each application.	Comment accepted. The existing Durham County Council Planning Application Validation Checklist requires the submission of a Biodiversity and Geology Survey and Report which includes a Biodiversity Net Gain and Biodiversity Management and Monitoring Plan. To provide clarity a footnote has been added to the supporting text which lists the assessments required.
Kearton Farms	Paragraph 5.19 - At present, the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) do not specifically require proposals to provide a net gain for biodiversity. The Environmental Bill, if enacted, could require proposals for development to provide a net gain for biodiversity (10% uplift from the pre-development position) and that there is likely to be a 2-year transition period before any such requirement comes into effect. It is suggested that the second sentence of paragraph 5.19 should be amended to reflect current policy guidance in NPPF paragraph 179. If the Environment Bill is enacted with a requirement for proposals to provide biodiversity net gain ahead of the adoption of the M&WDPD then this paragraph could be amended to reflect the legislative requirement at that time.	The Environment Act became law on the 9th of November 2021 and therefore the 10% BNG uplift is expected to be mandatory from Autumn 2023. The transition period allows for accompanying regulations and guidance to be produced to provide further detail on how the provisions will be implemented. It should also be noted that the Council is developing a Developer Contributions SPD (Supplementary Planning Document) which will set out the requirements for Biodiversity Net Gain during this transition period and once the law has come into force. The existing Durham County Council Planning Application Validation Checklist requires the submission of a Biodiversity and Geology Survey and Report which includes a Biodiversity Net Gain and Biodiversity Management and Monitoring Plan.
Environment Agency	We agree with Section 5.21, which encourages the improvement of biodiversity through the restoration, after use and after	Wording has also been added to paragraph 8.30 of Policy MW21.

	<p>care of sites. The best restoration options need to be considered individually for each site with regard to existing habitat and species in the local area, local groundwater risks and levels, and potential to support particular conservation objectives.</p> <p>Fisheries and Biodiversity - We advise consideration of the cumulative impacts of each proposed development upon the environment and other activities in the vicinity. This is particularly important when considering the impact of dewatering on local groundwater levels which support important habitats and species.</p>	
Mineral Products Association	<p>Paragraph 5.22 - Delete this sentence or ensure that it provides a balanced consideration for all development. Delete this, "Due to the scale of minerals and waste developments it is acknowledged that they can be significantly more destructive to the setting of heritage assets and archaeological remains than other types of development".</p>	<p>Comment accepted. The sentence, 'Due to the scale of minerals and waste developments it is acknowledged that they can be significantly more destructive to the setting of heritage assets and archaeological remains than other types of development' has been deleted. The supporting text under the 'Cultural, heritage and archaeological sites and features' heading has been reworded.</p>
Breedon	<p>Paragraph 5.22 - This could equally be applied to other forms of major development and should therefore be deleted.</p>	<p>Comment accepted. the supporting text under the 'Cultural, heritage and archaeological sites and features' heading has been reworded.</p>
Mineral Products Association	<p>Paragraph 5.23 - "...in the work to the mitigate harm to heritage assets and assets of archaeological interest..." This infers that minerals development will harm all heritage assets and assets of archaeological interest.</p>	<p>Comment accepted. the supporting text under the 'Cultural, heritage and archaeological sites and features' heading has been reworded.</p>
National Highways	<p>National Highways is generally supportive of the Minerals and Waste Policies and Allocations Document. We would request that National Highways is notified by DCC regarding future site allocations that are either in the vicinity of the SRN or are likely to generate trips on the SRN.</p>	<p>National Highways will be notified should the Council determine that additional site allocations are deemed necessary. Details of further correspondence between National Highways and the Council are set out in Appendix D of the Statement of Consultation on the Draft Plan.</p>
Mineral Products Association	<p>Paragraph 5.29 - Wording assumes there will be impacts upon PROW and footpaths.</p>	<p>Comments accepted the wording has been amended.</p>
Breedon	<p>Paragraph 5.29 - This wording assumes there will be impacts upon PROW and footpaths.</p>	<p>Comments accepted the wording has been amended.</p>
Mineral Products Association	<p>Paragraph 5.31 - Whilst developers in most instances successfully implement footpath diversions, there may be instances where the only alternative is a formal stopping up</p>	<p>Comments accepted the wording has been amended.</p>

	of a PROW. This is recognised in planning legislation as a legitimate consideration and should be recognised accordingly.	
Environment Agency	Surface, groundwater, mine water, and flood risk - We acknowledge the inclusion of Sections 5.32-5.35 on surface, groundwater, mine water, water abstraction and flood risk. In Section 5.33, we suggest the wording is changed.	Comments accepted. Supporting text has been amended.
Environment Agency	Water Resources - We are satisfied with Section 5.33 of the plan, which requests that applicants demonstrate the acceptability of proposed developments in relation to vulnerable surface and ground water resources. We are happy to see that Section 5.35 requires applicants to provide hydrological risk assessments in support of planning applications, where appropriate.	Noted.
Mineral Products Association	Paragraphs 5.32-5.35 - Mineral operations may present legitimate opportunities both for flood risk alleviation and potable and flood water storage. The plan may wish to include appropriate and positive wording which recognises the opportunities to water management presented by mineral extraction. See para 5.58. Insert a positive paragraph.	Comment accepted. The supporting text has been amended to include appropriate and positive wording which recognises the opportunities to water management presented by mineral extraction.
Breedon	Paragraphs 5.32-5.35 - There is a failure to recognise the positive benefits that mineral development may have such as flood alleviation and therefore a positive statement reflecting such opportunities should be added.	Comment accepted. The supporting text has been amended to include appropriate and positive wording which recognises the opportunities to water management presented by mineral extraction.
Durham Green Party	Paragraph 5.36-5.42 - Efficient use of resources (p24) - emphasis is required here on absolute proof of the national/local requirement for extraction of carbon-intensive materials.	Council response explains that it is required by Section 17 of the NPPF to facilitate “the sustainable use of minerals to ensure that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. This guidance within the NPPF, relating to mineral supply, has been published in association with guidance within section 14 of the NPPF relating to meeting the challenge of climate change. The Council recognises the importance of meeting the challenge of climate change and where it has been possible and appropriate to do so the Minerals and Waste Policies and Allocations document addresses climate change, however, this is within the context allowed by the provisions of section 14 of the NPPF. The Council cannot seek to restrict

		<p>the supply of the materials that the country needs on climate change grounds, or the use of these materials by industries who will have their own plans to decarbonise and in accordance with wider UK (United Kingdom) Governmental strategy such as set out in the UK's Net Zero Strategy: Build Back Greener (December 2021), Industrial Decarbonisation Strategy (March 2021) and Transport decarbonisation plan (July 2021)</p>
<p>Durham Green Party</p>	<p>Para 5.43 to 5.46 Net zero future (p25) - at para 5.43 on climate change adaptation, additional CDP policies should be referred to: 14 Agricultural land, 21 Sustainable transport, 26 Green infrastructure, 35 Water management, 40 Trees and 41 Biodiversity; and DCC's Climate Emergency Action Plan (CERP). In Para 5.46 we would urge adding stronger emphasis on applicants needing to assess the (final/manufactured) carbon footprint of materials extracted, or waste buried/burnt.</p>	<p>The wording of Policy MW1 has been amended to include reference to both climate change adaptation and mitigation. The supporting text has been updated and now cross refers to all key County Durham Plan and M&WDPD policies. Supporting text which had been set out within Chapter 3 of the Draft Plan has now been consolidated in this section and reference is now made to the Council's Climate Emergency Action Plan (CERP). In relation to needing to assess the (final/manufactured) carbon footprint of materials extracted, or waste buried/burnt, the guidance within the National Planning Policy Framework (NPPF) relating to minerals and within the National Planning Policy for Waste (NPPW) relating to waste should be read in conjunction with guidance within the National Planning Policy Framework relating to Meeting the challenge of climate change (NPPF section 14). The guidance within the NPPF relates to "mitigating and adapting to climate change" and there is no reference or requirement to restrict the supply of minerals required by society on climate change grounds or to assess the (final/manufactured) carbon footprint of materials extracted, or waste buried/burnt.</p>

Table 7: Draft Plan Policy MW2 (Mineral Exploration) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Historic England	Support wording.	Noted.
Mineral Products Association	Suggested minor wording changes.	Comments accepted. Bullet 2 to amended both "Trial Pits and Shallow Boreholes" to be emboldened. Bullet 3 to be amended to "Deep Boreholes".
Mineral Products Association	The subsequent paragraphs recognise that much mineral exploration is permitted under the GDPO. 'Where required, temporary planning permissions will be granted...'	Comment accepted. Policy MW2 first sentence amended to read, "Where required, temporary planning permissions will be granted..."
Environment Agency	Net zero carbon future. Over the past couple of years, we have seen an ever-increasing interest in geothermal (deep and shallow), conventional ground source heat schemes and unconventional mine heat schemes. Many of the risks posed by these schemes, especially deep geothermal and mine heat, are still unknown and they are often located in very complex geological and hydrogeological locations, which makes them very difficult for us to regulate. Most of the schemes require pumping large volumes of water from one borehole and discharging back into the ground via another. In order to fully assess the risks posed by these types of schemes, we recommend the need to allow a phased approach during the construction and operational phases, allowing for changes and/or the requirement to stop if the risks prove too high.	Comments noted. However, the provisions of the Minerals and Waste Policies and Allocations document are not intended to address geothermal (deep and shallow), conventional ground source heat schemes and unconventional mine water heat schemes. The principal policy that the Council would use to determine an application for geothermal, conventional ground source heat schemes and unconventional mine heat schemes is County Durham Plan Policy 33 (Renewable and Low Carbon Energy) in association with other relevant County Durham Plan policies.

Table 8: Draft Plan Policy MW3 (Benefits of Mineral Extraction) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Durham Green Party	Policy MW3 On Benefits - The NPPF states benefits of coal can't be given great weight, but other minerals can. This section lists potential (if limited/short-term) benefits but SHOULD also mention climate change mitigation.	Comment accepted. Footnotes 19 and 20 of the Draft Plan. To provide greater clarity the footnotes and supporting text will be amended to make clear that great weight does not apply to proposals for surface coal extraction. Regarding climate change to provide clarity on benefits and to recognise the declaration by the Council of a climate emergency (and in addition an ecological emergency) the supporting text has been amended.
Mineral Products Association	Paragraph 5.55 - The wording is a little unclear. We feel that the benefits demonstrated should 'arise from', not 'relate	Comment accepted. Paragraph 5.55 sentence two to be amended.

	to' the proposed development. 'For the Council to give great weight to the benefits of mineral extraction the applicant will need to demonstrate [Remove: that they relate directly to] [Insert: the benefits arising from] the proposed development and sufficient evidence will need to be provided to enable the Council to assess the nature and significance of the benefits.'	
Mineral Products Association	Paragraph 5.58d - As referenced above in relation to paragraph 5.32-5.38, mineral operations do not just present potential flood alleviation associated with S&G operations. Worked out quarries may also present opportunities for water storage in other locations and geological horizons. Insert appropriate text.	The reference within the supporting text related to the creation of flood storage areas where sand and gravel has been extracted in the floodplain next to rivers is consistent with the PPG (Flood risk and coastal change) (Paragraph: 008 Reference ID: 7-008-20140306) (Revision date: 06 03 2014). What is intended by the wording "water storage in other locations and geological horizons" has not been explained but is assumed to be water storage in quarries outside of the floodplain, i.e., the County's limestone quarries and storing of water in aquifers for subsequent extraction. Chapter 9 of the documents sets out the Council's policy approach to the restoration of mineral sites. In response to an Environment Agency comment new supporting text has been introduced. This new supporting text is relevant.
Mineral Products Association	Page 28 Footnotes 19 & 20 The footnote relates to the previous version of the NPPF. This should be amended to read paragraph 211. Also, it is probably unwise to include the footnote in the policy MW3. Replace reference to paragraph 204 with paragraph 211 and delete footnote from Policy MW3	Comment accepted. The Minerals and Waste Policies and Allocations document was drafted prior to the reissue of the revised National Planning Policy Framework in July 2021. Footnote 20 to be amended to refer to NPPF paragraph 211. Footnote 19 to be deleted to prevent unnecessary duplication and to ensure that Policy M3 remains consistent with future iterations of the NPPF should it be reissued.
Environment Agency	We are pleased to see in Section 5.58 of Policy MW3 reference to environmental benefits through restoration and after use of mineral sites. Where retention of open water is proposed at any mineral site, particularly when the water is groundwater, there needs to be an assessment of whether that is the most environmentally beneficial option. These comments are also relevant to Chapter 9 (Mineral and Waste Site Restoration) of the plan.	Comment accepted. New paragraph to be included to address comments related to chapter 9 and related to Policy MW3, new paragraph added to the see Chapter 9 (Mineral and Waste Site Restoration).

Tarmac	Paragraph 5.58 identifies the positive environmental effects that can result from mineral extraction which is supported. The final sentence should be amended to read, environmental benefits could include (as opposed to will include) so as not to be categoric, provide flexibility for additional benefits and recognise that applications must be determined on their merits, having regard to site specific circumstances.	Comment accepted. Paragraph 5.58 of the Draft Plan to be amended to provide flexibility. Paragraph 5.58 sentence three amended.
Historic England	Support the policy wording which is consistent with NPPF paragraph 211.	Noted.
Environment Agency	Paragraph 5.59 - Coal mining activities - We support the inclusion of this text to the document, especially in relation to coal mining. Although, there is a lot of negativity against new coal schemes there is the opportunity at some sites for significant environmental benefit. If any future coal mining allocations are to be considered, it would be beneficial to steer operators to locations where historic and significant mine water pollution impacts could be addressed.	Support noted for inclusion of the text which is referred to in paragraph 5.59. However, it is not the role of the Minerals and Waste Policies and Allocations document to revisit the Council's policy approach to surface mined coal which is set by County Durham Plan Policy 53 (Surface Mined Coal and Fireclay).
Environment Agency	There is very little detail within the document specifically relating to the stance on new coal mines, both opencast and deep. It may be beneficial to add more text, especially in relation to helping to reach net zero and climate change targets.	It is not intended that the Minerals and Waste Policies and Allocations Document should address new deep coal mines. The last two remaining deep mines in County Durham, Easington and Seaham/Vane Tempest ceased production in 1993 and both of these mines worked deep coal under the North Sea. No interest has been expressed in any new deep coal mining in County Durham since before the cessation of deep coal mining in County Durham. Accordingly, the Council does not envisage that there would be any future interest in the winning and working of deep coal in County Durham.

Table 9: Draft Plan Policy MW4 Noise - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Mineral Products Association	It is not clear whether the criteria stated apply to both minerals and waste operations or just minerals. If the latter only, what criteria are to be applied to waste operations - is this BS4142? Clarification is sought.	Comment accepted. Policy MW4 and its supporting text has been amended to provide clarity in order to which criterion apply to both minerals and waste operations.
Tarmac	The requirement for predicted noise impact because of road traffic is difficult to quantify and monitor/enforce. Where is the limit on potential impact? It is difficult to	Comment accepted. Paragraph 5.62 of the Draft Plan (sentence 5) has been amended to remove reference to road traffic.

	manage/mitigate something where there is no control such as a public highway.	
Breedon	MW4 final paragraph. We would question the inclusion of this as it does not reflect recognised and long-established guidance. We would also question on what basis separate noise limits could be enforced. Accordingly, we feel this should be deleted.	The policy reference, “Where tonal noise and/or peak and impulsive noise would contribute significantly to total site noise, separate limits may be required independent of the background noise level” is consistent with PPG Paragraph: 021 Reference ID: 27-021-20140306 Revision date: 06 03 2014.
Mineral Products Association	Policy MW4 final paragraph. We question the justification for this paragraph as it does not reflect recognised and long-established guidance on noise detailed in the PPG. We would also question upon what basis separate noise limits could be determined, justified and/or enforced. We feel this paragraph should be deleted.	The policy reference, “Where tonal noise and/or peak and impulsive noise would contribute significantly to total site noise, separate limits may be required independent of the background noise level” is consistent with PPG Paragraph: 021 Reference ID: 27-021-20140306 Revision date: 06 03 2014.
Mineral Products Association	Footnote 21 We query the relevance. Delete footnote 21 from this policy.	Footnote 21 of the Draft Plan was introduced as a result of the Habitat Regulations Assessment Screening Report Draft County Durham Minerals and Waste Policies and Allocations Document.

Table 10: Draft Plan Policy MW5 Dust - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Kearton Farms	It is considered that ‘a demonstrable impact’ should be replaced by ‘an unacceptable adverse impact’. Such a revision to Policy MW5 will ensure consistency with the ‘unacceptable adverse impact’ wording in Policy MW1.	Comments accepted. The wording which was used in the Draft Plan i.e., “demonstrable Impact” has been replaced with “unacceptable adverse impact”.
Minerals Products Association	It is likely that all operations will have a ‘demonstrable’ impact, the determining criteria should be whether or not this impact is ‘unacceptable’. We suggest amending the wording accordingly. Also, use of the word ‘unacceptable’ appears in other policies	Comments accepted. The wording which was used in the Draft Plan i.e., “demonstrable Impact” has been replaced with “unacceptable adverse impact”
Minerals Products Association	Paragraph 5.65 “If the development is expected to produce PM10 dust, additional measures may need to be put in place if the actual source of emission is within 1000m of any residential property or other sensitive receptor/location (this distance may be revised due to local circumstances).” The basis of the 1000m distance is unclear. We believe quoting such as distance without a sound evidence base is unhelpful and may be confusing and misused. We suggest the plan includes evidence to support the 1000m distance referred to or the sentence	A detailed response to this comment is made in the Statement of Consultation Regulation 18 Draft Plan (November 2022) (DCC16). The 1000m distance threshold is referred to in the Dust Site Assessment flow chart (Paragraph: 032 Reference ID: 27-032-20140306 Revision date: 06 03 2014). The basis for the 1000m distance which is referred to is the research carried out by

	is deleted, as earlier policies refer to separation distances being site specific in accordance with the PPG.	Arup Environmental/Ove Arup and Partners in 1995 on behalf of the Department of the Environment which addressed the environmental effects of dust from surface minerals workings and the University of Newcastle upon Tyne in 1995 on behalf of the Department of Health and the Department of Environment, Transport and the Regions, which considered whether particulates from opencast coal mining impair children's respiratory health.
Breedon	Paragraph 5.65 This states 'If the development is expected to produce PM10 dust, additional measures may need to be put in place if the actual source of emission is within 1000m of any residential property or other sensitive receptor/location (this distance may be revised due to local circumstances).' The basis of the 1000m distance is unclear. We believe quoting such as distance without evidence is unhelpful and should either be deleted or evidence included in support of it.	A detailed response to this comment is made in the Statement of Consultation Regulation 18 Draft Plan (November 2022) (DCC16). The 1000m distance threshold is referred to in the Dust Site Assessment flow chart (Paragraph: 032 Reference ID: 27-032-20140306 Revision date: 06 03 2014). The basis for the 1000m distance which is referred to is the research carried out by Arup Environmental/Ove Arup and Partners in 1995 on behalf of the Department of the Environment which addressed the environmental effects of dust from surface minerals workings and the University of Newcastle upon Tyne in 1995 on behalf of the Department of Health and the Department of Environment, Transport and the Regions, which considered whether particulates from opencast coal mining impair children's respiratory health.

Table 11: Draft Plan Policy MW6 (Blasting) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Kearton Farms	It is requested that the policy should be amended to refer to '...there are no unacceptable adverse impacts...' Such a revision to Policy MW5 would ensure consistency with the 'unacceptable adverse impact' wording in Policy MW1.	Comment accepted. Policy MW6 to be amended.
Mineral Products Association	Paragraph 5.68 - 'accumulative' Is this the correct term or should this be cumulative? The following text would suggest 'accumulative'. Check grammar.	Comments accepted. Paragraph 5.68 sentence two to be amended.

Table 12: Draft Plan Policy MW7 (Traffic and Transport) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Mineral Products Association	There is an inference that planning conditions, or other such agreements will be imposed in every situation. Amend the text to ensure these will only be applied in appropriate circumstances	Comment accepted. Policy MW7 third paragraph to be amended.
Mineral Products Association	Any highways impact resulting from the development should be avoided or mitigated to acceptable levels.' There is always likely to be a highways impact, however, mitigation will only be necessary if this impact is unacceptable.	Comment accepted. Policy MW7 third paragraph, criterion b) second sentence to be amended.
Kearnton Farms	Policy MW7 second paragraph, first sentence. It is unclear how the 'demonstrably not possible or unviable' test would accord with the NPPF section 9 Promoting Sustainable Transport and indeed how would be assessed for each development proposal. In this respect, it is requested that the first sentence of the second paragraph should be amended to 'support the use of sustainable modes for the transport of minerals and waste such as by rail and low or zero emission vehicles.'	Comment accepted. It is agreed that the proposed wording which was included within the draft plan at Policy MW7 second paragraph, first sentence does not accord with the NPPF section 9 (Promoting Sustainable Transport). It is considered that the policy wording should be consistent with the provisions of NPPF para 110 criterion a) which requires that "appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location." In order to accord with NPPF paragraph 110a Policy MW7 paragraph 2 sentence 1 will be amended. In practice, while it is considered that the policy should seek to encourage and therefore help maximise the use of sustainable forms of transport in line with NPPF requirements, it should make clear that this should be considered in the context of practicality and economic viability.

Table 13: Draft Plan Policy MW8 (Mineral Handling Facilities) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Historic England	The policy contains wording that will ensure that support is only given to proposals which do not result in unacceptable adverse environmental impacts.	Comments noted.
Mineral Products Association	Para 5.82 '...route of existing safeguarded railways and in locations which several quarries.' We believe there may be text missing from this sentence Check wording.	Comment accepted. Supporting text amended (paragraph 5.582) to add missing wording.

Table 14: Draft Plan Policy MW9 (Borrow Pits) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Historic England	The policy contains wording that will ensure that support is only given to proposals which do not result in unacceptable adverse environmental impacts.	Comments noted.
Mineral Products Association	It is imperative that the same environmental criteria stipulated in the proposed policies of the M&WDPD are applicable to Borrow Pits. The policy would benefit from a specific bullet point emphasising this.	Comment accepted. It is intended that all relevant policies within the M&WDPD and the County Durham Plan will be applicable to Borrow Pits. To provide clarity final criterion of MW9 (Borrow Pits) to be amended.

Table 15: Draft Plan Policy MW10 (Onsite Mineral Processing) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Mineral Products Association	<p>Policy MW10 is unnecessary, overly restrictive, contrary to recognised and established practice and potentially limits the development of resources, say associated with prior extraction or from satellite sites. Delete the Policy.</p> <p>Para 5.91 - 'Details of the plant required for processing minerals at quarries should be an integral part of any planning application for new mineral working.' This statement is factually incorrect. Planning practice guidance is long established on this matter and this is why permitted development rights exist. The PPG is clear that 'conditions may be used to withdraw any outstanding permitted development rights [Insert: only if there are exceptional and sound planning reasons for doing so.]' (Our underlining)</p> <p>Delete the policy and associated text.</p>	<p>The role and purpose of Policy MW10 has been reconsidered and both the policy and supporting text has been rewritten. Policy MW10 of the Publication Draft plan now seeks to be more permissive to meet the operational needs of the County's minerals and construction industry. It now seeks to provide the decision-making framework for all 'Ancillary Minerals Related Infrastructure' which requires planning permission at both active mineral sites and upon employment land. The supporting text to the policy clarifies the Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO) Part 17, as amended, gives operators permitted development rights for certain ancillary minerals infrastructure at existing mineral sites without planning permission, or subject to prior approval, however, where a proposal does not fall within the provisions of the GDPO and planning permission is required the principal policy against which applications will be determined will be Policy MW10.</p>
Breedon	We feel the policy is unnecessarily restrictive in that it potentially limits the development of resources from satellite sites.	See above.

Tarmac	Policies MW10 and MW11 - Onsite mineral processing and Storage of Minerals. It is not clear what Policies MW10 and MW11 are focused towards and how they relate to the normal course of events where a planning proposal will naturally cater for extraction and processing; in doing so assessing the effects of all aspects. The role of the GPDO (The Town and Country Planning (General Permitted Development) (England) Order 2015) at 5.91 is however noted. Policy should recognise that there may be operational, environmental and sustainability advantages to importing and processing material at a single site rather than setting up additional plant elsewhere. These can be assessed on a site-by-site basis and the outright ban contained in MW10 Point 3 should be reconsidered.	See above. Comments in relation to Policy MW11 are addressed in Table 16.
Environment Agency	Policy MW10 details that planning conditions will be imposed, where required, to minimise the adverse environmental impacts from onsite mineral processing. We are in support of this requirement. It is especially important where machinery and activities are proposed on worked quarry floors where there is no protection to the underlying groundwater.	Criterion 1d of the redrafted policy includes policy wording which states, "The proposed ancillary minerals related infrastructure can be satisfactorily located and will not individually or cumulatively in association with the mineral site have an unacceptable adverse impact on the environment.

Table 16: Draft Plan Policy MW11 (Storage of Minerals) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Mineral Products Association	We believe this policy is unnecessary as mineral stockpiling considerations are routinely included under the main minerals consent being ancillary to the main extraction and/or processing operations. Delete the Policy or reword the Policy to acknowledge that it is unlikely that a separate permission is required for minerals stockpiling.	Policy MW11 was included within the draft plan to replace a similar policy within the County Durham Minerals Local Plan and was intended to relate mainly to brickmaking raw materials obtained from surface mined coal sites. Given that we cannot recall of any occasion in the last ten years when the County Durham Minerals Local Plan Policy had been used, we have reviewed the need for such a policy and agree that this policy is unnecessary as mineral stockpiling considerations should be included under the main minerals consent being ancillary to the main extraction and/or processing operations.
Tarmac	It is not clear what Policies MW10 and MW11 are focused towards and how they relate to the normal course of events where a planning proposal will naturally cater for extraction and processing; in doing so	See above. Comments in relation to Policy MW11 are addressed in Table 15.

	<p>assessing the effects of all aspects. The role of the GPDO (The Town and Country Planning (General Permitted Development) (England) Order 2015) at 5.91 is however noted. Policy should recognise that there may be operational, environmental and sustainability advantages to importing and processing material at a single site rather than setting up additional plant elsewhere. These can be assessed on a site-by-site basis and the outright ban contained in MW10 Point 3 should be reconsidered.</p>	
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Table 17: Draft Plan Policy MW13 (Local Liaison Groups) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Mineral Products Association	<p>Whilst as an industry we support the establishment of local liaison groups, it is unclear how such a policy can be enforced. The policy needs to be re-worded to ensure local liaison groups are 'encouraged'.</p>	<p>Comments accepted. However, following further policy development the Council has decided that a specific policy on this matter is not necessary and instead that it is necessary only to include supporting text upon local liaison groups.</p>
Mineral Products Association	<p>Paragraph 5.100 - 'Local Liaison Groups can be required by either condition or legal agreement at the time planning permission is granted.' This statement is factually incorrect and such a condition would fail the defined tests for planning conditions. Yes, Local liaisons groups are 'nice to have' and we encourage our members to hold them regularly, however, we question whether or not they are:- necessary; relevant to planning; enforceable or reasonable in all other aspects. Reword the policy and delete the sentence.</p>	<p>See above.</p>

Table 18: Draft Plan Chapter 6 Oil and Gas - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Environment Agency	<p>Reference is made to the Department for Energy and Climate Change (DECC). DECC has now merged and is referred to as the Department of Business, Energy and Industrial Strategy (BEIS).</p>	<p>Comments accepted. Paragraph 6.2 sentence 1 and 2 to be amended.</p>

Table 19: Draft Plan Policy MW14 (Oil and Gas Exploration, Appraisal and Production - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Historic England	<p>Support.</p>	<p>Noted</p>
Durham Green Party	<p>The Climate should be added to the 'unacceptable adverse impacts' list of MW14 (p48).</p>	<p>The Council considers that the policy approach of the draft Minerals and Waste Policies and</p>

		<p>Allocations document is consistent with the provisions of the National Planning Policy Framework (NPPF) and the Planning Practice Guide (PPG) and does not support the proposed change to Policy MW14. The NPPF's approach to climate change is set out in section 14 of the NPPF 'Meeting the challenge of climate change, flooding and coastal change. See also NPPF 152 paragraph. NPPF paragraph 209 is clear that, "It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs" and at NPPF paragraph 210 advises that planning policies should, "provide for the extraction of mineral resources of local and national importance....". In providing guidance for 'Oil, gas and coal exploration and extraction' there is no requirement to restrict energy minerals on climate change grounds. See also the provisions of the NPPF the PPG (Climate Change) whose focus is upon, how to identify suitable mitigation and adaptation measures in the planning process to address the impacts of climate change. Climate change is also not listed as a principal environmental issue of minerals working that should be addressed by mineral planning authorities within the PPG Paragraph: 013 Reference ID: 27-013-20140306 and is not referred to within the PPG sections related to planning for hydrocarbon extraction.</p>
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Table 20: Draft Plan Policy MW15 (Transport of Oil and Gas) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Historic England	Support.	Noted.

Table 21: Draft Plan Policy MW16 (MW16 - Vein Minerals, Lithium, Silica Sand/Moulding Sand and Ganister) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Mineral Products Association	We note a number of these minerals are recognised within the NPPF and national planning policy applies, as noted for example in subsequent paragraphs. It may be worth inserting reference to this in the policy. We also feel it may be appropriate to refer to the mineral planning factsheets commissioned by Government and produced by the British Geological Survey.	Comment accepted. Policy wording has been added to Policy MW16 to make clear that the Council in determining planning applications will provide for the extraction of a steady and adequate supply of industrial or other minerals which are essential to help maintain national supply and/or meet net zero carbon ambitions. The supporting text has been amended to refer to the British Geological Surveys Mineral Planning Fact Sheets for Barytes and Fluorspar.
Historic England	Perhaps needs revision	Through work to prepare the Publication Draft Plan Policy MW16 has been amended but still refers to heritage assets within the first paragraph of the Policy.
Environment Agency	The exploration of Lithium within the County is referenced within Chapter 7. As stated previously, these types of schemes are in complex geological and hydrogeological locations and therefore a phased, risk-based approach may be required.	Comment accepted. Additional supporting text has been added to clarify that given the complex geological and hydrogeological locations associated with such extraction a phased risk-based approach will be required.
Durham Green Party	For potential Lithium mining in the county (p54) the wording for providing a separate policy for this should be changed to 'will be prepared' not 'may'. On Peat extraction (p57), CDP policy 35 (Water) and DCC's CERP should also be taken into account for planning decisions near areas of peat (Para 7.20), in addition to CDP policy 41 (Biodiversity).	Comments noted. In response to comments received and further policy development amendments have been made to Policy MW16 and the supporting text. Policy MW16 has been revised to include policy wording which would be applicable to proposals for Lithium extraction. Policy MW17 (Peat) has been included within the Minerals and Waste Policies and Allocations Document in order to respond to the requirements of NPPF paragraph 210 which advises that 'planning policies should provide for the extraction of mineral resources of local and national importance, but not identify new sites or extensions to existing sites for peat extraction'.
Northern Lithium	Factsheet produced by Northern Lithium provided to assist in helping with policy deliberations in relation to the production of lithium. The factsheet provides details of the company and its option/lease interests	In response to comments received and further policy development, amendments have been made to Policy MW16 and the supporting text.

	<p>across a large part of Weardale. It also provides a concise guide to the planned process of extracting lithium from groundwater and the role that this critical mineral will play in the drive towards an economy, locally, regionally and nationally based on net zero carbon. The factsheet includes a plan indicating the extent of the option/lease area which could assist you should you wish to draft up a separate policy relating specifically to safeguarding for lithium exploration and production.</p>	<p>Given that safeguarding was addressed within the County Durham Plan, the safeguarding of these veins specifically at this time for Lithium is not considered appropriate. The Council will consider the necessity of explicitly safeguarding parts of these vein structures for Lithium through a future review of the County Durham Plan following the proving of the long-term resource potential for Lithium supply. In doing so consideration will need to be given to the extraction of Fluorspar which is also addressed by Chapter 7 of the Minerals and Waste Policies and Allocations document and identified as a mineral of local and national importance by the National Planning Policy Framework.</p>
<p>Banks Group</p>	<p>Detailed objection to the approach taken in Chapter 7 on the basis it will limit innovation in the development of new mineral opportunities in the County.</p> <p>The UK Government's Net-Zero Strategy 2021 (October 2021) and the Critical Minerals Association's recommendation as set out in 'Enabling the UK's Green Industrial Revolution: A Blueprint for Responsible Sourcing of Critical Minerals (July 2021) are not addressed within the MWPAD.</p> <p>The potential for the development of new mineral opportunities in the County has been missed in this document due to a lack of engagement, understanding, and forward-looking planning. The MWPAD only specifically highlights 2 metalliferous resources, Zinc and Lithium. It poorly describes them and in some places describes them incorrectly, and fails to expand on their potential as resources of interest for a growing economy and sustainable society. Other minerals of interest occurring within County Durham which are likely to be essential to future technologies are poorly addressed within the MWPAD; these include Rare Earth Elements (REE), Lithium, Fluorspar and Barytes, and other minor ore metals such as Zinc and Lead which are commonly found in vein deposit. The approach taken within the MWPAD deters commercial interest through a presumption against developments.</p>	<p>The Council is in agreement that the supply of some of these 'other' minerals is increasingly becoming more significant as dependency upon these resources increases, which is why a Chapter has been included within the Draft Plan. The draft Minerals and Waste Policies and Allocations Document was prepared between January and May 2021 as a result, the Council was not able to consider or take into account the "UK's Net Zero Strategy: Building Back Greener" which was published on 19 October 2021 following the start of consultation on the draft Minerals and Waste Policies and Allocations Document. Similarly, it was not possible to consider other documents produced by non-governmental organisations such as the Critical Minerals Association's "Enabling the UK's Green Industrial Revolution: A Blueprint for Responsible Sourcing of Critical Minerals" which was published in July 2021 - The recommendations/ actions of the Critical Minerals Association in relation to matters such as streamlining the planning and permitting processes, fall outside the scope of this document. The comments</p>

	<p>Given the timetable for the preparation of the MWPAD set down in the Council's Local Development Scheme (2020) it is the view of the Banks Group that the most appropriate way for the Council to address opportunities for innovation in mineral development in the County is to commit to the preparation of a supplementary planning document (SPD). Alternatively, the Authority should commit to a review of the MWPAD within the first 2 years. Such a review should include proactive engagement with companies such as the Banks Group.</p>	<p>provided also refer to the UK Government intention to publish a UK Critical Minerals Strategy in 2022 which was only published on 22 July 2022.</p> <p>Chapter 7 of the draft Minerals and Waste Policies and Allocations document sought to address the key vein minerals found within the North Pennines which have been subject to extraction or prospecting in the last thirty years e.g., Fluorspar, Barytes and Zinc. In addition, it sought to address Lithium which is currently subject to exploration activities within the North Pennines. Both Fluorspar and Barytes are also addressed in detail in the Council's Minerals Technical Paper which was last published in 2019. The Council has considered further the BGS Mineral Planning Factsheet 'Miscellaneous and BGS Mineral Planning Factsheet 'Metals' as a result of this further consideration the policy has been amended to include reference to Metalliferous Minerals. Chapter 7 of the Draft Plan did not address Rare Earth Elements (RRE) as it was not considered necessary to do so following a review of a document published by the British Geological Survey in May 2020 called 'The Potential for rare earth elements in the UK'.</p> <p>In terms of engagement, over the last 12 months engagement has been undertaken on a number of potential mineral operators in relation to both Lithium and Fluorspar. Through consultation on the Minerals and Waste Policies and Allocations document and through the work of the Council's development management team interest has been expressed and discussions held with both Weardale Lithium and Northern Lithium who are currently undertaking exploratory drilling for lithium in the North Pennines and British Fluorspar who are also interested in undertaking exploratory drilling in advance of a possible planning application for commercial extraction. Previously, the</p>
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		<p>Council had also sought to continue engagement with Viaton industries, the former operator of Close House Mine in Lunedale. The Council has also identified a further company called Weardale Lithium who will also be consulted at the Publication Draft stage.</p> <p>The Council also notes that the respondent has suggested that the Council commit to the preparation of a Supplementary Planning Document (SPD). The Council is not able to commit to the preparation of an SPD and is not satisfied that such an SPD is either needed, nor what its actual content would be at this time. Similarly, the Council is not able to commit to an early review.</p> <p>Banks Group has been provided with opportunities to engage with the Council and a meeting was held in June 2021 where they were afforded an opportunity to question Council Officers. The Council has also provided the Banks Group with information including GIS shape files to assist in their work to submit potential site allocations for aggregates, but none have been forthcoming.</p>
Mineral Products Association	Para 7.16 - 'Should a proposal occur for the working of the silica sand resource from County Durham the Council would work with the Council in which the plant occurred to consider demand and supply of this mineral.' This sentence is unclear. Clarify the meaning of this sentence.	To provide clarity and ensure consistency with NPPF paragraph 214, final sentence to be amended.

Table 22: Draft Plan Chapter 8 - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Environment Agency	We consider that Policies MW18 (Inert waste 'other recovery'), MW19 (Inert Waste Disposal via landfill) and MW20 (Non-Hazardous Landfill) of the draft plan appropriately align with our permitting principles and requirements.	Noted.
Historic England	Policies MW18 (Inert waste 'other recovery'), MW19 (Inert Waste Disposal via landfill) and MW20 (Non-Hazardous Landfill). Policies contain wording that will ensure that support is only given to proposals which do not result in unacceptable adverse environmental impacts.	Noted.

<p>Breedon</p>	<p>Despite the inclusion of paragraph 8.3 on page 58, the policies included in this Chapter still do not appear to fully recognize that inert construction demolition and excavation waste (CDEW) can be a valuable resource for use in infilling mineral workings to achieve their restoration to beneficial end uses or to provide new habitats and meet biodiversity action plans and targets. Accordingly, we feel a policy should be added to reflect this. Further some of the policies e.g., MW18 appear to duplicate Environment Agency guidance/regulations for the management of waste and we wonder whether this is necessary or indeed appropriate?</p>	<p>The Draft Minerals and Waste Policies and Allocations document has sought to update the existing policy framework for waste disposal and waste recovery set out within the existing County Durham Waste Local Plan and meet the commitment made by the Council at the examination of the County Durham Plan and which is reflected in footnote 215 of the County Durham Plan.</p> <p>In drafting the waste policies within this chapter of the Draft Plan, the Council has sought to ensure the proposed policies reflect the requirements of the European Union Waste Framework Directive which makes a distinction between waste disposal and waste recovery and also to align with the Environment Agency's permitting principles and requirements, which they do, as confirmed by the Environment Agency in their response to the Draft Minerals and Waste Policies and Allocations document. In this regard the approach of the Council has, for many years, been to ensure close alignment between the plan policies and the approach of the Environment Agency, given the close relationships that exist between the waste planning waste permitting regimes.</p> <p>The Council considers that approach which has been prepared is also consistent with Government's National Waste Management Plan for England (January 2021) and the Planning Practice Guidance Paragraph: 045 Reference ID: 27-045-20140306.</p> <p>In relation to the comment regarding, 'restoration to beneficial end uses or to provide new habitats and meet biodiversity action plans and targets', Policy MW22 (Mineral Site Restoration, Landfill and Landraise) addresses restoration and as worded within the Draft Plan referred at bullet 3 to, "provide appropriate environmental enhancements</p>
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		including net gains to biodiversity and other benefits meeting wider objectives including the delivery of nature recovery networks and other relevant plans and strategies.”
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Table 23: Draft Plan Policy MW18 (Inert waste ‘other recovery’) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Northumbrian Water Limited	Policy MW19 within the section entitled Inert Waste Other Recovery mentions the reuse of inert waste of agricultural land. Whilst we recognise the text states that "proposals should not have unacceptable adverse impacts" we feel that this policy and supporting text should be reinforced to explicitly state "No inert waste should be used to improve land quality within a SPZ (Source Protection Zone) 1 or 2 associated with a public or private water supply borehole, or within 50m of a spring or 10m of a surface watercourse."	While it is considered that some minor amendments are required to the approach of the Minerals and Waste Policies and Allocations document to ensure full alignment with Environment Agency policy on groundwater protection, the proposed wording changes are not supported. The Council would welcome further information upon Northumbrian Water's reasoning for the proposed changes and information on the exact location and extent of the areas within which Northumbrian Water proposed that the use of inert waste to improve land quality should be prohibited. The Council currently considers that there is no policy basis for the proposed wording changes and that the extent of the proposed areas of prohibition may be both numerous, extensive and unmappable. The Council's intent is that Policy M21 (Water Resources) would be applicable to proposals for inert waste ‘other recovery’. Policy MW21 (Water Resources) is considered consistent with the Environment Agency's approach to ground water protection Policy ‘E1 – Landfill location’. In order to also align Policy MW21 with the Environment Agency's approach to ground water protection Policy ‘F1 - Non-landfill Waste Activities’ which applies to deposit of waste for recovery activities Policy MW21 Water Resources will be amended to ensure it applies to both ‘Landfill and Landraise’ and proposals for ‘Inert Waste Other Recovery’.

Table 24: Draft Plan Policy MW21 (Water Resource) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Historic England	In respect of sewage sludge the policy contains wording that will ensure that support is only given to proposals which do not result in unacceptable adverse environmental impacts.	Noted. Through further policy development Policy MW21 provisions to sludge have been removed.
Environment Agency	Chapter 8 references the requirement for detailed assessment of the risks posed by waste sites, especially to the underlying groundwater. Groundwater levels within the Magnesian Limestone have changed dramatically over the past 40 years. In many locations they are much higher than previously, following recovery of water levels in the underlying coal measures. This has meant that many limestone quarries are now below the water table and would be unsuitable for landfill. Policy MW21 (Water Resources) in Chapter 8 should hopefully ensure the appropriate assessments and considerations are undertaken to protect the water environment.	Noted. Further correspondence was undertaken with the EA as set out in Appendix D of the Statement of Consultation Regulation 18 Draft Plan (November 2022) (DCC16). DCC posed a number of questions relating to the nature of the Agency's comments and sought views on the acceptability of further landfilling on the Magnesian Limestone.
Environment Agency	We welcome reference to the Environment Agency - Coal Authority groundwater screening tool and constraints mapping in Section 8.32	Noted.
Environment Agency	We are in support of Policy MW21 (Water Resources)	Noted

Table 25: Draft Plan Policy MW22 (Mineral Site Restoration, Landfill and Landraise) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Tarmac	Criterion 3 should be amended to include net gains to biodiversity and where practicable meeting wider objectives including the delivery of nature recovery networks and other relevant plans and strategies to avoid being overly onerous and ensure it is effective having regard to individual site circumstances. Criterion 5 should be amended to 'restoration in accordance with Policy MW18 (inert waste other recovery) or MW19 (inert waste disposal via landfill)'	Comments accepted. This policy (including criterion 3) and its supporting text has been updated as part of work to prepare the Publication Draft Plan. Biodiversity is now addressed by a separate policy criterion which states, "Deliver significant net gains to biodiversity in line with the requirements of the Environment Act 2021 and which contribute towards establishing coherent and resilient ecological networks through the creation of semi natural habitats integrating with landscape-scale conservation initiatives where appropriate;".
Historic England	Criterion 3 we would advise direct reference to the historic environment alongside biodiversity. The policy should set out that plans for restoration and aftercare should where appropriate incorporate measures	Comments accepted. As originally drafted criterion 3 sought to identify the requirement for providing "appropriate environmental

	<p>which better reveal or enhance the significance of heritage assets, the historic character of landscape and the archaeology of the former extraction site itself are also given due consideration.</p>	<p>enhancements” whilst referring by way of example to “net gains to biodiversity” and “other benefits meeting wider objectives including the delivery of nature recovery networks and other relevant plans and strategies”. Criterion 3 was not intended to be exhaustive and purposefully did not seek to list all relevant “environmental enhancements” and did not seek to identify all “other relevant plans and strategies” which may change over time. We recognise that through restoration and after use there may be opportunities for enhancing the setting or helping to reveal the significance of heritage assets. In order to address this comment, the Council proposes that this criterion provides further relevant examples including those that could be delivered to the local landscape as well as to the historic environment. Criterion 3 to be amended.</p>
Mineral Products Association	<p>Paragraph 9.2 - ‘...beneficial use” - It is not clear what this term means.</p>	<p>Comments accepted. Paragraph 9.2 of the Draft Plan sentence three to be amended to delete reference to “beneficial use”</p>
Mineral Products Association	<p>Paragraph 9.5 - ‘...exceptional circumstances..’. The text should be amended to reflect the PPG</p>	<p>Comments accepted. Text to be amended to reflect the PPG more closely. Paragraph 9.5 of the Draft Plan sentence three to be amended.</p>
Environment Agency	<p>Paragraph 9.6 identifies that there may be circumstances where mitigation measures, monitoring and aftercare need to take place for a prolonged period of time after operations have ceased in order to mitigate environmental risks.</p>	<p>Support noted. However, in order to ensure that future planning permissions relating to the allocations also have ‘monitoring and mitigation requirements in place text has been included within the water resources text for each allocation to include reference to monitoring.</p>
Historic England	<p>Paragraph 9.12 - There can be a strong role for the conservation and enhancement of heritage assets when planning for the aftercare and restoration of a minerals site. Add to the list of bullets under this paragraph. Add additional bullet, that restoration can provide opportunities for the conservation and enhancement of heritage assets including through legibility and telling the story of a site’s history which can be important to the community.</p>	<p>Comment accepted. It is considered that through the restoration and after use of land taken for mineral working and waste development that there may be opportunities for conserving and enhancing the settings of heritage assets and which better reveal their significance. Criterion 3 of the Policy to be amended. Additional wording has also been included within the supporting text through</p>

		paragraph 8.13 of the Publication Draft.
Mineral Products Association	Paragraph 9.12 - This paragraph lists after-uses which could be delivered through site restoration. The paragraph falls short of the scope identified in the PPG Paragraph: 045 Reference ID: 27-045-20140306. In addition to those potential after-uses identified, the paragraph should be broadened to include the wider scope identified in the PPG.	Paragraph 9.12 was not intended to directly replicate the uses referred in Paragraph: 045 Reference ID: 27-045-20140306. Paragraph 9.16 and footnote 45 refers to the Planning Practice Guidance, which provides guidance on the restoration and after use of mineral sites. Amendments made to paragraph 9.12 (criterion c, g, and new criterion h). Additional sentence added to paragraph 9.15.
Environment Agency	With regards to restoration, there always need to be a careful balance between enhancing biodiversity and the long-term protection of groundwater and other water resources. Woodland planting is referenced in Section 3.7 of the plan. Woodland planting, though beneficial, must be located in the correct location. Woodland planting may assist flood alleviation, but trees can also take up more water, reducing infiltration and recharge to groundwater. Any proposed woodland planting should consider the risks to groundwater and local water dependent features such as springs as well as flood risk.	Comment accepted. New paragraph inserted after paragraph 9.9 of the Draft Plan to address Environment Agency comments related to water environment in chapter 9 and related to Policy MW3.
Durham Green Party	There should be a specific reference in MW22 (p71) on the long-term effects on local watercourses/water table (referring back to MW21).	Comment accepted. As outlined in response to comments from the Environment Agency (directly above), additional supporting text has been included to require that when restoring sites, it is essential that sufficient regard is given to the long-term protection of groundwater and other water resources including rivers and streams.

Table 26: Draft Plan Chapter 10 - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Mineral Products Association	Paragraph 10.8 - The paragraph should be amended to reflect the requirements of the NPPF para 213) which is to maintain a landbank of 'at least' seven years for sand and gravel and at least 10 years for crushed rock '.	Comment accepted. Final sentence amended.
Mineral Products Association	Paragraph 10.9. "Increased sales have led to an increase in the Annual Demand Requirement..." We question is the wording of this is correct and suggest that the Annual Demand Requirement is a projection	The Council's Local Aggregate Assessment refers to "Annual Demand Requirement, which is the figure, which is calculated within the Joint LAA, and which forms the basis of projections within the Joint LAA.

Mineral Products Association	Paragraph 10.12 - See comment above re the landbank requirements in the NPPF which for crushed rock is 'at least 10 years. Further, the sentence is not clear and further clarification or explanation may be required.	Comment accepted. Final sentence amended.
Tarmac	<p>It appears that crushed rock productive capacity amounts to circa 3.3mtpa (LAA April 2021 using 2018 sales and reserve data. Although the landbank position is healthy, careful consideration should always be given to true productive capacity taking account of all site factors and capacities to ensure that there is sufficient flexibility built in to sustain supply.</p> <p>Paragraph 10.14 discusses the position of Thrislington East quarry restriction, a current proposal for short term relaxation of restrictions and the approval of schemes to move production into Cornforth notes. In the consultation summary response to representations made in February 2021 Durham CC maintain however that any flexibility to that approach is contrary to current County Durham Plan Policy CDP57. As stated earlier in this response under the Thrislington quarry section the Plan should consider or at least be flexible enough to consider partial relaxation of this restriction if there are strong economic, environmental and sustainability justifications most particularly on climate change agenda.</p>	<p>Through work to prepare the Council's Local Aggregate Assessment the Council has sought to set out its estimate of overall crushed rock productive capacity. The results of this work are set out in Table 4.8 of the LAA (April 2021) and have not been challenged by the membership of the Aggregates Working Party as part of the scrutiny process undertaken by the Aggregates Working Party upon the Local Aggregate Assessment. Table 4.8 estimates that crushed rock productive capacity amounts to circa 4.8 million tonnes per annum. A number of these currently non-operational sites are in Tarmac's ownership and are currently subject to planning applications as part of the company's plans to resume and/or vary operations. The Council agrees that 'true' productive capacity at any one time will be dependent on a range of factors of which the ability and willingness of individual operators to work sites for which they have planning permission is key, together with site operational matters including extractive and processing machinery associated with each quarry. Through the Council's Local Aggregate Assessment, the ability of County Durham's quarries to supply crushed rock is being monitored annually. Past sales provide a good indication of the ability of the County's sites to respond to market demand. Reference is made to the proposals by Tarmac for Thrislington East Quarry. The Council's response to this proposal is addressed in the Statement of Consultation Regulation 18 Notice of intent to prepare a Development Plan Document and Minerals and Waste Call for Sites (September 2021). See also the Statement of</p>

		Consultation on the Draft Plan (November 2022).
Rolling Stock Engineering	Footnote 53, page 82 regarding the occurrence of high-grade deposits of Magnesian limestone (high grade dolomite).	Comment accepted. Additional sentence added to footnote 53 of the Draft Plan to reflect the high-grade deposits at Hawthorn Quarry.
Tarmac	Footnote 53, page 82- Hawthorn Quarry There is an error on page 82 within footnotes 52 to 54. Footnote 53 is incorrect as it wrongly suggests that Thrislington Quarry is the only remaining permitted resource of high-grade limestone within County Durham. The reserves at Hawthorn Quarry are also high-grade limestone and the Policies and Allocations DPD and LAA should be updated to reflect this.	Comment accepted. Additional sentence added to footnote 53 of the Draft Plan to reflect the high-grade deposits at Hawthorn Quarry.
Environment Agency	<p>The risk of pollution to groundwater in the Magnesian Limestone principal aquifer (including the Basal Permian Sands) from poor quality water in the underlying Coal Measures is high. Some existing sites such as Thrislington Quarry already have monitoring and mitigation requirements in place for existing permissions. As a minimum, these requirements would also be required for any future permissions. However, there may be a time within the plan period where the risk to groundwater is unacceptable and cannot be adequately mitigated. Whilst we note, that Policy MW23 (Site specific allocation at Thrislington West Quarry) requires proposals to demonstrate that there will be no unacceptable adverse impacts on the environment, the risk of pollution to groundwater from proposals for the winning and working of Basal Permian sand as outlined in the Sustainability Appraisal, should be discussed in the supporting text of Policy MW23.</p> <p>The risk to groundwater should be highlighted Sections 10.18-10.10 (Sand and Gravel) of the plan in relation to relate to Basal Permian Sand extraction at Thrislington Quarry and potentially at Crime Rigg Quarry.</p> <p>Given the high-risk nature of the groundwater at the Thrislington and Crime Rigg quarries, we are pleased to see there is no allocation to allow landfilling to occur.</p>	<p>The Council notes the Environment Agency's concerns in relation to the 'poor quality' in the coal measures which underlie the principal aquifer in East Durham, and it is noted that some existing sites such as Thrislington Quarry already have monitoring and mitigation requirements in place for existing permissions and that these would also be required for any future permissions. The acceptability of impacts upon the groundwater resource will always need to be considered by the Council in considering minerals and waste planning applications and this will be undertaken through both Policy MW1 (General criteria for considering minerals and waste development) and Policy MW22 (Water Resources).</p> <p>It is neither considered necessary or appropriate to address risk to groundwater in these paragraphs. In relation to the site-specific allocation at Thrislington Quarry, groundwater was addressed in paragraph 10.24 bullet c) and in relation to the site-specific allocation at Crime Rigg Quarry groundwater is addressed was paragraph 10.27c. Through work to prepare the Publication Draft Plan amendments have been made to both paragraphs.</p> <p>In relation to the comment regarding landfilling at Thrislington and Crime Rigg quarries, no proposals for the</p>

		<p>disposal of inert waste were received at Thrislington Quarry. As outlined in the Council's site assessment document Breedon proposed further disposal of inert waste at Crime Rigg Quarry, which already contains one of the Council's four remaining active landfill sites. This proposed allocation has been considered through work to prepare the Publication Draft Plan and the Council's conclusions have been set out in a revised site assessment document. The Council reconsulted the Environment Agency upon waste disposal and has sought further comments on the proposed allocation at Crime Rigg Quarry and other inert site allocation proposals and no site-specific objection were provided. Details of the correspondence with the Environment Agency are set out in Appendix D of the Statement of Consultation on the Draft Plan (November 2022).</p>
<p>Environment Agency</p>	<p>We welcome the discussion on flood risk within the allocated sites in Policies MW23 (Site specific allocation at Thrislington West Quarry) and MW24 (Site Specific Allocation Northern Extension to Crime Rigg Quarry) and within the overall plan but feel this could be expanded upon and made stronger. This could involve encouraging development that will work to reduce flood risk overall. In addition, we wish to note that any sites which are located near to watercourses or Flood Zones should be resilient to climate change</p>	<p>There were no references within Chapter 10 of the Draft Plan or specifically within the policy or supporting text to Policies MW23 (Site specific allocation at Thrislington West Quarry) and MW24 (Site Specific Allocation Northern Extension to Crime Rigg Quarry) relating to flood risk. As set out in the site assessment document the proposed allocation within Thrislington West Quarry and the northern extension to Crime Rigg Quarry both lies in Flood Zone 1 and therefore the proposed allocations have a low probability of flooding. Within the Draft Plan there were, however, references to flood risk within Policy MW1 (General criteria for considering minerals and waste development) and paragraphs 5.34, 8.13, 8.20, 8.34. Policy MW1 and its supporting text has been revised as part of work to prepare the Publication Draft Plan. A revised paragraph of flood risk has been prepared. Policy MW1 references to climate change has also been amended to include references</p>

		to both climate change mitigation and adaptation and the supporting text has also been revised.
Environment Agency	In Chapter 10, Section 10.17 of the draft plan, it is forecasted that there will be a shortfall in inert waste landfill capacity within County Durham by 2032. We currently see a much-reduced interest from industry in pursuing new inert waste landfill sites. Instead, inert waste deposits tend to be sought under the authorisation of a Deposit for Recovery (DfR) permit. DfR activities are referenced within Policy MW18 of the draft plan as 'inert waste' - other recovery'	The forecast shortage of inert landfill capacity which is reported within paragraph 10.17 reflects the position as stated in the County Durham Plan and reflects the capacity gap identified by Table 14 (Surplus Capacity (Including Any Capacity Gap) by Site Type (to 2035) of the County Durham Plan. As part of the annual monitoring requirements of the County Durham Plan. The scale of remaining void space and the quantity of waste disposed is monitored by the Council every year using information published by the Environment Agency. The Council is seeing an ongoing interest from minerals and waste operators and other developers in gaining planning permission to dispose/recover inert, construction and demolition waste in both existing and former quarries and as part of proposed agricultural land improvement schemes. In recent years the Council has also been approached by a number of minerals and waste operators who are seeking allocations or permissions to dispose inert waste in either existing or former quarries. Given the quantities of inert waste which is currently and has been disposed within landfill sites in the recent past, we do not consider that future inert waste disposal requirements can be met alone by inert recovery and would wish to avoid an increase in the number of proposals for inert recovery which are in fact more likely to be disposal operations where the primary intent is to get rid of waste i.e. dispose of waste.
Environment Agency	Policy MW23 - Site specific allocations at Thrislington West Quarry & Policy MW24 - Site Specific Allocation Northern Extension to Crime Rigg Quarry: We note the consultation draft deems Thrislington West Quarry and Crime Rigg Quarry to be suitable allocations for the winning and working of Basal Permian sand and	Through work to prepare the County Durham Plan, the Environment Agency was consulted on the proposed allocations to both Thrislington West Quarry and Crime Rigg Quarry in 2016 and the Environment Agency's

	<p>Magnesium Limestone. Whilst we are aware that both are existing working quarries, Northumbrian Water have had discussions with the Local Authority regarding our concerns over the ongoing extraction of Magnesian Limestone and Permian Sands from these quarries and the proposed extensions at the sites. In this instance we feel that a meeting with all relevant parties may be the best option to discuss the technical reasoning and identify the necessary mitigation measures and safeguarding.</p>	<p>comments were considered when the site assessment document which accompanied the Draft Minerals and Waste Policies, and Allocations document was prepared. With respect to Thrislington West Quarry in December 2018 the Council granted planning permission at Thrislington West Quarry for an extension of time to the working of magnesian limestone and basal Permian sand subject to conditions for monitoring and mitigation plans to manage the risks to groundwater quality and resource. The Environment Agency was consulted upon the draft Minerals and Waste Policies and Allocations document and did not object to the allocations for mineral working at Thrislington West Quarry or upon the land to the north of Crime Rigg Quarry. Details of the comments received from the Environment Agency are set out within this Statement of Consultation on the Draft Plan (November 2022).</p>
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Table 27: Draft Plan Policy MW23 (Site specific allocations at Thrislington West Quarry) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Tarmac	<p>Thrislington Quarry is an active site with consent for magnesian limestone and Permian sand extraction. Detail supporting the proposed allocation was provided in representations made in February 2021. A Scoping Report has been submitted to the Council and a Scoping Opinion has been received. It is anticipated a planning application including an EIA will be submitted by the end of 2021 / early 2022</p>	<p>Comments and information previously received were taken into account to assess this site and determine it should be allocated in the Draft Plan.</p>
Historic England	<p>We have no objections to this allocation.</p>	<p>Noted.</p>
National Highways	<p>Site access is located around 5.6km north of J60 of the A1(M) and around 6.4km south of J61. The A19 is approximately 13.6km east of the site. Existing traffic routing measures seek to divert lorry traffic away from local communities to minimise disturbance. The site is currently served by two vehicular accesses, as well as a rail link with the East Coast Main Line - these accesses will be maintained if the site is extended as proposed. Despite the potential for extracted</p>	<p>Comments accepted. The request for scoping discussion is noted. A Transport Assessment will be required to be submitted in accordance with Policy MW7 – Traffic and Transport. This requirement is also referred to in the supporting text to this policy.</p>

	<p>materials to be transported away from the site by rail and the expectation that overall traffic volumes will decrease due to future production changes, National Highways notes from page 68 of 'Minerals and Waste DPD Site Assessments' that a formal transport assessment is required for review as part of the planning application process, so that potential impacts on the SRN can be assessed accordingly. In advance of the production of any transport assessment, we would recommend that scoping discussions are held with National Highways to ensure that no abortive work is undertaken.</p>	
Natural England	<p>The site is in close proximity to important designated sites. We generally support the development requirements outlined in the policy but advise that the policy could be strengthened, and more specific detail added to require the development to avoid impacts on the nearby designated sites and for restoration to enhance and improve the ecological linkages to the designated sites.</p>	<p>Comment accepted. Amendments have been made to both the policy and supporting text taking into account comments received and existing content within the Council's site assessment document. Policy MW21 criterion 3 of the Draft Plan to be amended. Paragraph 10.24 criterion b) of the Draft Plan to be amended. Paragraph 10.24 criterion b) of the Draft Plan to be amended.</p>
Northumbrian Water	<p>We note the consultation draft deems Thrislington West Quarry and Crime Rigg Quarry to be suitable allocations for the winning and working of Basal Permian sand and Magnesium Limestone. Whilst we are aware that both are existing working quarries, Northumbrian Water have had discussions with the Local Authority regarding our concerns over the ongoing extraction of Magnesian Limestone and Permian Sands from these quarries and the proposed extensions at the sites. In this instance we feel that a meeting with all relevant parties may be the best option to discuss the technical reasoning and identify the necessary mitigation measures and safeguarding.</p>	<p>The concerns of Northumbrian Water are noted and understood. Through work to prepare the County Durham Plan, the Environment Agency was consulted on the proposed allocations to both Thrislington West Quarry and Crime Rigg Quarry in 2016 and the Environment Agency's comments were considered when the site assessment document which accompanied the Draft Minerals and Waste Policies, and Allocations document was prepared. With respect to Thrislington West Quarry in December 2018 the Council granted planning permission at Thrislington West Quarry for an extension of time to the working of magnesian limestone and basal Permian sand subject to conditions for monitoring and mitigation plans to manage the risks to groundwater quality and resource. The Environment Agency was consulted on the draft Minerals and Waste Policies and Allocations document and did not object to the allocations for</p>

		<p>mineral working at Thrislington West Quarry or to the north of Crime Rigg Quarry. Details of the comments received from the Environment Agency are set out within this Statement of Consultation on the Draft Plan (November 2022). Policies MW23 and MW24 of the Draft Plan sought to allocate both sites. The supporting text to both policies advises that any planning application will need to demonstrate that unacceptable adverse impacts on groundwater quantity and quality do not occur and that suitable mitigation measures are in place or can be implemented. Through the preparation of a planning application detailed hydrological and hydrogeological investigation and risk assessment will be required. These policies should be read in association with Policy MW1.</p>
<p>Mineral Products Association</p>	<p>We feel the final two bullet points are superfluous as they simply repeat the requirements of Policies MW1 and MW23. It is important plans are succinct and avoid unnecessary duplication and repetition. We therefore suggest they are deleted</p>	<p>The bullet points were provided to outline key policy requirements which are required to be addressed by a planning application and are consistent with the approach taken within County Durham Plan Policy 58 (Preferred Areas for Future Carboniferous Limestone Extraction) and Policy 59 (Strategic Area of Search to the South of Todhills Brickworks). Through work to develop the policy and in response to comments from Natural England policy criterion d) has been developed further, Criterion d) has been amended. The final criterion as stated is consistent with the approach taken within all of the mineral's allocations of the County Durham Plan and within the Publication Draft M&WDPD.</p>
<p>Cornforth Parish Council</p>	<p>The Council wish to express serious concerns with the current flooding of Garmondsway Road, an issue that has previously been raised, that will be further impacted by the increased movement of large vehicles creating mud, dust and other debris that will be washed into the drainage system, especially during road cleaning and inclement weather if any increased usage is approved. Concern is also made in connection with the heavy wear and tear to</p>	<p>The principal issue which has been raised relates to the current flooding of Garmondsway Road (located in West Cornforth to the west of Stobbs Cross Lane). Following the receipt of this comment it was passed to the Council's Minerals and Waste Site Monitoring Officer who alerted County Highways to the flooding on Garmondsway Road,</p>

	<p>the road surface that the road will be subjected to over the course of time from the increased traffic from the proposals and finally:- A further question is would the total cumulative tonnage per day that the bridge over the motorway will be placed under be considered during any future application and would it be in line with the specifications and load bearing capability of this bridge?</p>	<p>and a meeting was held with the site operator. The outcome of the meeting was that the drains were blocked which may be a consequence of the road being cleaned. Further investigations are underway as to whether specific works are required and if so, they will be prioritised with other schemes in the future. The condition of the highway will be monitored to assess if specific enforcement action is required. In relation to the bridge over the A1(M) motorway along Stobb Cross Lane, it is understood that this bridge is currently being used by Tarmac as part of the current working undertaken at Thrislington East Quarry. An application to vary the existing permission at Thrislington East Quarry is pending consideration (DM/18/03884/VOCMW) and it is currently anticipated that mineral working will end within another year and a half, followed by the interim restoration of this site. The operator of Thrislington East Quarry then intends to work permitted reserves of magnesian limestone at Cornforth West Quarry followed by Cornforth East Quarry. Thrislington West Quarry is currently served by two vehicular accesses and a rail head. Associated weight restrictions, traffic calming measures, and quarry traffic routeing arrangements seek to keep extraneous lorry traffic out of the communities of Cornforth, Bishop Middleham, and Ferryhill. No vehicles associated with extraction operations at Thrislington West Quarry enter or leave the site via Entrance 2 onto Stobb Cross Lane. All of the excavated material from Thrislington West uses the tunnel under the C69 to access the weighbridge and wheel washes adjacent to the northern access point where they join the highway.</p>
<p>Local Resident (Dr Jurgen Schmoll)</p>	<p>My concern is focused on dust, noise and light pollution. I understand that the dust issue is partly ameliorated by lots of measures, like water curtains the vehicles</p>	<p>Comments noted. The issues which have been raised focus on dust, noise and light pollution from the existing operational</p>

	<p>pass through and that some residual dust cannot be avoided. About the noise, while daytime activities obviously cannot be silent given the nature of the works, there are aggregates running at night that can be clearly heard from Garmondsway Road. I suppose they may be electric generators or pumps to keep the water level down, and I wonder if there are steps possible to reduce this problem.</p> <p>About light pollution, as a background information I am operating an astronomical observatory that is regularly used to test, optimise and repair instruments used at major outreach facilities like Wynyard Planetarium or Kielder Observatory. To test and verify those instruments, a dark sky is essential. Apart from astronomy, the light pollution is also a threat to wildlife as we have conservation areas nearby. Poorly aligned bright lights, in particular with spectral components of short wavelength (blue light), attract insects that get withdrawn from the food chain which also adds to the known problem of insect decline observed in the recent years. Other animals affected are birds that get fooled into nesting too early, and other animals that suffer a disrupted circadian rhythm. My suggestion is to use lights only when the quarry is in use, and to use downlights or downwards aligned floodlights that only illuminate the area that is required to be lit.</p>	<p>quarry. Issues relating to residential amenity were last considered in detail by the Council and found to be acceptable at Thrislington West Quarry in 2017 as part of the determination of the extant planning permission which was issued in 2018 (DM/15/00127/MIN). A noise action plan required pursuant to Condition 3c and a dust action plan was approved under DRC/19/00420. Existing planning conditions on the site relating to matters such as noise and dust are being monitored and are in compliance with planning conditions.</p> <p>Through work to prepare the Publication Draft Plan Policy MW1 and its supporting text has been amended. Criterion a) of Policy MW1 relates to 'Human health and the amenity of local communities.' The updated supporting text specifically addresses light pollution. Should a future planning application be submitted to work the allocated site all relevant matters, including those relating to dust, noise, light pollution and biodiversity will be considered by the Council through the consideration of the submitted planning application in accordance with relevant development plan policies.</p>
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Table 28: Draft Plan Policy MW24 (Site Specific Allocation Northern Extension to Crime Rigg Quarry) - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Natural England	Natural England welcomes that the site characteristics section of the policy highlights that the site shares the same geology as the existing quarry, which is a geological SSSI and that the restoration of the site provides opportunity for the creation of features of geodiversity interest.	Noted.
National Highways	Provided that future traffic levels remain in line with these existing planning permissions, future site development should not have a detrimental impact on local roads or the SRN. Although there is no provision for a transport assessment for this site referenced within 'Minerals and Waste DPD Site Assessments', National Highways nonetheless requests that a formal transport	Comments noted. A Transport Assessment will be required to be submitted in accordance with Policy MW7 – Traffic and Transport. The request for scoping discussion is noted.

	assessment is submitted for review as part of the planning application process. In advance of the production of any transport assessment, we would recommend that scoping discussions are held with National Highways to ensure that no abortive work is undertaken	
Environment Agency	The site-specific allocation-Northern Extension to Crime Rigg Quarry (Policy MW24) is located in close proximity to a pond. We would expect to see mitigation measures in place to prevent pollution of the surrounding water environment at every stage of the works.	The proximity of the identified water body (pond) would be addressed by the planning application. Should the site be allocated the planning application which need to set out mitigation measures to prevent pollution of the surrounding water environment.
Mineral Products Association	We feel the bullet points d), e) & g) are superfluous as they repeat the requirements of Policies MW1 and MW23 and CDP Policy 41. It is important plans are succinct and avoid unnecessary duplication and repetition. We therefore suggest they are deleted	The bullet points were provided to outline key policy requirements which are required to be addressed by a planning application and are consistent with the approach taken within County Durham Plan Policy 58 (Preferred Areas for Future Carboniferous Limestone Extraction) and Policy 59 (Strategic Area of Search to the South of Todhills Brickworks). Through work to develop this policy as part of the preparation of the Publication Draft Plan, Criterion d) and e) have been combined and developed further. The final criterion g) as stated is consistent with the approach taken within all of the mineral's allocations of the County Durham Plan and within the Publication Draft M&WDPD.
Historic England	Paragraph 185 of the NPPF sets out a requirement for Local Plans to conserve heritage assets in a manner appropriate to their significance. When considering the impact of a proposed development upon the significance of a designated heritage asset, Paragraph 199 of the NPPF makes it clear that great weight should be given to the asset's conservation and explains that significance can be harmed by development within its setting. Shadforth Conservation Area & Ludworth Tower. In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF, as part of the Evidence Base underpinning the Plan there needs to be: An assessment needs to be undertaken of the contribution which this site makes to the elements which contribute towards the	A detailed Heritage Impact Assessment (HIA) for all the operator proposed site allocations has been prepared. See, 'Publication Draft County Durham Minerals and Waste Policies & Allocations Document Heritage Impact Assessment' (November 2022) (DCC18). The HIA for the Crime Rigg Northern Extension concluded that proposed northern quarry extension would not have any direct effect on the significance (physical fabric) of any identified heritage asset. The impact upon the setting(s) of the heritage assets identified would be either nil, or minor and neutral. As no harm has been identified those settings would be conserved.

	<p>significance of the Conservation Area and what impact the loss of this undeveloped site and its subsequent development might have upon them.</p> <p>An assessment needs to be undertaken of the contribution which this site makes to the setting of the Scheduled Monument and what impact the loss of this open area and its subsequent development might have upon its significance.</p>	
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Table 29: Draft Plan Chapter 11 - Monitoring and Implementation Framework - Summary of Main Issues Raised and Council's Response

Respondent	Main Issues Raised	Summary of Council Response
Historic England	We note that the submission draft of the plan will contain a monitoring framework, this is important in helping understand and minimise any environmental impacts including those on the historic environment.	Noted.
Tarmac	It is considered that monitoring indicators should include monitoring the productive capacity of active operations to ensure that annual supply requirements can be met - particularly as a projection through and towards the end of the Plan period when sites may close.	It is considered that the monitoring framework for the Minerals and Waste Policies and Allocations document should not either monitor the productive capacity of active operations to ensure that annual supply requirements can be met. This is because these matters are monitored through the provisions of the County Durham Plan and through the Council's Local Aggregate Assessment. Productive capacity is principally monitored by sales over time. Monitoring of past sales has shown the significant productive capacity of existing sites. This can be seen by how County Durham sites increased sales following the recession following the financial crises. Productive capacity also depends on the approved scheme of working and the scale of plant and machinery within sites. It is also dependent on the willingness of operators to work sites.

Table 30: Non-Allocated Sites at Draft Plan Stage: Site M2: Raisby Quarry Proposed Eastern Extension

Respondent	Main Issues Raised	Summary of Council Response
National Grid	Following a review of the above Development Plan Document, we have identified that one or more proposed development sites are crossed or in close proximity to National Grid assets. Details of	A meeting was held on the 28 March 2022 with representatives of National Grid during which the Council provided information on the proposal by Breedon for an eastern extension to Raisby

	<p>the sites affecting National Grid assets are provided below.</p> <p>Electricity Transmission Development Plan Document Site Reference: Site M2 - Raisby Quarry: Proposed Eastern Extension Asset Description: 4TF ROUTE TWR (015 - 080): 400Kv Overhead Transmission Line route: HAWTHORN PIT - NORTON 275KV</p> <p>Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance. e would welcome a brief phone call to clarify National Grid's rights in relation to their existing assets and the implications of allocating sites without making these issues clear. We are seeking confirmation that the site allocations conflicts with National Grid assets will be acknowledged in future iterations of the Development Plan Document (e.g., specific reference to National Grid assets in site constraints/ parameters and requirement that these remain in-situ).</p>	<p>Quarry and the importance of the existing quarry for crushed rock and agricultural lime production, both in terms of production from County Durham and the Northeast of England.</p> <p>The Council also set out its understanding following conversations with the mineral operator, that a diversionary route for the existing pylons which cross the existing working area of Raisby Quarry has not yet been identified or agreed which was confirmed as correct by National Grid. To facilitate a solution the Council provided National Grid with Breedon's contact details so that discussions could commence between National Grid and the mineral operator and requested for both parties to keep the Council informed of future discussions.</p> <p>The Council confirmed to National Grid that the Council's Minerals and Waste Site Assessment Document will be republished and that the appraisal for Site M2 - Raisby Quarry - Proposed Eastern Extension will clarify that National Grid infrastructure (pylons) currently cross the consented quarry and will be required, in accordance with the existing planning permission (DM/17/01260/MIN), to be diverted to facilitate the working of existing permitted reserves and that any diversionary route, once identified, will form a future constraint on the final extent of any future allocation or planning permission. The site assessment document will also refer to National Grids requirement for a 100m stand off for future working from blasting.</p>
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Table 31: Non-Allocated Sites at Draft Plan Stage Site M7: Thrislington East Quarry

Respondent	Main Issues Raised	Summary of Council Response
Tarmac	Thrislington Quarry East contains reserves of Magnesian Limestone for which extraction is constrained by planning obligations requiring a percentage to go into industrial end uses as opposed to construction markets. Tarmac continues to	Reference is made to the proposals by Tarmac for Thrislington East Quarry. The Council's response to this proposal is addressed in the Statement of Consultation

	<p>strive for reliable demand for industrial uses for industrial grade stone in recent years but with little significant or success or outlook of any consistency. The Lhoist kilns at Thrislington were closed in 2016 and there is understood to be little prospect of reopening in the foreseeable future. Current demand for industrial grade limestone is met by Whitwell Quarry (Derbyshire). The Plan should allow some scope to review the restriction if there is a sound environmental case including the need to reappraise options to help achieve climate change reduction targets. This is supported by paragraphs 5.43 5.44 of the Draft Plan referencing paragraph 148 of the NPPF (now superseded by paragraph 152).</p>	<p>Regulation 18 Notice of intent to prepare a Development Plan Document and Minerals and Waste Call for Sites (September 2021). The Council notes that reference is now made to strong economic, environmental and sustainability justifications most particularly on the climate change agenda, but no detail is provided to explain what these justifications related to. Through further correspondence in April 2022 Tarmac provided further detail in relation to comments provided on climate change. The Council agrees of the importance of seeking to meet the challenge of climate change. In this regard Policy MW1 and its supporting text has been redrafted to strengthen and align its provisions with NPPF requirements. Nonetheless, this does not change the Council's approach to the conservation and use of high-grade dolomite. To reiterate, the approach of the statutory development plan to existing and permitted reserves of high-grade dolomite is set out by Policy 57 (The Conservation and Use of High-Grade Dolomite) of the recently adopted County Durham Plan (October 2020). The approach that the statutory development plan takes to this issue can only be reconsidered through a review of the County Durham Plan.</p>
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Table 32: Non-Allocated Sites at Draft Plan Stage Site M7: Site M8/W2: Cold Knuckle Magnesian Limestone and inert infill

Respondent	Main Issues Raised	Summary of Council Response
Tarmac	Tarmac have promoted two areas of land at Quarrington Quarry for consideration as part of the Policies and Allocations Document the southern area (hereafter referred to as Old Quarrington/Cold Knuckle) and the northern area (hereafter referred to as Quarrington North).	The Council has sought further information from Tarmac which was received in April 2022 and has undertaken further assessment work. The Council now considers that the proposed allocation can be supported in principle via an allocation within the Minerals and Waste Policies and Allocations Document. Further information is set out in the County Durham M&WDPD Assessment of potential Minerals

		and Waste sites in County Durham – submitted in response to a call for sites 2021 (November 2022).
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Table 33: Non-Allocated Sites at Draft Plan Stage Site M7: Site M9/W3: Old Quarrington Quarry (Northern part of Quarry)

Respondent	Main Issues Raised	Summary of Council Response
Tarmac	<p>Non-allocation of land within Old Quarrington Quarry for basal Permian sand extraction and inert waste disposal. The Quarrington Planning consent (ROMP) includes an area to the North of the blocks described above and is referred to here as Quarrington North (see appendix 1 for planning permission boundaries). It contains permitted reserves of circa 9.7mt of magnesian limestone reserves. Beneath those reserves there is a further basal Permian sand deposit of circa 1.7mt. The sand resource does not currently form part of the ROMP consent (or any other consent), neither is there permission for backfilling with inert waste. The completed restoration scheme would presently entail a hole or void. The Permian sand should be treated as valuable resource and given that permission exists for extraction of the overlying limestone it makes sense in principle that the sand is also recovered from the excavation area. The quantity of permitted limestone overlying the sand and the rate at which the sand might be released (and can play a role in county capacity) needs to be considered. The area of permitted limestone extraction and (if permitted) sand extraction could, in principle, be restored to original levels through inert infill. The area could contribute to capacity for inert fill from an existing site of up to 4.93 m³/3.3 mt. Again, this would need to be subject to design, assessment and application.</p> <p>Paragraph 10.10 identifies a need for further sand. Paragraph 5.38 encourages concurrent working of minerals where two or more naturally occur. The Company seeks that the sand resource at within an already consented extraction area at Quarrington should be recognized as valuable in principle and allocated subject to EIA and detailed application as provided at paragraph 10.7 of the draft Plan. The potential infill capacity should also be recognized.</p>	<p>The proposed site allocation proposed by Tarmac and the smaller area which has also been considered by the Council should not be allocated within the Minerals and Waste Policies and Allocations Document. Whilst an allocation is sought for only basal Permian sand and inert waste disposal, the extraction of the sand and subsequent waste disposal is inextricably linked to working of the overlying permitted reserves of limestone which currently require a new scheme of working and restoration to be agreed with the Council. Any allocation for basal Permian sand and inert waste disposal would not be deliverable without the removal of the limestone and cannot therefore be reasonably made until a new scheme of conditions are agreed. The Council is also mindful that Tarmac intends to prepare and submit a planning application for the entire site, including the northern area, in around 2023/24. It is considered that this process, which will require submission of an environmental impact assessment informed by a suite of necessary assessments, could provide the most suitable mechanism for establishing the acceptability, physical extent and scale of future mineral working and inert waste disposal operations at Old Quarrington Quarry. The Statement of Consultation Regulation 18 Draft Plan (November 2022) (DCC16) summarised the Council's position in relation to non-allocation, specifically in relation to biodiversity, landscape, cultural heritage, the need for waste disposal, the need for</p>

		sand and CDP Policy 50 which relates to the locational approach to the supply of primary aggregates. Further details are set out in an updated Assessment of potential Minerals and Waste sites in County Durham (November 2022) (DCC17).
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Table 34: Non-Allocated Sites at Draft Plan Stage Site M7: Site M10: Hulands Quarry Eastern Extension

Respondent	Main Issues Raised	Summary of Council Response
Kearnton Farms	<p>Non-allocation of further land for carboniferous limestone extraction to the east of the County Durham Plan Preferred Area at Hulands Quarry.</p> <p>The M&WPDPD has not included any additional site-specific allocations for the extraction of a further 2.93 million tonnes of carboniferous limestone to meet the County Durham Plan target of 14.1 million tonnes and we object in this respect. It is requested that the Additional Land adjacent to the Hulands Quarry allocated Preferred Area should be included, at least in part, as an additional site-specific allocation in the M&WPDPD in order to provide a further 2.93 million tonnes of carboniferous limestone to meet the County Durham Plan target of 14.1 million tonnes and provide additional reserves in the longer term.</p> <p>It is anticipated that Hulands Quarry could be one of the suppliers of carboniferous limestone aggregate, including coated roadstone, for the proposed A66(T) Trans Pennine Project.</p>	<p>Through work to prepare the County Durham Plan the Council has already sought to make provision for future supply at this quarry through the allocation of a Preferred Area which lies to the east of Hulands Quarry to enable crushed rock aggregate working to continue over the Plan period to 2035 and a number of years thereafter. The allocated County Durham Preferred Area should enable the winning and working of 8.2 million tonnes of carboniferous limestone. Subject to planning permission being granted and if worked at the anticipated rate of 300,000 tonnes per annum the existing County Durham Plan allocation should enable the quarry to continue to contribute to the steady and adequate supply of crushed rock until 2051.</p> <p>It is now considered that the CDP shortfall is not actually needed to maintain a steady and adequate supply of carboniferous limestone over the period to 2035. The proposed allocation would contribute to sales post 2051 and is seeking to meet a need which falls well beyond the end date of the County Durham Plan and would not in fact contribute to meeting the need identified in the County Durham Plan and would not be consistent with the NPPF requirements for a steady and adequate supply of crushed rock aggregate.</p> <p>The Statement of Consultation Regulation 18 Draft Plan (November 2022) (DCC16) summarised the Council's</p>

		position in relation to non-allocation, specifically in relation to landscape and visual impacts, biodiversity (the proposed site allocation also lies within the functional land buffer of the North Pennines SPA), CDP Policy 50 (Locational Approach to the Future Supply of Primary Aggregates) and the A66(T) Trans Pennine Project will be completed within the time period within which the County Durham Plan Preferred Area would be worked. Further details are set out in an updated Assessment of potential Minerals and Waste sites in County Durham (November 2022) (DCC17).
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Table 35: Non-Allocated Sites at Draft Plan Stage Site M7: Site M11/W4: Eldon Quarry

Respondent	Main Issues Raised	Summary of Council Response
Eldon Parish Council	The Parish Council simply wishes to express its support for the County Council's conclusions in the allocation document in relation to site assessments for Eldon Quarry regarding non-allocation for the site.	Noted.

Chapter 5 - Publication Draft Minerals and Waste Policies and Allocations Document (November 2022)

5.1 The third stage of consultation, which was held under Regulation 19, was publicised on the Council's website on its consultation page¹⁸, a consultation web page was also prepared¹⁹ which linked directly to the consultation events²⁰ on the Council's online planning consultation portal, where copies of all the documents listed at paragraph 2.3 were available to download.

5.2 A press release was issued on November 28, 2022, (See Appendix G G2) and this resulted in an article in the Northern Echo Newspaper website (see Appendix H1). The Council also contacted the Minerals and Waste Planning Magazine, and the consultation was also publicised in the Minerals and Waste Bulletin which was sent on the 7th of December 2022 (see Appendix H2). These bulletins included a weblink to the Council's Consultation webpage²¹.

5.3 Copies of the consultation documents including the Statement of Representations Procedure & Statement of Fact and Guidance to making Comments, Guidance to making Comments Publication Draft County Durham Minerals and Waste Policies and Allocations Document (M&WDPD) and response forms for the three consultations were also distributed to local libraries and Customer Access Points (CAPs) where they were available for reference purposes. Copies were also available on request from the Spatial Policy Team.

5.4 Statutory consultees (Specific Consultation Bodies) outlined in the Town and Country Planning (Local Plan) (England) Regulations 2012 were notified/consulted at the start of the consultation period by email or letter. In addition, all other consultees which include a range of General Consultation Bodies outlined in the Town and Country Planning (Local Plan) (England) Regulations 2012 and other groups and individuals on the Council's consultation database were also notified/consulted via letter or email. Appendix I contains a list of all consultation bodies consulted by the Spatial Policy Team. The Council's Consultation and Engagement Officer in the County Durham Partnership Team also distributed information to all the interest groups on their circulation list, many of which fall within the General Consultation Bodies category of consultees outlined in the Town and Country Planning (Local Plan) (England) Regulations 2012, see Appendix J.

¹⁸ <https://www.durham.gov.uk/consultation>

¹⁹ <https://www.durham.gov.uk/article/28458/Consultation-on-the-County-Durham-Minerals-and-Waste-Policies-and-Allocations-Document-stage-three->

²⁰ Publication Draft Minerals and Waste Policies and Allocation Document: <https://consult-durhamcc.objective.co.uk/kse/event/37209>

Sustainability Appraisal Report of the Minerals and Waste DPD: <https://consult-durhamcc.objective.co.uk/kse/event/37210>

Habitats Regulation Assessment Screening Report of Minerals and Waste DPD: <https://consult-durhamcc.objective.co.uk/kse/event/37211>

²¹ <https://www.durham.gov.uk/article/28458/Consultation-on-the-County-Durham-Minerals-and-Waste-Policies-and-Allocations-Document-stage-three->

5.5 In accordance with the methodology adopted by the Council during the preparation of the County Durham Plan, all properties within 500 metres of the boundary of each of the four-site allocation proposal was sent a letter. 103 letters were sent out to properties within 500m of the boundary of Policy MW21- Site specific allocation at Thrislington West Quarry; 2 letters were sent to properties within 500m of the boundary of Policy MW22 - Site Specific Allocation Northern Extension to Crime Rigg Quarry; 5 letters were sent to properties within 500m of the boundary of Policy MW23 - Site Specific Allocation Inert Waste Disposal at Crime Rigg Quarry; and 93 letters were sent to properties within 500m of the boundary of Policy MW24 - Site Specific Allocation Inert Waste Disposal at Cold Knuckle Quarry, (see Appendix C C3 to C6).

5.6 The consultation was also publicised at the North East Minerals and Waste Policy Officers Group meeting on Tuesday 19th October 2022. This is a group which is organised by Durham County Council and its membership includes all North East Minerals and Waste Planning Authorities and both North Yorkshire County Council and Cumbria County Council.

5.7 The consultation was also publicised at the North East Aggregates Working Party Meeting held on Thursday 10th November 2022. This is a group which contains representatives of all Minerals Planning Authorities in the North East of England, representatives of the aggregates industry including the Mineral Products Association and British Aggregates Association, and representatives of the Marine Management Organisation and the Crown Estate.

5.8 A Microsoft Teams engagement event was organised for the public to provide information about the preparation, consultation on and content of the Minerals and Waste Policies and Allocations Document. This event was organised for Wednesday 7th December 2022. It was publicised on the Council's website and information on the event was also provided in all letters which were sent out to consultees on the Council's consultation database and to those properties within 500 metres of one of the four site allocations within the Publication Draft Minerals and Waste Policies and Allocations Document. A Microsoft Teams Engagement event was also organised for the Minerals and Waste Industry on Friday 9th December 2022. The arranged format of these events was a PowerPoint presentation followed by a question-and-answer session. It was publicised at the meeting of the North East Aggregates Working Party Meeting held on Thursday 10th November 2022 and through letters and emails to the minerals and waste industry. A reminder email was also sent to all minerals and waste operators on the Council's consultation database prior to the industry event.

Comments Received on Publication Draft

5.9 Consultation on the Publication Draft yielded 65 comments from twenty consultees. Table 36 identifies what comments have been made by chapter, policy number and paragraph. Not all the comments are straight forward objections, they

are also supportive or identify no objections. In addition, suggested wording changes are proposed which are typographical or minor in nature.

Table 36: Overview of comments on the Publication Draft M&WDPD by Chapter, Policy and Paragraph

Assigned to document as a whole	10 comments
Chapter 1 - The Minerals and Waste Policies and Allocations Document	1 comment
Chapter 2 - Overview of Minerals and Waste in County Durham	No comments
Chapter 3 - Vision, and Objectives	No Comments
Chapter 4 - Minerals and Waste Development Management Policies	2 comments
Policy MW1 - General criteria for considering minerals and waste development	9 comments
Policy MW2 - Mineral Exploration	5 comments
Policy MW3 - Benefits of Minerals Extraction	4 comments
Policy MW4 - Noise	1 comment
Policy MW5 - Air Quality and Dust	2 comments
Policy MW6 - Blasting	No comments
Policy MW7 - Traffic and Transport	4 comments
Policy MW8 - Mineral Rail Handling Facilities	1 comment
Policy MW9 - Borrow Pits	No comments
Policy MW10 - Ancillary Minerals Related Infrastructure	No comments
Policy MW11 – Periodic Review of Mineral Planning Permissions	1 comment
Policy MW12 - Oil and Gas Exploration, Appraisal and Production	1 comment
Policy MW13 - Transport of Oil and Gas	1 comment
Policy MW14 - Vein minerals, metalliferous minerals, lithium and silica sand	3 comments
Policy MW15 - Peat	No comments
Policy MW16 - Inert waste 'other recovery'	1 comment
Policy MW17 - Inert Waste Disposal via landfill	1 comment
Policy MW18 - Non-Hazardous Landfill	1 comment
Policy MW19 Water Resources	No comments
Policy MW20 - Mineral Site Restoration, Landfill and Land raise	2 comments
Chapter 9 - Potential Non-Strategic Minerals and Waste Allocations	3 comments
Policy MW21- Site specific allocations at Thrislington West Quarry	1 comment
Policy MW22 - Site Specific Allocation Northern Extension to Crime Rigg Quarry	1 comment
Policy MW23 - Site Specific Allocation Inert Waste Disposal at Crime Rigg Quarry	2 comments
Policy MW24 - Site Specific Allocation Inert Waste Disposal at Cold Knuckle Quarry	4 comments
Chapter 10 - Monitoring and Implementation Framework	2 comments
Non-Allocation of site allocations	3 comments

Main issues raised in those representations and the Council's Response

Table 37: Comments on Publication Draft Minerals and Waste Policies and Allocations Document - Comments assigned to the document

Respondent	Main Issues Raised	Summary of Council Response
Gateshead Council (Comment Number 41)	The main cross boundary issue is the future of Birtley Quarry in County Durham, which supplies the Union Brickworks in Gateshead. This relationship is recognised in the supporting text of CDP Policy 52.	Comment noted.
Cumbria Council (Comment number 43 and 44)	No objection or comments to make. Cumbria County Council cannot demonstrate a 7-year landbank for sand and gravel and there is a supply issue in the North West region. The amount of sand and gravel sales from Cumbria recorded as going to County Durham is insignificant. The issue of sand and gravel supply does not constitute a significant cross-boundary issue between our two authorities. There are no issues relating to waste management or disposal that constitute a significant cross-boundary issue between our two authorities. Will discuss content of Statement of Common Ground if that would be helpful,	Comment noted.
Sunderland Council (Comment Number 40)	No objections or comments to make. In relation to cross boundary matters pertaining to minerals and waste between our authorities, the Council believes there are no outstanding matters which would require Statement of Common Ground.	Comment noted,
Eldon Parish Council (Comment Number 42)	Supportive of the proposals.	Support welcomed.
Coal Authority (Comment Number 63)	No specific comments to make.	Comment noted.
Environment Agency (Comment Number 68)	We consider that the plan is sound.	Support welcomed.
Historic England (Comment Number 16)	The policy follows NPPF guidance and considers the impact of the development on the environment. We do not have any further specific comments.	Support welcomed.
Mineral Products Association (Comment Number 17)	We have highlighted where we believe improvements could be made to the text by drawing through suggested deletions and underlining bold text for insertions. We thank the Council for largely clarifying the points raised in our initial comments submitted on 5th November 2021. Current Wording "Council" or Councils "The plan uses both referring to the same document. Suggested amendment - Suggest using one or the other	Comments noted. The Inspector is recommended to consider amendments to paragraph 1.14, 1.16, 1.20, 1.21, 4.9, 4.97, 10.2 and footnote 9 replace Councils with Council's. The Inspector is recommended to consider amendments to

		paragraph 4.13, 4.17, 4.20 and 4.23 to replace Council' with Council's. See Schedule of Minor Modifications.
Shincliffe Parish Council (Comment number 65)	The Council, as part of its minerals and waste policy, should facilitate the exploring of opportunities to use mine water to heat and cool homes and businesses.	Comment not accepted. The Minerals and Waste Policy and Allocations Document is not intended to address mine water to heat and cool homes and businesses. Geothermal power from mine water is addressed by CDP Policy 33 (Renewable and Low Carbon Energy).

Table 38: Comments on Chapter 1 of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
Mineral Products Association (Comment Number 18)	Paragraph 1.17 - The importance of some industrial minerals and building stones within Durham would suggest that downstream markets for such go beyond "adjoining" minerals and waste planning authorities.	The Council liaises and discusses matters of mutual concern with other Council's as necessary. The Council's approach in relation to minerals and waste is evidence led as informed by our knowledge of mineral resources, mineral working, waste arisings and waste management in County Durham. For example, in relation to aggregate mineral resources we have regard to supply relationships as documented in the National Aggregates Survey 2019. The Council's latest Local Aggregate Assessment (April 2023) also documents what consideration the Council has had to other Local Aggregate Assessments. Details of recent Duty to Cooperate Activities are set out in the Duty to Cooperate Compliance Document, 'Minerals and Waste Policies and Allocations Development Plan Document: Duty to Cooperate Statement' (May 2023). Paragraph 1.15 of the Publication Draft also explains how, all strategic matters relating to both minerals and waste were addressed during the preparation of the County Durham Plan and at that time Statements of Common Ground, documenting the cross-boundary matters being addressed and progress in

		cooperating to address these matters, were produced.
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Table 39: Comments on Chapter 4 Paragraphs 4.1 to 4.10 of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
CPRE (Comment Number 1)	Paragraph 4.3. We question the sentence which reads "These policies will need to be read alongside the policies and provisions of the M&WDPD". We believe the sentence should read "The Policies in the M&WDPD will need to be read alongside the provisions of the CDP and in the event of any disparity, the provisions of the CDP will prevail".	Comment not accepted. The policies of the Minerals and Waste Policies and Allocations document are intended to complement the policies of the County Durham Plan.
Mineral Products Association (Comment Number 19)	Paragraph 4.4 - Minerals developments should also be determined in accordance with National Planning Policy. Suggested Amendment - "Mineral and waste developments within the county requiring planning permission must therefore be determined in accordance with national planning policy, the policies contained within the CDP and once adopted the M&WDPD".	Comment partially accepted. The Inspector is recommended to consider the following wording amendment. Paragraph 4.4 sentence one, "Mineral and waste developments within the county requiring planning permission must therefore be determined in accordance with national planning policy the policies contained within the CDP and once adopted the M&WDPD unless material considerations indicate otherwise".

Table 40: Comments on Policy MW1 (General criteria for considering minerals and waste development) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
Environment Agency (Comment Number 47)	Whilst we fully support Policy MW1 (General criteria for considering minerals and waste development), we wish to highlight that mine water and water abstraction is no longer mentioned within Policy MW1. It would be our preference that mine water and water abstraction continues to be referenced within Policy MW1. However, if this is not to be the case, we would recommend that these risks are considered fully at the planning application stage.	The only references to mine water and water abstraction in the Draft Plan were in the contents page, Policy MW1 itself and the heading in Policy MW1. The other reference was in paragraph 8.30. There was no supporting text in Policy MW1 to these matters. Mine water and water abstraction are addressed by Policy MW19 Water Resources and its supporting text. The provisions relating to surface water and groundwater in Policy MW1 and the supporting text are considered to be sufficient.
Church Commissioners (Comment number 36)	Policy MW1 outlines the General Criteria against which any application for minerals and waste development will be considered. The criteria outlined within this policy are reasonable and are likely to ensure that unacceptable adverse impacts are avoided. The inclusion of	Support welcomed.

	<p>separation distances between minerals and waste development and occupied residential dwellings, calculated on a site-by-site basis, is also supported. The approach taken within Policy MW1 will ensure that flexibility is retained for applications to be considered to meet demand and clearly outlines the key considerations of any planning application.</p>	
<p>CPRE (Comment number 2)</p>	<p>Parts of County Durham are important for fossil remains. This may form part of the Geodiversity provisions in this policy, but there is no reference to this in the text. This should be addressed in the Policy and the text.</p> <p>Paragraph 4.13 should clarify that all types of noise will need to be addressed including infrasound.</p> <p>While habitats are important, if work results in species being displaced and those species are not properly accounted for, there will be a net biodiversity loss rather than a gain. In view of the provisions of the Environment Act 2021, we represent that this is very important.</p>	<p>Fossils - County Durham's geology does contain a wide range of rocks which have proved to contain fossils and whilst mineral working has enabled geological exposures containing fossil to be exposed including a number of sites which are recognised for their geological importance. However, it is not necessary for Policy MW1 to specifically address fossil remains. Policy MW1 seeks to ensure that that proposals will not result in individual or cumulative unacceptable adverse impacts on geodiversity including nationally and locally protected sites. Policy MW20 (Mineral Site Restoration, Landfill and Landraise) has been prepared to address the restoration and after use of mineral, landfill and landraise sites. It seeks to ensure that proposals 'Are designed to mitigate the effects of the development and provide environmentally beneficial enhancements including where appropriate those which' amongst other matters provide benefits to geodiversity.</p> <p>Noise - It is not necessary to address infrasound (sound waves with a frequency below the lower limit of human audibility (generally 20 Hz)). We are not aware of any evidence that such sound levels affect human health. The noise criterion in MW4 (Noise) have been prepared to reflect the PPG (Minerals) and following the consideration of comments upon the Draft Plan the waste criterion reflects BS4142 (Methods for rating and assessing industrial and commercial sound) and local authority technical advice notes on noise.</p> <p>Biodiversity – Noted.</p>

<p>Mineral Products Association (Comment Number 20)</p>	<p>Page 20. 3rd Bullet Point - It is not clear how Air pollution can impact upon the historic environment. It would be helpful to explain how to justify this comment.</p>	<p>Some pollutants such as sulphur dioxide (form sulphates) are known to impact on the visual appearance of buildings. Some fractions of dust that can be expected to be of a larger size with the potential for dust deposition on the surface of buildings. Sulphur dioxide impact by forming sulphates that attack buildings and cause discoloration. There are also fine particulates (PM2.5) and NOx from diesel emissions that form pollutants in the atmosphere impacting on the porosity and 'brittleness' of building materials. Pollutants can form acids that will attack building materials comprising of stone and ferrous metals.</p>
<p>Mineral Products Association (Comment Number 21)</p>	<p>Paragraph 4.17 - Whilst we recognise the importance of minimising the impact upon the landscape, avoiding breaching the skyline may not always be possible. The wording should reflect this. This wording would be consistent with paragraph 4.19.</p>	<p>Comment partially accepted. The Inspector is recommended to consider the following wording amendment, Paragraph 4.17 sentence three "Proposals should also seek to avoid creating visually prominent extraction areas and orientate working faces to minimise their visibility, <u>where possible</u> avoiding breaching local skylines"</p>
<p>Mineral Products Association (Comment Number 22)</p>	<p>The Historic Environment - Quarries provide appropriate materials to ensure the historic environment and local vernacular can be maintained.</p>	<p>Comment not accepted. It is not considered necessary to amend the supporting text to refer to quarries role in providing appropriate materials to ensure the historic environment and local vernacular can be maintained. Paragraph 2.2 already provides sufficient context. This paragraph states, "The minerals worked from County Durham's many quarries contribute to the local economy including through employment and as essential raw materials".</p>
<p>Mineral Products Association (Comment Number 23)</p>	<p>Paragraph 4.24 - Current Wording - "Mineral working by its very nature can result in the removal of limestones and sand which form part of aquifers". MPA Comment -The inference on this sentence is not correct. It suggests all limestone and sands are part of aquifers. Reword the sentence accordingly</p>	<p>Comment not accepted. The majority of County Durham is either designated as a Principal or Secondary Aquifer. For example, the principal aquifer in County Durham underlies East Durham and consists of the Magnesian Limestone succession and underlying basal Permian sands. Similarly, the carboniferous limestone worked in West Durham forms part of the Secondary Aquifer. Sand and gravel resources form part of either the Principal Aquifer (Basal Permian Sands) or secondary aquifer (fluvial and glacial sand and gravel).</p>
<p>British Horse Society (Comment Number 57)</p>	<p>Paragraph 4.29 - Support. Wherever Public Rights of Way are mentioned the best value for money should be considered therefore protection of</p>	<p>Support welcomed. Comments accepted. The Inspector is recommended to consider the following wording amendment. Paragraph 4.29</p>

	<p>routes is imperative and the restoration and aftercare of sites should provide routes for the most users including equestrians. As footpaths are part of the Rights of Way network the BHs recommends the following wording: 'Applicants should demonstrate the acceptability of the proposed development in relationship to traffic and transportation as well as any impacts on the public rights of way and multi-user path network.'</p>	<p>final sentence, 'Applicants should demonstrate the acceptability of the proposed development in relationship to traffic and transportation as well as any impacts on the public rights of way and Multi-use path footpath network.'</p>
<p>Mineral Products Association (Comment Number 24)</p>	<p>Paragraph 4.33 - Regarding wording which refers to 'maximise the use of sustainable forms of transport'. It should be recognised that in achieving net zero, the industry is currently constrained by the availability of LEVs which have the ability to transport bulk materials. This will come in time and is being pursued and supported by the industry. However, as with private road vehicles, this cannot happen over night. Further, it is not simply about having "railways nearby with available capacity", it also requires appropriate infrastructure at both ends of the supply chain to load and off load materials. These comments are reflected in Para 4.67-4.70. Replace "seek to maximise" with 'encourage'.</p>	<p>We agree with the comments made in relation to the transition to net zero, the constraints the industry faces as all sectors seek to decarbonise, and that this will take time in accordance with the Government's Transport Decarbonisation Plan. We agree with the comments in relation to rail transport. It is agreed that these comments are reflected in paragraphs 4.67 to 4.70. The Inspector will need to consider whether 'encourage' would be a word which is more consistent with NPPF Section 9 (Promoting Sustainable Transport) and specifically paragraph 110a which requires planning authorities, 'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:', 'appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;'</p>

Table 41: Comments on Policy MW2 (Mineral Exploration) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
<p>Mr Keith Tallentire (Comment Number 49)</p>	<p>Prior to any permission up to date evidence is obtained regarding the extent and mineral resource. The policy should also be used as the basis for Periodic Review applications.</p>	<p>These comments emanate from a desire to prevent further mineral working at Hawthorn Quarry at which a new scheme of working and restoration conditions are currently being considered by the Council²².</p>

²² (Planning reference DM/17/04033/MIN - Environment Act 1995: Periodic Review of Mining Sites. Application for the determination of new planning conditions for working and restoration relating to Planning Permission No. IDO/5/1). (Planning reference 8/MRA/5/1 - Environment Act 1995: Periodic Review of Mining Sites. Application for the determination of new planning conditions for working and restoration relating to Planning Permission Nos CA25968, CA42376, CA45928, CA47394 and 5/81/274CM).

		<p>There is no doubt regarding the quality of permitted reserves at Hawthorn Quarry. Following a request from the Council relating to the geology and mineral resources within Hawthorn Quarry as part of the consideration of the South of Seaham Garden Village application Tarmac provided an update on the reserves in the quarry in May 2018. Tarmac advised the Council that the reserve tonnage in the site was 12,004,000 tonnes including 2,971,000 tonnes of Roker Dolomite & Reef Limestone and 9,003,000 tonnes of Ford High Purity limestone.</p> <p>The high-grade resources at Hawthorn Quarry are protected through the provisions of CDP Policy 57 (The Conservation and Use of High-Grade Dolomite).</p>
<p>CPRE (Comment Number 3)</p>	<p>It should be clarified that Policy MW20 includes mineral exploration under Policy MW2 as well as mineral workings.</p>	<p>It would not be appropriate or proportionate for the provisions of Policy MW20 to apply to any mineral exploration activities permitted in accordance with Policy MW2. Policy MW20 is intended to apply to proposals for mineral working only. The supporting text of MW2 provides a clear guide to what is intended.</p> <p>Paragraph 4.41 explains that 'Most mineral exploration activities are of relatively short duration and have a limited environmental impact'.</p> <p>Paragraph 4.41 advises in relation to Trial Pits and shallow boreholes that, 'The pits and shallow boreholes are backfilled and reinstated after the information is collected'.</p> <p>Paragraph 4.41 advises in relation to Deep Boreholes advises, 'The main considerations associated with deep boreholes include visual impact, noise, access to land and water pollution. For all such proposals it will be necessary that drilling rigs, well sites and all other associated facilities and infrastructure associated with exploration and appraisal are sited in the least sensitive location from which the target reservoir can be accessed, and that exploration and appraisal operations are agreed for a temporary period and that a comprehensive restoration strategy is agreed, together with a scheme of after-use and aftercare'.</p>

Northern Lithium (Comment Number 33)	Northern Lithium supports the three key policies specifically relating to lithium exploration and production. The overall approach to a planning policy for lithium extraction in County Durham is effectively supported in principle by these policies. The overall requirement for a staged approach to development (of exploration and appraisal prior to full extraction) is considered sound	Support welcomed.
Minerals Products Association (Comment number 25)	Paragraph 4.41 - Reference is usually made to permitted development under the GPDO and as such it may be worth adding the word development for clarity.	Comment accepted. The Inspector is recommended to consider the following wording amendment, Paragraph 4.41 amend sentence to read, 'However, where the proposed mineral exploration is not classed as ' permitted development ' and planning permission is sought, it is important for safeguards to be in place to minimise the environmental, amenity and long-term impacts of the development.'
Church Commissioners (Comment Number 69)	Policy MW2 relates to Mineral Exploration and supports mineral exploration to identify mineral resources where this meets the requirements of other policies within the Local Development Framework. This approach is supported, particularly in the context of critical minerals, including the current lithium explorations being undertaken in Weardale, for which a staged approach of exploration and appraisal prior to full extraction is necessary (as outlined within Draft Policy MW14). This approach to exploration will ensure that the sub-surface assets of the County can be fully understood prior to extraction, minimising the likelihood of any unnecessary impacts on residents of the County and the Local Environment.	Support welcomed.

Table 42: Comments on Policy MW3 (Benefits of Mineral Extraction) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
Church Commissioners (Comment Number 37)	Policy MW3 is supported and reflects the relevant elements of the NPPF which places great weight on the benefits of minerals extraction. The current changing global circumstances are likely to increase demand on mineral resources in the UK, the potential benefits are therefore significant. We fully	Support welcomed.

	support the consideration of these potential benefits at planning application stage	
Northern Lithium (Comment Number 34)	Northern Lithium supports the three key policies specifically relating to lithium exploration and production. The overall approach to a planning policy for lithium extraction in County Durham is effectively supported in principle by these policies. The overall requirement for a staged approach to development (of exploration and appraisal prior to full extraction) is considered sound. The emphasis in the policies reflects the NPPF requirement to place great weight on the benefits of mineral extraction.	Support welcomed.
Mr Keith Tallentire (Comment Number 50)	<p>Policy MW3 - Economic benefit - That employment benefits be considered as “net” with potential associated job losses being taken into consideration.</p> <p>Policy MW3 - Environmental benefits – The policy does not consider the damage to the environment during extraction. The policy should refuse permission within say 3 miles of a SSSI. This would protect sites closer to areas which are used by the public for exercise for example walkers, horse riders etc, where evidence suggests that these activities have a positive health outcome.</p>	<p>These comments emanate from a desire to prevent further mineral working at Hawthorn Quarry, at which a new scheme of working and restoration conditions are currently being considered by the Council²³. Mineral working provides a small but important number of jobs. However, modern mineral working is not generally an employment intensive industry due to its mechanised nature. The proposed benchmark for employment is not accepted it would prevent all future mineral working in County Durham. MW3 is not intended to focus on adverse environmental effects. This is addressed by Policy MW1 which sets out the M&WDPDs overarching policy from protecting the environment, amenity and human health. The proposed provisions in relation to SSSIs would not be consistent with the NPPF Section 15 (Conserving and enhancing the natural environment) or CDP Policy 43 (Protected Species and Nationally and Locally Protected Sites).</p>
British Horse Society	Paragraph 4.47 - BHS supports paragraph 4.47. Wherever Public Rights of Way are mentioned the best value for money should	Support welcomed. Policy MW1 criterion 3 refers to the public rights of way network. Policy

²³ (Planning reference DM/17/04033/MIN - Environment Act 1995: Periodic Review of Mining Sites. Application for the determination of new planning conditions for working and restoration relating to Planning Permission No. IDO/5/1). (Planning reference 8/MRA/5/1 - Environment Act 1995: Periodic Review of Mining Sites. Application for the determination of new planning conditions for working and restoration relating to Planning Permission Nos CA25968, CA42376, CA45928, CA47394 and 5/81/274CM).

(Comment Number 58)	be considered therefore protection of routes is imperative and the restoration and aftercare of sites should provide routes for the most users including equestrians.	MW1 seeks to permit proposals for minerals and waste development where it can be demonstrated that the proposal will not result in unacceptable individual or cumulative impacts. Policy MW20 addresses the restoration and after use of sites.
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Table 43: Comments on Policy MW4 (Noise) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
CPRE (Comment Number 14)	Consideration must be given to the fact that noise may be unreasonable, even if it does not cross the threshold mentioned in MW4.1c. Indeed, if this is a measured average over a 1-hour period, there may well be peaks which are unacceptably loud, especially at night. In respect of Point 2.d, we represent that, as suggested by the acoustician, this lacks clarity and should be improved	Policy MW4 criterion 1c is consistent with the advice contained within the Planning Practice Guidance (Minerals) Paragraph: 021 Reference ID: 27-021-20140306 Revision date: 06 03 2014. Policy MW4 1d addresses peak noise and states that, 'separate limits may be set independent of background noise and will not be allowed at night.' This is consistent with the Planning Practice Guidance (Minerals) Paragraph: 021 Reference ID: 27-021-20140306 Revision date: 06 03 2014. Policy MW 1d reflects the Planning Practice Guidance (Minerals) Paragraph: 021 Reference ID: 27-021-20140306 Revision date: 06 03 2014 and does not lack clarity.

Table 44: Comments on Policy MW5 (Air Quality & Dust) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
CPRE (Comment Number 4)	We question the part which reads, or which would result in adverse impacts on air quality, on an Air Quality Management Area within the County or as a result of dust emissions." Does this refer only to air quality within an AQMA? Is the comma in this part of the policy a typographical error? Surely air quality should be protected whether the site lies within an AQMA or not, and this would appear to be the thrust of Policy 31 of the CDP. The reference to "dust emissions" at the end appears to be a "tag on" and we are unsure exactly how it fits within the general ambit of this Policy. Also, does the Policy cover only dust emissions from within the site or as a result of dust coming	The policy relates to air quality, including in an Air Quality Management Area and dust arising from site activities including on minerals and waste sites including landfill sites. The comma is not a typographical error. The scope of Policy MW5 was expanded following consultation on the Draft Plan from a policy on dust to at the Publication Draft stage to a policy on air quality and dust. In relation to sites where dust may arise the policy covers all dust generating activities from a site. In relation to access roads, paragraph 4,61 is clear that 'to minimise and control dust emissions, dust control equipment and dust suppression measures may be

	<p>from any access road as a result of such activity? Perhaps therefore the Policy could read: Policy MW5 - Air Quality and Dust Proposals for mineral and waste development will only be permitted where it can be demonstrated that the proposed development will not have an unacceptable adverse impact either individually or cumulatively on the environment, local amenity or human health 1) through the emission of one or more air quality pollutants or which would result in adverse impacts on air quality (particularly in an Air Quality Management Area within the County) or 2) as a result of dust emissions, whether resulting from activities within the site or from traffic to and from it".</p>	<p>required in relation to vehicular movements.....'. This paragraph also explains some of the equipment and measures which can be deployed. The Council notes the suggested improvements to the policy and would be agreeable if the Inspector were to recommend subdividing the policy to provide individual policy criterion as follows, "1. through the emission of one or more air quality pollutants or which would result in an unacceptable adverse impacts on air quality (including within an Air Quality Management Area within the County); 2. or as a result of dust emissions from dust generating activities within a site".</p>
<p>Mineral Products Association</p>	<p>Paragraph 4.60 - The basis of the 1000m distance is unclear. We believe quoting such as distance without a sound evidence base is unhelpful and may be confusing and misused. We suggest the plan includes evidence to support the 1000m distance referred to or the sentence is deleted, as earlier policies refer to separation distances being site specific in accordance with the PPG. Delete sentence, 'If the proposed minerals and waste development is expected to produce fine particulates (PM10) dust, and these are likely to exceed air quality objectives for the area, additional measures may need to be put in place if the actual source of emission is within 1000m of any residential property or other sensitive land use'.</p>	<p>The Council's response to this objection from the Minerals Product Association is addressed in full in the Statement of Consultation Regulation 18 Draft Plan (November 2022), see pages 48 and 49. In summary the 1000m distance threshold is referred to in the Dust Site Assessment flow chart (Paragraph: 032 Reference ID: 27-032-20140306 Revision date: 06 03 2014). The basis for the 1000m distance which is referred to is the research carried out by Arup Environmental/ Ove Arup and Partners²⁴ in 1995 on behalf of the Department of the Environment which addressed the environmental effects of dust from surface minerals workings and the University of Newcastle upon Tyne²⁵ in 1995 on behalf of the Department of Health and the Department of Environment, Transport and the Regions, which considered whether particulates from opencast coal mining impair children's respiratory health. Their advice was incorporated into the Technical Guidance to the National Planning Policy Framework (March 2012) which advised that, "additional measures to control PM10 might be</p>

²⁴ Arup Environmental/Ove Arup & Partners 1995. The Environmental Effects of Dust from Surface Minerals Workings. Report on behalf of the Department of the Environment.

²⁵ University of Newcastle upon Tyne, 1999. Do Particulates from Opencast Coal Mining Impair Children's Respiratory Health? Report on behalf of the Department of Health and the Department of the Environment, Transport and the Regions (TSO).

		<p>necessary if, within a site, the actual source of emission (e.g., the haul roads, crushers, stockpiles etc.) is within 1,000m of any residential property or other sensitive use.</p> <p>In addition, the distance of 1000m (1 km) is also detailed in Government Guidance on Air Quality (Technical Guidance TG 22: Local Air Quality Management) issued by DEFRA. This includes the requirement for further screening of fugitive/uncontrolled sources of dust emissions (potential for PM10 emissions which is an air quality pollutant). For the screening of fugitive/uncontrolled sources the distance of 1 km (1000m) is stipulated in the guidance. Further screening of the air quality is required where there are sensitive receptors within this distance from the source and there is potential for the annual mean air quality objective for PM10 to be exceeded.</p>
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Table 45: Comments on Policy MW7 (Traffic and Transport) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
British Horse Society (Comment Number 54)	<p>The BHS objects to Policy MW7 criterion 3(a), this part of policy excludes equestrians as vulnerable road users, equestrians are being marginalised with walkers and cyclists being favoured. Equestrians are excluded, the arguments for inclusivity of walkers and cyclists can be extended to equestrians using the mechanism of the Equality Duty. This is a form of discrimination.</p> <p>This policy should read: 'They provide safe and suitable access for all employees and visitors which optimises where practicable the use of public transport, non-motorised users; and' or 'They provide safe and suitable access for all employees and visitors which optimises where practicable the use of public transport, walking, cycling and horse riding; and'. We would recommend sharing the relevant BHS advice leaflets (which can be found on our website, on construction sites which should be adhered to during operations and following restoration of the site as well as Developers Planners are shared with applicants</p>	<p>Policy MW7 (Traffic and Transport) is the key policy for determining the acceptability of the traffic and transportation effects of minerals and waste development. Policy MW7 3a relates to safe and suitable access for all employees and visitors to minerals and waste management sites. This policy criterion is considered to be consistent with the provisions of National Planning Policy Framework paragraph 104c and is also consistent with National Planning Policy Framework paragraph 110a and 110b. The Council does not consider that it is realistic that any employees or visitors are likely to access minerals and waste sites by horseback. We do recognise that there is a valid point about considering the safety impact of vehicular traffic generated by a development on all vulnerable road highways users. However, criterion a) does already seek to ensure proposals provide 'safe and suitable access for all employees and visitors' and criterion b) already seeks to ensure that 'vehicular traffic generated by the proposed</p>

	<p>and highlighted during the construction phase.</p>	<p>development does not have an unacceptable adverse effect on highway safety.....'. Regarding comments in relation to the Equality Duty, an Equality Impact Assessment has been prepared by the Council to accompany the Publication Draft. It considered all protected characteristics. It concluded that the Publication Draft Minerals and Waste Policies and Allocations Document would have no actual or potential negative or positive impact on protected characteristics.</p>
<p>CPRE (Comment number 5)</p>	<p>While we welcome the provisions of this Policy, we represent that there are issues that it does not cover which should be important in the planning process. We consider that these are</p> <p>1) the impact on amenity, particularly residential amenity. Policy 10 of the CDP, in particular Point r, is also relevant. Along minor roads the impact of HGVs may have a significant adverse impact both on residential and general amenity and should be taken into account.</p> <p>2) The nature and condition of any highway accessing the quarry. Again, this is unlikely to be an issue with major roads but where access is proposed along a minor road, it could lead to significant damage. Point 4b of the Policy refers to highway improvements and maintenance, that does not address the issue of damage as a result of access along unsuitable roads.</p> <p>3) Point 4c rightly requires steps to be taken to ensure mud and dirt are not brought onto the public highway. This however does not address mud and dirt on private access roads which may still cause dust problems, as we have mentioned in relation to Policy 5. Such access roads could be close to residential properties or public rights of way where dust issues could be a major cause of problems. Indeed, the Policy as worded appears to consider that such access roads may be a suitable means of ensuring mud and dirt is not taken onto the public highway, without considering the impact that may arise from mud and dirt on such access roads themselves.</p>	<p>1) CDP Policy 10 criterion r) refers to 'residential or general amenity'. The terminology the Council has sought to use, unless otherwise necessary, in the Minerals and Waste Policies and Allocations Document is simply 'amenity'. A number of recommended minor modifications are proposed to remove reference to 'local' prior to 'amenity to ensure consistency. Amenity is considered, see, Policy MW1 criterion 1 specifically addresses the amenity of local communities. See also supporting text in paragraph 4.29 and 4.30. See also especially Policy MW7 criterion 3b, 4 and paragraph 4.66 and 4.73.</p> <p>2) Heavy Goods Vehicles which are road worthy are able to use all adopted roads unless a Traffic Regulation Order is in place restricting use to vehicles by a weight limit. In addition to matters addressed by Policy MW7 including 4b which addresses both highway improvements and/or maintenance, the Highways Authority in exceptional circumstances can seek money under Section 59 of the 1980 Highways Act²⁶ for the recovery of expenses due to extraordinary traffic. It provides for the highway authority to recover the cost of excess expenses incurred in repairing roads damaged by an operator causing excessive weight or extraordinary traffic to pass along a highway.</p> <p>3) In terms of roads the Council's responsibility as Highways Authority is the adopted public highway. Policy MW7 criterion c) seeks to prevent the transfer of mud and dirt onto the public highway by measures such as the provision of wheel cleaning facilities, suitably</p>

²⁶ <https://www.legislation.gov.uk/ukpga/1980/66/section/59>

		metalled roads, the sheeting of laden vehicles or other appropriate conditions. Policy MW5 addresses dust which could result from dust generating activities, with detailed guidance set out in paragraphs 4.59 to 4.61. It also refers to guidance within the PPG (Minerals). Where necessary planning applications will be required to provide a dust assessment and action plan. It is incorrect that the Policy considers that, 'such access roads may be a suitable means of ensuring mud and dirt is not taken onto the public highway, without considering the impact that may arise from mud and dirt on such access roads themselves'.
Mineral Products Association (Comment Number 27)	Paragraph 4.72 - The wording of the paragraph uses both Traffic Assessment & Transport Assessment. MPA Comment - We feel consistency is required and the latter term should be used.	Comment accepted. The Inspector is recommended to consider the following wording amendment, Paragraph 4.72, sentence 1, "Planning applications for minerals and waste development which generate large volumes of movements should be accompanied by a Traffic Transport Assessment identifying the effect on the highway network of traffic generated by the proposed Development."
Mr Keith Tallentire (Comment Number 51)	The policy should be stronger on forcing transportation onto more greener routes such as rail or water. The policy could do this by stating that developments in close proximity of a current operational rail line (say 0.5km), and which have a previous history of moving mineral from the site by rail would be required to reinstate this mode of transportation. The policy should also lay stricter limits on the number of vehicle movements. It appears that currently this is determined by the total resource left in the quarry divided by days remaining in the permission and bears no relation to the road network capacity or local environment.	These comments emanate from a desire to prevent further mineral working at Hawthorn Quarry at which a new scheme of working and restoration conditions are currently being considered by the Council ²⁷ . Paragraph 4.67 explains that 'Almost all minerals and waste in County Durham are transported by road and significant quantities are also transported in and out of the County to adjoining areas, such as Tyne and Wear and the Tees Valley which are regionally significant centres of demand for aggregates and important sources of waste and the location of regionally important waste management facilities.'" It also explains that 'The extent and complexity of vehicle movements in combination with the lack of navigable waterways and limited rail infrastructure means that there are currently very limited

²⁷ (Planning reference DM/17/04033/MIN - Environment Act 1995: Periodic Review of Mining Sites. Application for the determination of new planning conditions for working and restoration relating to Planning Permission No. IDO/5/1). (Planning reference 8/MRA/5/1 - Environment Act 1995: Periodic Review of Mining Sites. Application for the determination of new planning conditions for working and restoration relating to Planning Permission Nos CA25968, CA42376, CA45928, CA47394 and 5/81/274CM).

		<p>opportunities for more sustainable modes of non-road transport.’</p> <p>To enable future rail movement the CDP safeguarded minerals related transportation infrastructure including rail lines and alignments, rail links to quarries and railheads which could facilitate the sustainable transport of minerals by rail and by sea. Policy MW8 provides the basis to determine proposals for new mineral rail handling facilities. Nonetheless the policy seeks to encourage the use of sustainable forms of transport and the minimisation of greenhouse gas emissions where opportunities exist and are practicable and economic. “It requires that where the movement of minerals by rail is feasible as part of new or extended mineral workings, applicants will be required to consider such movements from both existing and new rail handling facilities. Proposals for the establishment of new mineral rail handling facilities will be considered in accordance with Policy MW8 (Mineral Rail Handling Facilities).</p> <p>Paragraph 4.77 explains that “Potentially opportunities may arise for new facilities which lie along the route of existing safeguarded railways and in locations which may serve several quarries”.</p> <p>Vehicle movements from minerals and waste sites are always carefully considered by the Council following consideration of transport assessments or transport statement (Policy MW7 criterion 1). In accordance with Policy 7 criterion 3b the Council will seek to ensure that, ‘Vehicular traffic generated by the proposed development does not have an unacceptable adverse impact on highway safety on the strategic or local road network (in terms of capacity and congestion). Any unacceptable highways impact resulting from the development should be avoided or mitigated to acceptable levels.</p>
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Table 46: Comments on Policy MW11 (Periodic Review of Mineral Planning Permissions) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
CPRE (Comment Number 6)	The Policy does not refer to Liaison Groups although these are mentioned at paragraphs 4.97 and 4.98. While many of the issues discussed at a Liaison Committee may not have planning implications, where a particular planning matter is considered and the Liaison Committee makes a decision in respect of it, we represent that this should be a material consideration. Point 2 of this Policy be amended by adding the words "(in particular any amenity issues agreed by a relevant Liaison Committee)".	This policy is not intended to refer to local liaison groups. Such groups are addressed in paragraph 4.97 and 4.98. Paragraph 4.97 explain their role, they are not decision-making forums. It is a matter for the Council as the decision maker to determine what matters do or do not constitute a material planning consideration when determining planning applications. The Council has previously prepared a note on Material Planning Considerations (December 2012) which acts as a guide setting out the scope of matters that can and cannot be considered as material considerations. Further guidance on what is a material planning consideration is set out in the Planning Practice Guide (Determining a Planning Application) (Paragraph: 008 Reference ID: 21b-008-20140306 Revision date: 06 03 2014).

Table 47: Comments on Policy MW12 (Oil and Gas Exploration, Appraisal and Production) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
CPRE (Comment Number 7)	1) The Policy should reflect Government Policy on oil and gas extraction, which may differ from the latest version of the NPPF. 2) The Policy should refer to Biodiversity in a similar way to Policy MW14. Oil and Gas could be found in similarly sensitive areas and therefore we represent that there should be a similar reference here.	1) Policy MW12 has been drafted in order to be consistent with the NPPF and advice within the PPG. Paragraph 5.3 provides an overview of Government Guidance including the reconfirmation of the presumption against issuing any further Hydraulic Fracturing Consents in England which was confirmed in October 2022. On the 22nd of December 2022 the Government consulted on proposed changes to the NPPF. It is noteworthy because no changes were proposed to NPPF Section 17 (Facilitating the sustainable use of minerals). 2) Comment not accepted Policy MW14 specifically refers to 'internationally, nationally and locally protected sites and protected species among other matters including 'protected landscapes' and 'conservation areas and other heritage assets and adverse impacts on tourism and upon amenity' in this particular way, due to the high environmental sensitivity of West Durham where the Vein

		Minerals, Metalliferous minerals, Lithium and Silica Sand resources are known to occur in County Durham. Policy MW12 does not have geographical scope currently as there are no extant onshore oil and gas licenses within County Durham currently. Potentially oil and gas licenses may be issued in County Durham by the Government over the plan period (the previous three onshore licensing rounds were launched in 2001, 2007 and 2014). Should licenses be issued all relevant plan policies and material considerations will be considered should an application subsequently be submitted seeking planning permission.
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Table 48: Comments on Policy MW13 (Transport of Oil and Gas) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
CPRE (Comment Number 6)	<p>We note the provision in paragraph 5.16 that pipelines should be below ground. As text is not policy, we represent that the Policy should reflect this. Pipelines are likely to be in sensitive areas and they should always be placed underground unless there is very good reason for them not to be. The Policy should make this clear, not just a reference tucked away in the text.</p> <p>In addition, as with our representations in relation to Policy MW12, we represent that this policy should also refer to Biodiversity, as per Policy MW14</p>	<p>1) Comment accepted. The Inspector is recommended to consider the following wording amendment, Policy M13 first sentence, 'Oil and Gas should normally be transported from production well by underground pipeline'.</p> <p>2) Comment not accepted Policy MW14 specifically refers to 'internationally, nationally and locally protected sites and protected species among other matters including 'protected landscapes' and 'conservation areas and other heritage assets and adverse impacts on tourism and upon amenity' in this particular way, due to the high environmental sensitivity of West Durham where the Vein Minerals, Metalliferous minerals, Lithium and Silica Sand resources are known to occur in County Durham. Policy MW13 does not have geographical scope currently as there are no extant onshore oil and gas licenses within County Durham currently.</p>

Table 49: Comments on Policy MW14 (Vein Minerals, Metalliferous minerals, Lithium and Silica Sand) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
Church Commissioners (Comment Number 38)	The policy and its supporting text outlines support for such proposals where the proposals do not have unacceptable adverse impacts on the environment, human health or the	Support welcomed.

	<p>amenity of local communities, and where they align with the criteria set out within Draft Policy MW1. The Policy also outlines additional requirements for such applications and with regard to lithium extraction, requires a phased risk-based approach, which is also supported as justified and sound.</p> <p>The supporting text for Draft Policy MW14 recognises the likely increased demand for lithium and the value of this resource, which is identified as a strategic metal by the UK. We support the County Council's approach to the consideration of applications relating to the extraction of lithium and other metalliferous minerals which will be effective in the context of increased national and global demand.</p>	
<p>Northern Lithium (Comment Number 35)</p>	<p>Northern Lithium supports the three key policies specifically relating to lithium exploration and production: Policy MW2 - Mineral exploration; Policy MW3 - Benefits of mineral extraction; and – Policy MW14 Vein minerals, metalliferous minerals, lithium and silica sand.</p> <p>The overall approach to a planning policy for lithium extraction in County Durham is effectively supported in principle by these policies. The overall requirement for a staged approach to development (of exploration and appraisal prior to full extraction) is considered sound. The emphasis in the policies reflects the NPPF requirement to place great weight on the benefits of mineral extraction. NLI considers that the policies are positively prepared, justified, likely to be effective and consistent with national policy.</p> <p>The focus of the plan is for lithium to be associated with “traditional” surface and deep mining of other metalliferous minerals, vein minerals and silica sand. Extraction of lithium from saline brines is a very different form of mineral extraction, not least that it has a considerably smaller footprint, comprising boreholes and related industrial buildings rather than excavation voids. In addition, extraction of lithium requires</p>	<p>Support Welcomed. Lithium was only recognised by the UK Government as a critical mineral in 2022. Proposals for the exploration, appraisal and production of this mineral are in its earliest stages in the UK and in County Durham. The Council does not consider that a separate policy is currently required on Lithium, and it is noted that no suggested wording amendments have been proposed in response to the consultation upon the Publication Draft. Policy MW14 criterion 2 has been specifically prepared to address proposals for Lithium extraction and is supported by paragraphs 6.12 to 6.14. Other provisions of Policy MW14 would also be relevant. Upon adoption all relevant development plan policies would be applicable to the consideration of planning applications for Lithium.</p>

	considerably different exploration phasing, with considerably more exploration, testing and monitoring of boreholes prior to the submission of any full application for processing. On these grounds there is a strong case to suggest that a separate policy for lithium would be appropriate which relates more specifically to the particular development needs of such production separate from those of more traditional mining or quarrying activities.	
Mineral Products Association (Comment Number 28)	Policy MW14 criterion 2. Current Wording - "a phased a risk-based approach will be required" MPA Comment - Typo	Comment accepted. The Inspector is recommended to consider the following wording amendment, Policy MW14 criterion 2 first sentence amend to read, "Given the complex geological and hydrogeological locations associated with Lithium extraction which is a novel form of mineral extraction a phased a risk-based approach will be required."

Table 50: Comments on Policy MW16 (Inert waste 'other recovery'), MW17 (Inert Waste Disposal via landfill) and MW18 (Non-Hazardous Landfill) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
CPRE (Comment Number 9) CPRE (Comment Number 10) CPRE (Comment Number 11)	Concerns relates to damage to narrow roads caused by development. The policies refer back to Policy MW1. However, there is no reference here to Policy MW7. We have made representations to that Policy about access to sites for mineral extraction and we represent that they are equally appropriate to this Policy. Point 6 of this Policy MW16 should also refer to the nature and condition of the roads leading to the site	Planning applications will be determined in accordance with all relevant development plan policies unless material considerations indicate otherwise. It is not therefore necessary to specifically cross refer to other policies unless there is a specific reason for doing so. In relation to the use of minor roads. it should be noted that in highways terms, Heavy Goods Vehicles which are road worthy are able to use all adopted roads unless a Traffic Regulation Order is in place restricting use to vehicles by a weight limit. A key part of the approach of Policy MW7 is to continue the Council's long-standing approach to the use of lorry routes where deemed necessary. Policy MW7 also requires that the transport implications of all proposed minerals or waste development which will generate significant amounts of vehicular movement must be assessed as part of any planning application through a transport assessment or transport

		<p>statement. In accordance with MW7 when considering planning applications, the Council will seek to ensure that vehicular traffic generated by the proposed development does not have an unacceptable adverse impact on highway safety and so that any unacceptable highways impacts resulting from the development should be avoided or mitigated to acceptable levels. In relation to damage, in addition to matters addressed by Policy MW7 including 4b which addresses both highways improvements and/or maintenance, the Highways Authority in exceptional circumstances can seek money under Section 59 of the 1980 Highways Act²⁸ for the recovery of expenses due to extraordinary traffic. It provides for the highway authority to recover the cost of excess expenses incurred in repairing roads damaged by an operator causing excessive weight or extraordinary traffic to pass along a highway.</p>
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Table 51: Comments on Policy MW20 (Mineral Site Restoration, Landfill and Landraise) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
CPRE (Comment Number 12)	<p>Generally, we are satisfied that this Policy does seek to ensure land which has been worked for minerals will be restored to a satisfactory condition. A potential issue however relates to biodiversity net gain, in relation to species.</p> <p>Biodiversity Net Gain is largely calculated by reference to the Biodiversity Metric Calculations which provides scores for various types of habitats. Strict compliance with this calculation method however does not address the situation where a species, perhaps a protected species, is displaced by the operation and the new habitat may be unsuitable for it, even if it has a "higher score" under the calculation. This appears to be recognised by paragraph 2.20 of the Biodiversity Metric 3.1 User Guide. We also note that section 3 of the Environment Act 2021 relates to species and this</p>	<p>Comment not accepted. Biodiversity Net Gain is additional to existing habitat and species protections. It is intended to reinforce the mitigation hierarchy. The presence of protected, priority, or notable species assemblages which are picked up through ecological surveys at the planning application stage will be mitigated for in addition to the requirements of net gain. The metric is designed to encourage enhancement not transformation. Therefore, any habitats created to compensate for the loss of natural or semi-natural habitat should be of the same broad habitat type and the associated community.</p>

²⁸ <https://www.legislation.gov.uk/ukpga/1980/66/section/59>

	<p>issue is also a matter considered at the Montreal convention.</p> <p>Point 4 of Policy MW20 should make it clear that restoration will include provision for any important species that may have been displaced, at any time, by any mineral workings by ensuring that suitable habitats are restored for such species.</p>	
<p>British Horse Society (Comment number 59)</p>	<p>Paragraph 8.13e. Support.</p> <p>Wherever Public Rights of Way are mentioned the best value for money should be considered therefore protection of routes is imperative and the restoration and aftercare of sites should provide routes for the most users including equestrians.</p>	<p>Support welcomed. In accordance with MW20 criterion 3a the council will seek to permit proposals where it can be demonstrated that 'Are designed to mitigate the effects of the development and provide environmentally beneficial enhancements including where appropriate those which', 'e. Provide improved public access and recreation'. When planning applications are considered the Council's Access and Rights of Way Team are a consultee and discussions are always held with applicants. The Council always seeks to take into account the local context of the surrounding PROW network (and how it may change in the future) to ensure that impacts on the PROW network through site working and restoration activities are acceptable and that restoration proposals provide routes for the most users.</p>

Table 52: Comments assigned to paragraph 9.1 to 91.18 of the Publication Draft

Respondent	Main Issues Raised	Summary of Council Response
<p>Mineral Products Association (Comment Number 25)</p>	<p>Paragraph 9.8. Current Wording – “the submission of a planning application within an allocated site does not guarantee its acceptability”</p> <p>MPA Comment -It is assumed the acceptability relates to the acceptability of the proposed minerals working and not the acceptability of the planning application. Amend the wording to clarify. Suggested Amendment - "the submission of a planning application within an allocated site does not guarantee the its acceptability of the mineral working."</p>	<p>Comment not accepted. Sentence two was written in order to apply to both minerals and waste development.</p>
<p>Mineral Products Association (Comment Number 26)</p>	<p>Paragraph 9.10. Current Wording - "sites planning permission"</p> <p>MPA Comment - Typo. Suggested Amendment - "site's planning permission"</p>	<p>Comment accepted. The Inspector is recommended to consider the following wording amendment. Paragraph 9.3 second sentence amend, "Permitted reserves of Basal Permian sand at Thrislington West Quarry have been worked more quickly and are now</p>

		expected to be exhausted by 2025, which is five years before the sites site's planning permission ends in 2030."
Mineral Products Association (Comment Number 30)	Table 1. Current Wording –"31.12/2035" MPA Comment - Typo. Suggested Amendment -"31/12/2035"	Comment accepted. The Inspector is recommended to consider the following wording amendment. Table 1: Sand and Gravel Supply Forecasts (2021 to 2035). Row C second column. Demand Forecast 01/01/2021 to 31/12/2035 (15 years)".

Table 53: Comments on Policy MW21 (Site specific allocations at Thrislington West Quarry) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
Vicky Robinson (Comment Number 66)	<p>Comments and objections for the planning of expansion of Thrislington West Quarry.</p> <p>1) Three of the four entry and exit roads of West Cornforth are in bad state. Bumpy, potholes and dirty. The road sweeper seems to have disappeared or they don't do it as regular as before</p> <p>2) Many times, I have reported to the quarry that stone has been fallen onto the road, which can cause damage to cars. This has taken several hours/days to clean up.</p> <p>3) The amount of dust/dirt that is around these areas is unacceptable.</p> <p>4) The paths around site areas of West Cornforth are unclean and full of stones from the quarry, which is unsafe for walking on.</p> <p>5) The village is not to be used for heavy lorries from the quarry and on many occasions, I have witnessed them travelling through the village. The above comments will increase dramatically if the proposal was to go ahead. What are they planning on putting in place to combat this? With the proposal of expansion have any tests been done on:</p>	<p>The proposed allocation at Thrislington West Quarry is assessed in the Council's 'Updated Assessment of potential Minerals and Waste sites in County Durham' (November 2022). The Council's assessment concluded that the site should be allocated. A subsequent planning application will need to be accompanied by a detailed Environmental Statement. Amongst other matters the planning application will need to address air quality and dust, noise and impacts on the water environment.</p> <p>It is recognised that this objection partially relates to the operation of the existing planning permission at Thrislington Quarry West was approved on the 18 December 2018²⁹. Should Policy MW21 be allocated the existing legal agreements and conditions would provide the basis for any new permission including conditions and legal agreement.</p> <p>Site operations at Thrislington West Quarry are monitored on a regular basis by the Council's Minerals Site Monitoring Officer and a monitoring report is regularly prepared which provides guidance and requirements for the operator. Information is drawn below from the Council's site monitoring</p>

²⁹ It was approved subject to the completion of a Section 106 Legal Agreement to secure the following: lorry routing; submission of an annual report detailing sales and reserves of mineral extracted, a topographical survey, noise, dust and blast monitoring results, a review of wheel wash facilities; details of rail use and details of investigations into increasing its use, complaint details and a site working review; 20 years additional aftercare, and a commitment to enter into a Section 39 of the Wildlife and Countryside Act 1981 (as amended) for the long term in perpetuity management of the site. The permission was also subject to 76 separate conditions including 5 relating to access and the protection of the public highway.

	<p>6) Air pollution, from the dust and heavy-duty vehicles?</p> <p>7) What is current status of air pollution around the village and what will it go up to?</p> <p>8) What effects will this have on human health and nature?</p> <p>9) Will there be any deterioration to the water quality?</p> <p>10) Noise pollution? What is this going to be like for village?</p>	<p>reports which show that environmental effects of existing site operations and compliance with planning conditions are being monitored and action taken when necessary.</p> <ul style="list-style-type: none"> • Noise is monitored at seven locations including at Stobbs Cross Villas and two locations on Garmondsway Road (all in West Cornforth. Conditions require that between the hours of 0600 and 0700 and 1900 and 2200 noise levels as a result of site operations shall not exceed 50dBLAeq1hr. Between the hours of 0700 and 1900 noise levels as a result of site operations shall not exceed 55dBLAeq1hr. Should the allocation receive planning permission, noise will be similar to current levels which are controlled by condition and in accordance with the approved Noise Action Plan (approved October 2020). The Council's monitoring reports (August 2022 and May 2022) both indicated compliance with condition 33 (which relates to noise) of planning permission No DM/15/00127/MIN. The latest information from Tarmac indicated that based on the measured levels and prevailing conditions, during the day the site was working below 55dBLAeq, 1 hour and 50dBLAeq, 1 hour and therefore within the consent limits at all of the monitoring locations during the surveys undertaken on the 24th of November 2022. On this date LAeq1hr limits were only exceeded at the monitoring locations on Garmondsway Road. Road traffic noise from the A1 was heard throughout and was the main source of noise and the reason for the consent limit to be exceeded. • Fugitive dust from quarry operations is monitored at eight locations and controlled by condition and in accordance with the approved Dust Action Plan (approved October 2020). Environment Agency custom and practice limit for fugitive dust annoyance is 200mg/m²/day. The existing dust condition includes a provision, that at such times when
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		<p>the equipment provided is not sufficient to prevent fugitive dust emissions from the site, for operations which give rise to fugitive dust to cease until additional equipment is provided when necessary and found to be adequate. The Council's monitoring report (August 2022) indicates that the site operator continues to improve areas within the quarry to prevent fugitive dust migrating including reducing dust heaps and grading the internal access road. During 2022 between January and November 2022 fugitive dust emissions were acceptable and below 200mg/m²/day with the exception of three instances (from eighty-eight sampling periods) in June and July (two at Cornforth and one adjacent to the A1(M)). It is likely fugitive dust emissions may have exceeded limits as a result of the high temperatures in Summer 2022 which reached 36.9c on 19 July 2022³⁰.</p> <ul style="list-style-type: none"> • Potholes and Bumps - the condition of the road surface is a highways issue. All roads in the County are subject to periodic inspection by the Highways Authority. • Exhaust fumes - is not a consideration as all such vehicles should be road worthy and meet DVSA standards for exhaust emissions. • Mud on roads - It is recognised that there have been problems over the years concerning the effectiveness of wheel cleaning at the existing entrances and this had given rise to complaints from members of the public and steps had been taken by the operator to improve performance. Improvements have been made to the wheel washes at Entrances 1 and 2 and have served to reduce incidents of mud on the road. The Council monitors the site regularly and has noted improvements to the wheel cleaning provisions at the site following on from problems in the past. An
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³⁰ <https://durhamweather.webspace.durham.ac.uk/july-2022/>

		<p>annual review of the operation and effectiveness of the wheel wash facilities is included in the annual report enables the effectiveness to be monitored. In addition, existing conditions seek to control the deposition of mud onto the highway and ultimately the cessation of all vehicle movements until any issues are resolved.</p> <ul style="list-style-type: none"> • Stones on foot paths - It is also recognised that footpaths directly around site entrances have been found to contain dolomitic material upon their surface. However, these cannot be cleaned by the mineral operator due to a liability issue, as cleaning may damage footpaths. • Lorry Movements - An agreement under Section 106 of the Town and Country Planning Act requires all lorries entering or leaving Thrislington West Quarry to use the approved route in order to keep extraneous lorry traffic out of the communities of Cornforth, Bishop Middleham, and Ferryhill. It also requires the company to ensure that all contracts for the transport of minerals and products generated from minerals from the site to use the approved route. It is also noted that there are other sites and premises which could be a source of the claimed lorry movements which are claimed on occasion to travel through the village. • Justified Complaints - There is only one open enforcement case/complaint regarding Thrislington East Quarry and there was a previous one in 2022 relating to both Thrislington East and West. Both related to mud on the road.
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Table 54: Comments on Policy MW22 (Site Specific Allocation Northern Extension to Crime Rigg Quarry) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
Breedon (Comment Number 61)	Breedon supports the allocation and have no further comments to make regarding Policy MW22.	Support welcomed.

Table 55: Comments on Policy MW23 (Site Specific Allocation Inert Waste Disposal at Crime Rigg Quarry) of the Publication Draft Minerals and Waste Policies and Allocations

<u>Document</u>		
Respondent	Main Issues Raised	Summary of Council Response
Breedon (Comment Number 70)	<p>Our representations to the Local Plan consultation in May 2022, specifically related to the opportunity for Crime Rigg to be a strategic allocation for inert landfill. In our initial representation we set out the case for 3 potential options for inert waste disposal with all 3 options being reflected in the proposed Policy MW23. The options presented in May 2022 are set out below again for clarity.</p> <p>Following the submission of our previous representations, the Environment Agency (EA) dataset 'Remaining Landfill Capacity' has been updated to provide remaining capacity to the end of 2021. This suggests that the 4 active inert sites in County Durham have a remaining capacity of 7.2 million cubic metres, down from 7.6 million at the end of 2020 and a significant reduction from the 11.1 cubic metres within the Anthesis 'Addendum to 2012 study: Waste Arisings and Waste Management Capacity Model' (2018).</p> <p>Further inert sites in the former North East planning region grouping add another 912k cubic metres of void, again down from the 1.07 million cubic metres at the end of 2020. The 2021 Waste Data Interrogator suggests that 821k tonnes of inert wastes were accepted at sites in County Durham in 2021 (Aycliffe Bishop, Middleham, Crime Rigg, Joint Stocks, Kilmondwood and Old Quarrington). This is a significant increase from the 623.3 thousand tonnes per annum forecast in the Anthesis 'Addendum to 2012 study: Waste Arisings and Waste Management Capacity Model' (2018) and further highlights the need for additional void in the plan period.</p>	<p>Support welcomed. The policy has been written flexibly to allow proposals for further inert disposal to come forward subject to meeting the policy criterion and other relevant plan policies.</p> <p>The Council has published information on remaining void space by landfill site type and disposal information to landfill in the County Durham Plan Annual Monitoring Report 2021/22, with detailed information in a Waste Technical Paper. The 11.1 million cubic metre capacity figure provided in the Addendum (which is quoted by Breedon) related to all remaining void space at the end of 2016 within County Durham and not just within L05 Inert Landfill Sites. Inert void space within L05 Inert Landfill Sites was 7,340,256 cubic metres at the end of 2016. The corresponding figure for 2020 was 7,261,368 cubic metres and the corresponding figure for 2021 was 7,258,377 cubic metres (see Table 30 of the County Durham Plan Annual Monitoring Report 2021-22 and Environment Agency Remaining Landfill Capacity Information at end of 2021, 2020 and 2016). It is agreed that total remaining landfill void space in L05 Inert Landfill Sites in the North East was 8,170,173 cubic metres at the end of 2021. In 2021 according to Waste Data Interrogator 753,260 tonnes of inert waste was landfilled in County Durham with 752,234 tonnes of inert waste being shown as deposited in all landfill sites in County Durham.</p> <p>Through allocating this site the Council is seeking to make provision to contribute to meeting the identified County Durham Plan capacity gap for disposal whilst taking into account EA data on remaining landfill capacity, disposals and the expected remaining life of void space at Crime Rigg Quarry Landfill.</p>
British Horse Society (Comment Number 55)	MW23(2) Support. Wherever Public Rights of Way are mentioned the best value for money should be considered therefore protection of	Support Welcomed.

	routes is imperative and the restoration and aftercare of sites should provide routes for the most users including equestrians.	
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Table 56: Comments on Policy MW24 (Site Specific Allocation Inert Waste Disposal at Cold Knuckle Quarry) of the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
CPRE (Comment Number 13)	<p>The text states that, under the current permission, restoration should be completed by July 2026. There is no indication in the Plan as to when restoration may be complete under the new proposals. While we do not object to the principle of this proposed Policy, we make the following representations:</p> <p>1) the expected restoration period should be stated. This is an exposed face in a prominent position, visible from the northbound carriageway of the A1(M). It is not reasonable to expect an indefinite period of restoration works.</p> <p>2) While we accept that this proposal does not fall within Policy 50 of the County Durham Plan relating to new works on prominent escarpment slopes, this is such a site and the Policy should expect that restoration will respect the topography of the area and restore it to contours similar to those that originally existed. Point 4 does refer to high quality restoration, but we represent that this should be specified.</p> <p>3) We note the requirements in relation to Biodiversity Net Gain and the reference to ecological networks. Paragraph 9.39c states a full ecological survey will be required. We represent that this must reflect all the wildlife that has been found on this site before the current works were started. This would be consistent with the proposed Nature Recovery Strategy, Section 3 of the Environment Act 2021 and indeed the decisions taken at the recent Montreal Conference.</p> <p>4) The proposed materials for restoration will not have a detrimental impact on the restoration for biodiversity purposes. Building waste is clearly different from limestone waste and could affect any trees or scrub planted over it. While at</p>	<p>1) It is not considered appropriate for a plan allocation to state the expected restoration period. To do so would result in a policy which would not provide any flexibility. In any event the end date of a planning permission may need to be subsequently varied should restoration works not progress in accordance with the timescales of an approved scheme.</p> <p>2) Paragraph 9.39f states, “The restoration of the site allocation should as a minimum seek to replicate or be very close to that of the approved scheme which had sought to reconstruct the escarpment face using limestone and achieve the same level of biodiversity net gain as the existing approved scheme”. This is considered sufficient and provides a degree of flexibility whilst recognising that the base line position is the approved scheme of restoration.</p> <p>3) The level of survey information and effort required in support of any planning application on this site will be in-line with BS42020 (Biodiversity — Code of practice for planning and development) and other relevant best practise and guidance documents as per due process.</p> <p>4) The proposals for restoration and the associated technical details for habitat establishment will be dealt with at the planning application stage, as per due process.</p> <p>5) Paragraph 9.39f refers to ‘new bridleway’. The bridleway/cycle path which is referred to is a matter relating to both the existing permissions and two new planning applications which is now pending consideration by the Council. (DM/22/03780/VOCMW seeks a variation of planning Permission no. DM/19/01133/VOCMW permission at Old Quarrington and Cold Knuckles</p>

	<p>meetings we have been assured that this will not be the case, we represent that this should still be addressed in the Policy and any planning application.</p> <p>5) Paragraph 9.39f (and the letter to residents) refers to new bridleways. The proposed Policy however makes no reference to this. There has been a history relating to Public Rights of Way at this site which has extended over a number of years and we represent that the Policy should clearly state what is proposed in respect of "new bridleway.</p>	<p>Quarry to facilitate a change to the working and restoration of the site. It is considered that the detailed routing and gradient is a matter of detail which is not considered necessary to for Policy MW24 to prescribe.</p>
<p>Mr John Little (Comment Number 53)</p>	<p>We do not have any specific concerns with disposing of more inert waste in Cold Knuckles Quarry we are concerned by any changes that extend the life of the quarry. This is not because of the quarry operation per-say but due to the replacement bridleway/cycle path currently offered which is quite unsuitable for its intended purpose containing a very steep gradient and having a loose surface resulting in a dangerous and un-cycleable route</p>	<p>Comments noted regarding lack of objection to the disposal of inert waste at Cold Knuckles Quarry. In terms of the end date for working and restoration. The end date of planning permissions can be varied or amended by new planning permissions. The objection refers to a proposed replacement bridleway being unsuitable for cycling. On a bridleway the public has a right of way on foot, on horseback, leading a horse, and on a pedal cycle. The nature of local topography also mean that users of routes will also encounter gradients which are unavoidable which is the case in this part of County Durham. In relation to concerns about condition, PROW are inspected and maintained on a periodic basis and repairs undertaken as necessary.</p>
<p>Mrs A Boulton (Comment number 64)</p>	<p>I am writing to say how impossible it is to complete the form on the Consultation Portal. You are asking for justification from 'joe public' about questions we are not qualified to answer. The stockpiles of stone is growing higher and higher, six meters is the limit, and it keeps going higher. When is this likely to be put right and give us back our view to the north. What time do you officially start work? It has been before 7am and very noisy with the breakers.</p>	<p>Information on how to make comments was set out in the Publication Draft County Durham Minerals and Waste Policies and Allocations Document (M&WDPD) and a guidance note on was also available. Comments could be submitted on our portal, by email or by post. The current permission requires certain matters to be approved prior to commencement of each of the five approved phases. These include details of intended soil stripping and storage, including location of existing and intended stockpiles of soil, soil making materials, overburden, mineral, waste materials on site and their heights within the phase and working quarry area. Stockpiles of aggregate lie within the quarry. Stockpiles of construction and demolition waste are also allowed in</p>

		<p>designated areas of the quarry to a height of 6 metres (controlled by condition). Furthermore, stockpiles of soils (which have been previously stripped and stockpiled in areas as shown on the previous application for the discharge of conditions now approved) have been stockpiled to a height of 3 metres and the site operator intends to sow these with an approved mix of seeds. The Council's Minerals Site Monitoring Officer visits the site regularly and it is understood that the site is complying with conditions relating to the location and height of stockpiles. In terms of the end date for working and restoration. The end date of planning permissions can be varied or amended by new planning permissions. The current principal planning permission for mineral working and also for the restoration of Old Quarrington Quarry (DM/19/01133/VOCMW (which varied conditions of MRA/4/1/1) requires all mineral extraction to cease no later than 21/02/42. The two other existing planning permissions (DM/19/01134/VOCMW (which varied conditions of CMA/4/47) and DM/19/00135/VOCMW which varied conditions of CMA/4/48 and CMA/4/49) require mineral working to cease no later than 3/7/2025. All three were approved on 18 November 2022. The site operator has submitted two further planning applications which are pending consideration DM/22/03780/VOCMW and DM/23/00043/MIN which propose mineral working to 2042 with restoration by 2042.</p> <p>The approved working hours at this quarry are: 1) All quarrying operations except temporary operations and blasting 06.00 hours to 21.00 hours Monday to Friday. 06.00 hours to 12:00 hours Saturday. 2) Temporary operations (soil stripping, soils handling, soil mound construction and removal and soil replacement) 07.00 hours to 19.00 hours Monday to Friday. 07.00 hours to 12:00 hours Saturday. 3) Blasting 10:00 to 16:30 Monday to Friday.</p>
British Horse Society	MW24(2) Support. Wherever Public Rights of Way are mentioned the best value for money should be	Support welcomed.

(Comment Number 56)	considered therefore protection of routes is imperative and the restoration and aftercare of sites should provide routes for the most users including equestrians.	
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Table 57: Comments on Chapter 10 - Monitoring and Implementation Framework the Publication Draft Minerals and Waste Policies and Allocations Document

Respondent	Main Issues Raised	Summary of Council Response
Mineral Products Association (Comment Number 31)	Paragraph 10.4. Current Wording – “The Joint LAA is updated annually”. This has not been the case for 2021, although it is not clear why. Amend text accordingly	Comment accepted. The Inspector is recommended to consider the following wording amendment. Paragraph 10.4: “Alongside the AMR, a requirement to prepare a Local Aggregates Assessment (LAA) was introduced through the publication of the National Planning Policy Framework in March 2012. <u>For many years within</u> Within the North East of England, Durham County Council, Northumberland County Council, Northumberland National Park Authority, Sunderland City Council, South Tyneside Council, North Tyneside Council, Newcastle City Council and Gateshead Council <u>have prepared</u> a Joint Local Aggregate Assessment (Joint LAA). This <u>has been</u> is a longstanding approach to joint working on this matter of cross boundary strategic importance. <u>However, due to a timing issue a Joint LAA was not produced for the 2021 monitoring year.</u> The Joint <u>Council’s</u> LAA is updated annually, with key information being reported within the AMR where relevant. In addition, the Council also monitors a wide range of waste management information obtained from several sources but principally from the Environment Agency. This information <u>has been</u> is compiled into the Council’s Waste Technical Paper with key information being reported within the AMR where relevant.
Mineral Products Association (Comment Number 32)	Table 10.1. MPA Comment -The number 5 planning applications over a 5-year period appears to be rather random. The text should be clear as to why this figure has been chosen. Provide a clear explanation	Comment accepted. The Inspector is recommended to consider the following wording amendment. Paragraph 10.5: “The table below shows how the M&WDPD will be monitored. <u>It is intended that the policies of the M&WDPD will be monitored on an annual basis. However, due to the limited number of minerals and waste planning applications determined on an annual basis and in order to reflect the provisions of paragraph 33</u>

		<u>of the National Planning Policy Framework the trigger for review will over a 5-year period.”</u>
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Non-Allocated Sites

Table 58: Comments provided in relation to the Non-Allocation of Site M2 - Raisby Quarry - Proposed Eastern Extension

Respondent	Main Issues Raised	Summary of Council Response
Breedon (Comment Number 62)	<p>Breedon challenge the Council's view that the proposed eastern extension is not required over the period to 2035 and should not be allocated. Breedon argue that the 'Conclusions' section of the Updated Assessment of Minerals and Waste Sites (2022) sets out the uncertainty relating to the National Grid Infrastructure within the approved extraction area and that in the event that the infrastructure is not relocated a large volume of mineral reserve would be sterilised, and it would be necessary to pursue a planning application for the extension of Raisby Quarry within the current plan period to 2035. Breedon argue that Raisby Quarry is the most productive Magnesian Limestone quarry in Durham by a considerable volume and given its productive capacity (estimated at 850,000 tonnes by the Council in the LAA) and that this represents approximately 30% of the steady and adequate supply required by Policy 49 of the CDP. Breedon state that there is no evidence to suggest that other sites in the landbank would fill such a significant gap in productive capacity. Particularly when the same assessment recognises the strategic importance of Raisby Quarry. The eastern extension should be allocated to provide flexibility within the plan in case the pylons cannot be relocated and as a result there is a need to seek a further planning permission. This would be in accordance paragraph 22 of the NPPF which states: Strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Any policy allocating the extension can be worded in a way to take account of</p>	<p>The Council considers that the Minerals and Waste Policies and Allocations document is sound as submitted and that this additional allocation is not necessary. The Council has provided a detailed response to the proposed eastern extension to Raisby Quarry in the 'Updated Assessment of potential Minerals and Waste sites in County Durham' (November 2022). The proposal as originally submitted for consideration advised that the site allocation would have a start date of 2042. Therefore, on this basis it was reasonable for the Council to conclude that the proposed allocation would be to meet future needs beyond the current Plan period.</p> <p>The first occasion Breedon raised with the Spatial Policy Team the issue of the pylons which cross the eastern part of their existing permission was in 2022 and it did not form part of their original site allocation rationale. This issue has not been raised by Breedon with the Spatial Policy Team in response to the Council's annual survey of aggregate mineral sites which provides information for the Council's Local Aggregate Assessment or in response to consultation upon the LAA through the North East Aggregates Working Party (NEAWP) scrutiny process. It is understood that Breedon have also continued to report the availability of all the quarry's permitted reserves to the NEAWP. Similarly, this issue was not raised with the Council through the recent application Breedon made to extend the time for quarrying to 2042 (DM/17/01260/MIN) which was granted permission on 30 June 2020. Breedon are now placing significant reliance upon their failure and the failure of previous owners to discuss with National Grid the relocation of the</p>

	<p>the existing pylons and ensure that at this stage any extension should only come forward should the pylons not be relocated at this stage.</p> <p>An allocation would comply with CDP objective 20 and non-strategic objective NO6 and CDP Policy 51.</p>	<p>pylons and come to a satisfactory and timely resolution. As stated in the site assessment document, 'The requirement to relocate these pylons has been known by Breedon, previous operators of the quarry and National Grid for many years. However, no diversionary route has yet been agreed by Breedon (or any former operator of the quarry) with National Grid. It is considered that the resultant uncertainty as to the route and timing of the diversion constitutes an impediment to the proposed allocation at this time. The Council has facilitated discussions between National Grid and Breedon and emphasised to Breedon that the company needs to ensure that necessary discussions are undertaken with National Grid to ensure that the pylons are relocated to enable the working of existing permitted reserves and that the existing alignment is not sufficient justification for what would in essence be a new quarry.' As stated, it is understood that National Grid may not come to a decision on whether the pylons can be relocated until the end of 2023. An allocation may also result in a decision by National Grid not to move the pylons thereby sterilising minerals. Should a decision be made by National Grid not to relocate the pylons in 2023, Breedon would be able at that point to discuss with the Council what this will mean for the working of existing permitted reserves at Raisby Quarry and resources of magnesian limestone in any alternative area. To date, no evidence has been submitted by Breedon as to how many years existing permitted reserves would be able to be worked if the pylons could not be relocated or how much mineral would be sterilised. Similarly, no evidence has been submitted on how much mineral may be able to be worked in the allocation if the pylons could not be relocated. Furthermore, there is significant uncertainty relating to the parameters involved in an allocation which would not form part of the existing Raisby Quarry. Should it be necessary there is scope for the Council to consider a planning application for a non-allocated site for aggregates under</p>
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		<p>the provisions of CDP Policy 51. Accordingly, it is not necessary for an allocation to be made through the provisions of the Minerals and Waste Policies and Allocations Document. The flexibility which Breedon seek is simply not necessary.</p> <p>The reference to NPPF paragraph 22 appears misplaced. It is noted it refers to improvements to infrastructure.</p> <p>As stated, the majority of the proposed allocation area is safeguarded within the Council's magnesian limestone mineral safeguarding area, with a proportion washed over by Raisby Quarry Minerals and Waste Site Safeguarding Zone and therefore on this basis it is not necessary to provide any additional protection or status to the land which was proposed to be allocated.</p>
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Table 59: Comments provided in relation to the Non-Allocation of Site M9/W3 Old Quarrington Quarry (Quarrington North).

Respondent	Main Issues Raised	Summary of Council Response
Tarmac (Comment number 61)	<p>Tarmac advise that a void space review was undertaken at Old Quarrington and Cold Knuckle Quarry on 01/01/2023 and this calculated that total remaining permitted infill void at the quarry is 2,354,000 cubic metres. This figure represents the maximum possible permitted void at the quarry which includes areas of mineral that are yet to be worked and also the plant site and stocking areas of the existing quarry which will not be available for infilling until the last operational phase of the whole quarry once the processing plant and mineral stocking areas have been removed. If planning permission is granted for the Cold Knuckles inert infilling, as allocated by Draft DPD Policy MW24, then total available void space within the current operational areas of the quarry (i.e. excluding Quarrington North) based upon the void space review at 01/01/23 is 1,372,000 cubic metres (total available existing) plus 400,000 cubic metres (draft allocation MW24) = 1,772,000 cubic metres which at 2021 rates of input of c.175,000 cubic metres per annum equates to 10 years i.e. until 2032.</p>	<p>The Council considers that the Minerals and Waste Policies and Allocations document is sound as submitted and that this additional allocation is not necessary. The Council provided a detailed response upon the proposed Quarrington North site allocation in the 'Updated Assessment of potential Minerals and Waste sites in County Durham' (November 2022). The Council's assessment document appraised Tarmac's proposal for an allocation for 1.7 million tonnes of basal Permian sand and 4.93 million cubic metres of void space for inert waste. Tarmac's submitted representations upon the Publication Draft now indicate that the that an allocation should be made for only inert waste disposal. The Council's site assessment document set out the Council's reasoning for non-allocation which was based upon consideration of need for sand and gravel and inert waste disposal and upon matters relating to both the environment and amenity of local communities. Tarmac's comments on the Publication Draft do not address the three key environmental reasons set out in the Council's assessment of this site. These related to biodiversity,</p>

	<p>The Updated Assessment of potential Minerals and Waste sites in County Durham, published in November 2022, refers to Quarrington North (Site M9/W3) from page 107 onwards. It notes that there is an acknowledged need for future waste disposal capacity over the County Durham Plan period to 2035 and refers to a range of matters should the site be allocated. There might be a region- wide Existing Waste Management Capacity Gap review to be undertaken in the relatively near future and this may well increase further Durham's required contribution to meeting identified demand for void space- potentially to a period running until 2045. The DPD does NOT allocate additional void at Quarrington North, for a number of reasons, including biodiversity, landscape, cultural heritage and need.</p> <p>Tarmac propose to submit a planning application and environmental statement for the whole of the quarry, including Quarrington North, during 2023/ 2024. This will consider all environmental aspects associated with the extraction of the currently permitted limestone deposit and also the underlying Permian sand. It is considered that in landscape terms, full restoration of the Quarrington North area following quarrying and progressive inert landfill in conjunction with the restoration of the remainder of the operational quarry to close to original ground levels will offer a much more satisfactory restoration landform that would be available should no further inert landfill be permitted beyond existing and that envisaged in draft Policy MW24. This, together with the limited available operational void space noted above, which, at current rates of infilling of c 175,000 cubic metres per annum will see inert infilling cease at Quarrington in 2032 i.e. within the current plan period, means that the allocation of additional inert waste disposal void at Quarrington North is required.</p>	<p>landscape and cultural heritage matters. Instead Tarmac representations refer to the submission of a planning application during 2023/2024 which is the actual way forward that the Council assessment document recommended. Tarmac's comments on the Publication Draft do not demonstrate that the proposed site allocation could be deemed to be an environmentally acceptable allocation and should be allocated. Tarmac's representations do not address the Council's concerns in relation to the deliverability of the potential void space over the Plan period as disposal would be dependent upon the prior extraction of permitted reserves of magnesian limestone and unpermitted basal Permian sand within the proposed Quarrington North Allocation. Similarly, Tarmac's representations do not address the Council's concerns of the issue of overprovision if an allocation was made for 4.93 million cubic metres (which equates to potentially 7.395 million tonnes of inert material at a conversion rate of 1.5 tonne to cubic metre). Based upon 2021 disposal rates this would provide sufficient capacity for nearly 29 years. It may also not be needed until beyond 2041.</p> <p>The Council's assessment document sought to estimate the length of time that void space at Old Quarrington Quarry Landfill reported to the Environment Agency at the end of 2020 i.e., 1,431,881 cubic metres would remain available based on both three-year average deposits and 2021 deposits information. It also considered the contribution of the Cold Knuckles allocation which would provide an additional 400,000 cubic metres of capacity and the void space which Tarmac advised was permitted but yet to be created, 1,445,210 cubic metres and also information the Council was provided in relation to phase 5 where Tarmac advised that "there is a large void to be infilled with inert material and this will therefore continue until the date of 2041" and phase 6 which Tarmac explains is the final infill phase for the current plant site area and ancillary operational areas. Tarmac previously</p>
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	<p>Should the site be allocated it is considered that an allocation should be made for only inert waste disposal. Change sought - The allocation of additional inert waste disposal void at Quarrington North.</p>	<p>advised that phase 6 will not be restored until Quarrington North has been extracted as it will continue to serve as the area in which the weighbridge and other ancillary operations will continue. Tarmac's new information following their void space review is noted. Tarmac had advised the Council that, "At the start of 2022 (i.e., 31.12.21), we calculate that remaining permitted void space totals 2,877,091 cubic metres. The discrepancy between this figure and the figure the EA recorded for the end of 2020 is based upon reporting procedures. The void figures reported to the EA by our Permitting team relate only to currently physically available void space at the time of reporting and not to permitted maximum available void space within a specific scheme. The figure quoted above is the maximum currently permitted void- some of which is still to be created." Accordingly, the Council notes that since the end of 2022, Tarmac consider that the 'maximum currently permitted void' has fallen from 2,877,091 cubic metres at the end of 2021 to 2,354,000 cubic metres at the end of 2022. A fall of 523,091 cubic metres in one year. Tarmac also considers that the total available void space within the current operational areas of the quarry (i.e., excluding Quarrington North) based upon the void space review is now 1,372,000 cubic metres at the end of 2022 (01/01/23). The figure in the Council assessment document for remaining void space was from the Environment Agency Remaining Landfill Void Space Data set for 2020 which indicated that 1,431,881 cubic metres remained available at the end of 2020. Since the Council' assessment document Environment Agency Remaining Landfill Void Space Data set for 2021 has become available and states that 1,332,064 cubic metres remained available at the end of 2021, which is a fall of only 99,817 cubic metres in one year despite EA Waste Data Interrogator indicating that 260,299 was disposed at the quarry in 2021. Tarmac's calculations on when void space will be exhausted are based upon their void space figure of 1,372,000</p>
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		sites operating as existing landfill sites where there is scope to do so, provided that impacts were found to be acceptable.”
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Table 60: Comments provided in relation to the Non-Allocation of Site M10 Hulands Quarry Eastern Extension

Respondent	Main Issues Raised	Summary of Council Response
Kearton Farms Ltd (Comment Number 39)	<p>Kearton request an allocation of a 5-hectare additional field which is located to the southeast of the County Durham Plan Preferred Area allocated under CDP Policy 58. They advise that the field contains an estimated 1.6 million tonnes of carboniferous limestone. They argue that the proposed inclusion of the additional Land to would enable the appropriate ‘rounding off’ of this extension area (County Durham Plan Preferred Area) from an operational perspective, along with contributing towards meeting the 2.93 million tonnes provision of this mineral which remains to be met to meet the County Durham Plan target of 14.1 million tonnes, as referred to in the latest Local Aggregates Assessment. They argue that an extension scheme to Hulands Quarry, including the Preferred Area and Additional Land, could be worked in an environmentally acceptable manner and there would be environmental, economic and social benefits arising from such a scheme.</p> <p>Kearton refer to the Highways England application for a Development Consent Order for the A66 Northern Trans-Pennine Project during 2022 which, subject to securing approval along with associated funding, is projected to commence around 2024. They advise that they understand that the proposed upgrade to the A66 by National Highways would require approximately three million tonnes of aggregate and one million tonnes of asphalt and assuming that a large proportion of this mineral were to be supplied by Kilmondwood Quarry and Hulands Quarry, which are situated adjacent to this strategic road, between 2024 to 2029 or thereabouts (i.e. say 800,000 tonnes per annum over 5 years), along with maintaining output to other markets,</p>	<p>The Council considers that the Minerals and Waste Policies and Allocations document is sound as submitted and that this additional allocation is not necessary. The Council provided a detailed response to the original proposal by Kearton Farms for the allocation of a 26.5 hectare site, containing 6 million tonnes on land to the east of the existing County Durham Plan Preferred Area ‘East of Hulands Quarry’ (allocated under CDP Policy 58) in the ‘Updated Assessment of potential Minerals and Waste sites in County Durham’ (November 2022).</p> <p>Kearton Farms representations on the Publication Draft Minerals and Waste Policies and Allocations Document represent a proposal for an alternative 5 hectare, 1.6mt allocation.</p> <p>This alternative site allocation proposal is not necessary to ensure a steady and adequate supply of crushed rock and carboniferous limestone from quarries within County Durham. The primary reason for the Council's position is need as set out in paragraph 2 of the conclusion to Site M10 Hulands Quarry Eastern Extension. The Council's reasoning is based upon evidence as set out in the Council's latest Local Aggregate Assessment (April 2022). This evidence is also reiterated in the Council's Local Aggregate Assessment (2023) which was finalised in April 2023. Para 6.7 of the Local Aggregate Assessment (2022) advises, “However, given that the need identified in the County Durham Plan was sufficient to meet needs to 2035 plus ten years supply of carboniferous limestone, and this forecast was calculated on this basis of 900,000 tonnes per annum, this shortfall in supply is only equivalent to just over 3 years supply post 2042 and it is now considered to be not actually needed to maintain a steady and</p>

	<p>then this would materially deplete permitted reserves at Kilmondwood Quarry and at Hulands Quarry subject to approval of an extension scheme. In addition, Kearton who operates Kilmondwood Quarry anticipates that the permitted reserves at this site would be worked well ahead of the currently permitted period for the cessation of mineral extraction in 2042 and advise that during the last period November 2021 to October 2022 over 470,000 tonnes of mineral was dispatched off site to market, which is in excess of the latest Local Aggregates Assessment assumed average output of 300,000 tonnes per annum. Kearton's representations also include additional detail in support of their proposal including in relation to environmental and amenity considerations.</p>	<p>adequate supply of carboniferous limestone over the period to 2035. It is considered that Hulands Quarry in combination with the County Durham Plan Preferred Area which lies to the East of Hulands Quarry, in combination with existing permissions at Heights Quarry (which now has planning permission to 31st September 2046) and Kilmond Wood Quarry (which has planning permission to 21 February 2042) should provide for a sufficient supply of carboniferous limestone." Due to a drafting error the actual gap between the figure in CDP Policy 49 and the contribution that the permission at Heights Quarry (within the CDP Preferred Area and the CDP Preferred Area East of Hulands Quarry should be 2.4 million tonnes. Nonetheless it is considered that this evidence addresses the shortfall of 2.93 million tonnes which is the difference between the additional provision for carboniferous limestone identified within CDP Policy 49 which was 14.3 million tonnes and that provided by the permission for the allocated Preferred Area (West of Heights Quarry) and the allocated Preferred Area to the east of Hulands Quarry.</p> <p>Kearton's representations also refer to the National Highways Trans Pennine Project. The impact of this proposal on existing permitted reserves should they be drawn down at an accelerated rate will be monitored through the Council's Local Aggregate Assessment and considered in the determination of planning applications and in subsequent plan reviews. It is also noted that the contracts to supply the aggregate requirements for the A66 Trans Pennine Project have not been awarded and in addition to carboniferous limestone sites in County Durham there are also several other crushed rock quarries in both North Yorkshire and Cumbria which would also play a major role in supplying aggregates to the A66 Trans Pennine Project.</p> <p>The secondary reason is that similar to the original allocation proposal, the proposed site allocation also lies within the functional land buffer of the North Pennines SPA and the County Ecologist</p>
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		<p>has advised it will not be possible to allocate this site until the likely risk of impact on the integrity of the European site has been adequately ruled out through an HRA (Habitat Regulations Assessment). This is due to potential disturbance to birds due to noise and vibration effects and the foraging habits of breeding golden plover. The Council does not consider that the landscape impacts of the alternative allocation would result in the same magnitude of landscape, visual or potential cumulative effects as the original allocation proposal.</p>
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Comments Received on Sustainability Appraisal and Habitats Assessment Report (November 2022)

5.10 We received no comments on either document from any consultee. The Council sought clarification from the four main consultees for these reports. The Environment Agency confirmed that “they would not be responding separately on the Sustainability Appraisal and have no further comments to make on this document. We also have no comments to make in respect of the Habitats Regulation Assessment.” No comments were received from Natural England, Historic England, or National Highways.

Appendices

Appendix A - Statement of Representations Procedure & Statement of Fact and Guidance to making Comments (Regulation 19 Consultation) Publication Draft County Durham Minerals and Waste Policies and Allocations Document

Statement of Representations Procedure & Statement of Fact Publication Draft County Durham Minerals & Waste Policies and Allocations Document

Title of document: Publication Draft County Durham Minerals & Waste Policies and Allocations Document (M&WDPD).

Stage of consultation: Regulation 19 of the Town and Country Planning Local Plans Regulations 2012.

Role of this consultation: To provide the opportunity for representations to be made on the 'soundness' and legal compliance of the Publication Draft M&WDPD before it is submitted to the Secretary of State for Examination.

Subject matter: The Publication Draft M&WDPD includes policies to address a number of detailed development management matters to ensure that 1) minerals and waste development do not have unacceptable adverse impacts on the environment, the amenity of local communities and upon human health including detailed policies on matters such as noise, air quality and dust, blasting vibration, traffic and transport matters and the restoration of mineral and some waste sites, 2) policies that cover economically important mineral types that are not covered in the County Durham Plan, 3) policies for the recovery and disposal of waste and 4) two allocations for further mineral working and two allocations for inert waste disposal.

Area covered: County Durham.

Representation period: Comments can be made over a period of 7 weeks between **9am on Monday 28th of November 2022** to 4.30pm on **Friday 13th of January 2023**.

How to make your comments: You can submit your representation in a number of ways:

- Comments can be submitted on our consultation portal:

<https://consult-durhamcc.objective.co.uk/kse>

- sent via email to spatialpolicy@durham.gov.uk
- or by post to the Spatial Policy Team using our freepost address, which is **Freepost Spatial Policy**. No further information is required for the address.

Request for notification: You can indicate in your representations, if you wish to be notified of any of the following: (a) when the M&WDPD has been submitted for independent examination; (b) consultation on any further changes to the M&WDPD; (c) the date of the Examination-in-Public; (d) the publication of the Inspector's report; (e) the date of the adoption of the M&WDPD.

Availability of documents: The documents undergoing formal consultation are available on our website. They can be accessed from the council's main Consultation web page:

<https://www.durham.gov.uk/consultation> and the Durham County Council Planning Policy Consultations web page: <https://consult-durhamcc.objective.co.uk/kse>

Hard copies of the Publication Draft M&WDPD and other documents are available for inspection during normal opening hours at the Council's Customer Access Points:

<https://www.durham.gov.uk/customeraccesspoints> and at public libraries:

<https://www.durham.gov.uk/article/1996/Find-a-library>

Guidance to making Comments: Publication Draft County Durham Minerals and Waste Policies and Allocations Document (M&WDPD)

Introduction

This consultation relates to the Publication Draft County Durham Minerals and Waste Policies and Allocations Document (M&WDPD) and is being conducted in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) and any representations made will be considered in accordance with Regulation 20, of the same legislation.

This consultation asks for your comments on the legal compliance and soundness of the M&WDPD and whether you wish to request involvement in the Examination in Public hearing sessions, which will be determined at the discretion of the appointed Planning Inspector.

To assist you in making your comments we have prepared this Guidance Note on how to respond to this consultation.

Durham County Council has published the Publication Draft M&WDPD for consultation and comments can be made over a period of 7 weeks between **9am on Monday 28th November 2022 to 4.30pm on Friday 13th January 2023.**

What have we done already?

The preparation of the Publication Draft M&WDPD has been informed by national policy and legislation; evidence gathering; ongoing liaison with neighbouring authorities and statutory bodies and feedback gained through previous rounds of consultation.

Two formal rounds of public consultation have already been undertaken in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. All consultations have been carried out in compliance with the council's Statement of Community Involvement (2020) and a summary of comments and main findings for each of the consultation stages has been reported back to Cabinet as part of the decision making process.

What are we consulting upon now?

This is the second version of the document for consultation before its submission to the Planning Inspectorate who will examine the document on behalf of the Secretary of State. Before commencing any formal examination in public hearing sessions relating to legal compliance and the 'Tests of Soundness', the Inspector will also make an assessment as to whether the requirements of the Duty to Cooperate have been met. Further information regarding legal compliance and soundness is set out below.

Legal Compliance and Tests of Soundness:

Once it is submitted the M&WDPD will be examined against a number of tests of soundness and legal compliance. You are now asked to comment on whether the document meets the tests or needs to be changed in some way to meet them.

Legal Compliance

The Inspector will first check that the M&WDPD meets the legal requirements under the Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, having regard to the Duty to Co-operate before moving on to consider legal compliance and the tests of soundness. You should consider the following points before making a representation on legal compliance.

- The M&WDPD should be included in the current County Durham Local Development Scheme (LDS) (November 2022) and the key stages should have been followed.
- The process of community involvement in the preparation of the M&WDPD should be in general accordance with the council's adopted Statement of Community Involvement (SCI) (2020).

- The M&WDPD should comply with the relevant Acts and Regulations; in particular the Town and Country Planning (Local Planning) (England) Regulations 2012.
- On publication, the Council must publish the documents in accordance with the Regulations.
- The Council was required to undertake a Sustainability Appraisal during its preparation, to ensure that it contributes towards sustainable development. The Sustainability Appraisal report should incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004.
- The M&WDPD should have regard to national policy specifically the National Planning Policy Framework (NPPF).

Duty to Co-operate

The M&WDPD should meet the legal requirements under the Duty to Co-operate introduced by the Localism Act 2011. Local authorities have a Duty to Co-operate on planning issues that cross administrative boundaries, particularly those of a strategic nature.

The council is expected to provide evidence of how they have complied with the duty. Non-compliance with the duty to co-operate cannot be rectified after the submission of the document. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend the adoption of the M&WDPD.

At this stage, we have prepared an interim Statement on the Duty to Cooperate. A final Duty to Cooperate Statement will be prepared prior to the submission of the M&WDPD. The final statement will detail all relevant cooperation, engagement activities and outcomes including those associated with the Publication Draft M&WDPD.

Tests of Soundness

Soundness is explained fully in the National Planning Policy Framework (NPPF) (see paragraphs 35 and 36). The Inspector has to be satisfied that the M&WDPD is positively prepared, justified, effective and consistent with national policy. The tests of soundness are set out in the NPPF and are set out as follows:

- Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
- Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
- Effective** – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.
- Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.

These tests of soundness will be applied to the M&WDPD in a proportionate way. If you wish to make a representation seeking a modification to the M&WDPD you should make it clear why you think it is unsound, having regard to the four tests set out above. You should support your representation by evidence showing why the M&WDPD should be modified, including your suggested wording to modify the M&WDPD in order to make it sound.

Where can I view the documents undergoing consultation?

You can also download electronic copies of the Publication Draft M&WDPD, its accompanying Sustainability Appraisal Report, its accompanying Habitats Regulations Assessment Screening Report and all other supporting documents and learn more about the consultation from our website: <https://www.durham.gov.uk/consultation> and our Planning Consultation Portal <https://consult-durhamcc.objective.co.uk/kse>

In addition, hard copies of the Publication Draft M&WDPD are available for inspection and can be viewed at the Council’s Customer Access Points: <https://www.durham.gov.uk/customeraccesspoints>

In addition we have also made copies available for inspection in public libraries:
<https://www.durham.gov.uk/article/1996/Find-a-library>

How can I submit my comments?

You can submit your representation in a number of ways:

- Comments can be submitted on our consultation portal:

<https://consult-durhamcc.objective.co.uk/kse>

- By completing our response form(s) and returning them by email or by post
- Sent via email to spatialpolicy@durham.gov.uk
- or by post to the Spatial Policy Team using our freepost address, which is **Freepost Spatial Policy**. No further information is required for the address.

We strongly recommend that all representations which are not made on our consultation portal, should be made using the standard Response Form provided. A separate form for the Publication Draft M&WDPD, the Sustainability Appraisal Report and the Habitats Regulations Assessment Screening Report are available for you to complete, please email us to obtain copies.

This helps to ensure that all comments received are relevant and that the correct information is collected to allow representations to be considered fully by the Planning Inspector.

If all required questions are not answered, your representation may be invalid and may not be considered by the Planning Inspector.

Representations must be received within the consultation period. Representations received after this period cannot be accepted.

Data Protection and Privacy:

To ensure an effective and fair examination, it is important that the Planning Inspector and all other participants in the examination process are able to know who has made representations on the plan. The council will therefore ensure that the names of persons or organisations making representations will be made available (including publication on the council's website and or consultation portal) and taken into account by the Planning Inspector.

We are unable to accept anonymous representations. All duly made representations, together with the names of respondents, will be made available on the council's website. Personal information such as telephone numbers, addresses, and email addresses will not be published.

By submitting a representation, you are confirming that you understand that your response will be published in full, together with your name, including on our website.

The information you provide (including address, telephone numbers, email addresses, etc.) will also be shared with the Programme Officer and the Planning Inspector, to be used only for the purposes of conducting the examination.

If you choose not to provide data for this purpose, or ask us to erase your data, you will be unable to participate in the M&WDPD Examination process. You have the right to access your personal data and to ensure the council is processing it in the correct way.

For further information about how we and the Planning Inspector use your personal information, please visit our privacy policy.

Taking Part in the M&WDPD Examination:

One of the fundamental parts of the Examination is the hearing sessions led by the appointed Planning Inspector. Should respondents wish to appear at examination, they should make it clear in their comments, and on what grounds they wish to appear and why it is necessary.

The Planning Inspector will determine which parties are to attend sessions and on what subject matters using the comments submitted to guide that decision. Appearance at the examination is at the discretion of the Inspector as the council does not determine this.

For information on Local Plan Examinations please view the Government Guidance provided below:
[View Government Guidance on Local Plan Examinations.](#)

Further guidance on the preparation, publication and examination of Development Plans is provided in the National Planning Policy Framework (NPPF), which can be viewed at:
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

What happens next?

Once the consultation has concluded, minor amendments to the M&WDPD may be made and all responses received will be submitted directly to the Planning Inspectorate for the Planning Inspectors consideration along with those raised through previous consultation phases, in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Contact for Further Information:

Please contact Durham County Council Spatial Policy Team.

By email: spatialpolicy@durham.gov.uk

By phone: 03000 263 403.

Useful Links

County Durham Local Development Scheme (LDS) (November 2022) can be viewed at
<https://www.durham.gov.uk/article/7440/What-is-the-County-Durham-Plan->

County Durham Statement of Community Involvement can be viewed at
<https://www.durham.gov.uk/article/3282/Statement-of-Community-Involvement>

The Town and Country Planning (Local Planning) (England) Regulations 2012 can be viewed at:
<https://www.legislation.gov.uk/uksi/2012/767/contents/made>

Appendix C - Publication Draft (November 2022) Consultation Letter and Emails

C1 - Main Letter Sent to Consultees

Dear «Title» «Surname»

Publication Draft Minerals and Waste Policies and Allocations Development Plan Document

I am writing to advise that the council is now consulting on its **Publication Draft Minerals and Waste Development Plan Document (M&WDPD)**. In addition, you can also make comments on the accompanying Sustainability Appraisal Report and Habitats Regulations Assessment Screening Report. Consultation commences on the **28th of November 2022** and ends on the **13th of January 2023**.

The Publication Draft M&WDPD is the final stage of consultation upon this document and follows on from consultation in Autumn 2021 upon an initial Draft Plan. It is intended that the M&WDPD will eventually form part of the statutory development plan for County Durham and together with the County Durham Plan, it will be used to make decisions on planning applications for mineral working (quarrying and related development) and on new waste management facilities.

The Publication Draft M&WDPD is available to view at all local libraries and Customer Access Points across County Durham. You can also download electronic copies of the Publication Draft M&WDPD, accompanying Sustainability Appraisal Report, a Habitats Regulations Assessment Screening Report and all other supporting documents and learn more about the consultation from our website: <https://www.durham.gov.uk/consultation> and our Planning Consultation Portal <https://consult-durhamcc.objective.co.uk/kse>

How to Have Your Say

You can make your comments known to us in a number of ways, but we would encourage you to submit your views online, via our Planning Consultation Portal at <https://consult-durhamcc.objective.co.uk/kse>.

If you are not able to use our Planning Consultation Portal you can also request by email a Microsoft Word response form for the Publication Draft M&WDPD, the Sustainability Appraisal and the Habitats Regulations Assessment Screening Report.

You can also send us your comments by e-mail to: spatialpolicy@durham.gov.uk.

You can also send us your comments to our freepost address: **FREEPOST Spatial Policy**. Further information on how to make your comments is set out within the Publication M&WDPD.

Comments need to be made by **4.30pm, Friday 13th January 2023**.

Online Events

An online event will be held for the **public** on **Wednesday 7th December at 5pm**. An officer from the Spatial Policy Team will provide a short presentation on the Minerals and Waste Policies and Allocations Document, how to make comments and what happens next. You can register for this event at <https://www.durham.gov.uk/consultation>

A separate event for the **minerals and waste industry** will also be held on the **9 December between 14:00 and 15.30**. Invitations will be sent by email to all those eligible to attend.

Yours sincerely

Michael Kelleher

Head of Planning & Housing

Dear «Title» «Surname»

Publication Draft Minerals and Waste Policies and Allocations Development Plan Document

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If you are not able to use our Planning Consultation Portal you can also request by email a Microsoft Word response form for the Publication Draft M&WDPD, the Sustainability Appraisal and the Habitats Regulations Assessment Screening Report. You can also send us your comments by e-mail to: spatialpolicy@durham.gov.uk. You can also send us your comments to our freepost address: **FREEPOST Spatial Policy**. Further information on how to make your comments is set out within the Publication M&WDPD. Comments need to be made by **4.30pm, Friday 13th January 2023**.

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A separate event for the **minerals and waste industry** will also be held on the **9 December between 14:00 and 15.30**. Invitations will be sent by email to all those eligible to attend.

Statement of the Representations Procedure and Statement of Fact

To comply with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 I have attached a combined Statement of the Representations Procedure and Statement of Fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected.

Yours sincerely

Michael Kelleher

Head of Planning & Housing

Dear Sir or Madam

Publication Draft Minerals and Waste Policies and Allocations Development Plan Document

Durham County Council is preparing a new planning document called the Minerals and Waste Policies and Allocations Document (M&WDPD). Once adopted this document together with the County Durham Plan will be used to determine future planning applications for minerals and waste development in County Durham.

The Publication Draft M&WDPD and its accompanying Sustainability Appraisal Report and a Habitats Regulations Assessment Screening Report are now subject to consultation from the **28th of November 2022** to the **13th of January 2023**.

The Publication Draft M&WDPD includes detailed minerals and waste policies against which planning applications will be determined. These policies seek to protect the environment, amenity and health of local communities, address a number of economically important minerals which were not addressed by the County Durham Plan, address waste disposal and include four allocations for future mineral working and/or waste disposal. We are writing to you because you live within 500 metres of a proposed allocation for future mineral working on land to the north of Crime Rigg Quarry. An overview of what is proposed is included on page three and four of this letter.

The Publication Draft M&WDPD is available to view at all local libraries and Customer Access Points across County Durham. You can also download electronic copies of the Publication Draft M&WDPD, the accompanying Sustainability Appraisal Report, the Habitats Regulations Assessment Screening Report and all other supporting documents and learn more about the consultation from our website: <https://www.durham.gov.uk/consultation> and our Planning Consultation Portal <https://consult-durhamcc.objective.co.uk/kse>

You can make your comments known to us in a number of ways, but we would encourage you to submit your views online, via our Planning Consultation Portal at <https://consult-durhamcc.objective.co.uk/kse>.

If you are not able to use our Planning Consultation Portal you can also request by email a Microsoft Word response form for the Publication Draft M&WDPD, the Sustainability Appraisal and the Habitats Regulations Assessment Screening Report.

You can also send us your comments by e-mail to: spatialpolicy@durham.gov.uk.

You can also send us your comments to our freepost address: **FREEPOST Spatial Policy.**

Further information on how to make your comments is set out within the Publication M&WDPD and from the guidance notes the Council has prepared which can be viewed and downloaded from our website as set out above.

Comments need to be made by **4.30pm, Friday 13th January 2023**.

Yours sincerely

Michael Kelleher

Head of Planning & Housing

Publication Draft Minerals and Waste Policies and Allocations Development Plan Document (M&WDPD): Overview of Allocations

The allocations seek either to ensure a steady and adequate supply of sand from quarries in County Durham or make provision for further inert³¹ waste disposal. All four allocations have been carefully assessed and have been found to be suitable as potential allocations, but their acceptability would also need to be tested through the consideration of individual planning applications.

Subject to planning permission being granted the allocations at Thrislington West Quarry and on land to the north of Crime Rigg Quarry should provide for an additional 6.71 million tonnes of sand. They will enable both Thrislington Quarry West and Crime Rigg Quarry to continue to make a major contribution to the identified need for further sand and gravel working from County Durham at a rate of up to 240,000 to 340,000 tonnes per annum from these two quarries alone. The allocation at Crime Rigg Quarry would also enable the working of 1.75 million tonnes of limestone which overlies the sand at this allocation. Given the declining permitted reserves at both sites it is considered that these sites are both a priority for allocation.

Subject to planning permission being granted the allocation at Cold Knuckles Quarry would 400,000 cubic metres (approximately 625,000 tonnes) of inert waste to be imported to achieve the previously approved restoration prolife and enable the magnesian limestone which would have been used for that purpose to be instead sold thereby making best use of the limestone. The allocation at Crime Rigg Quarry would enable an extension of the existing inert landfill into the eastern part of the quarry and enable the current quarry void to be restored to a higher level than is currently permitted.

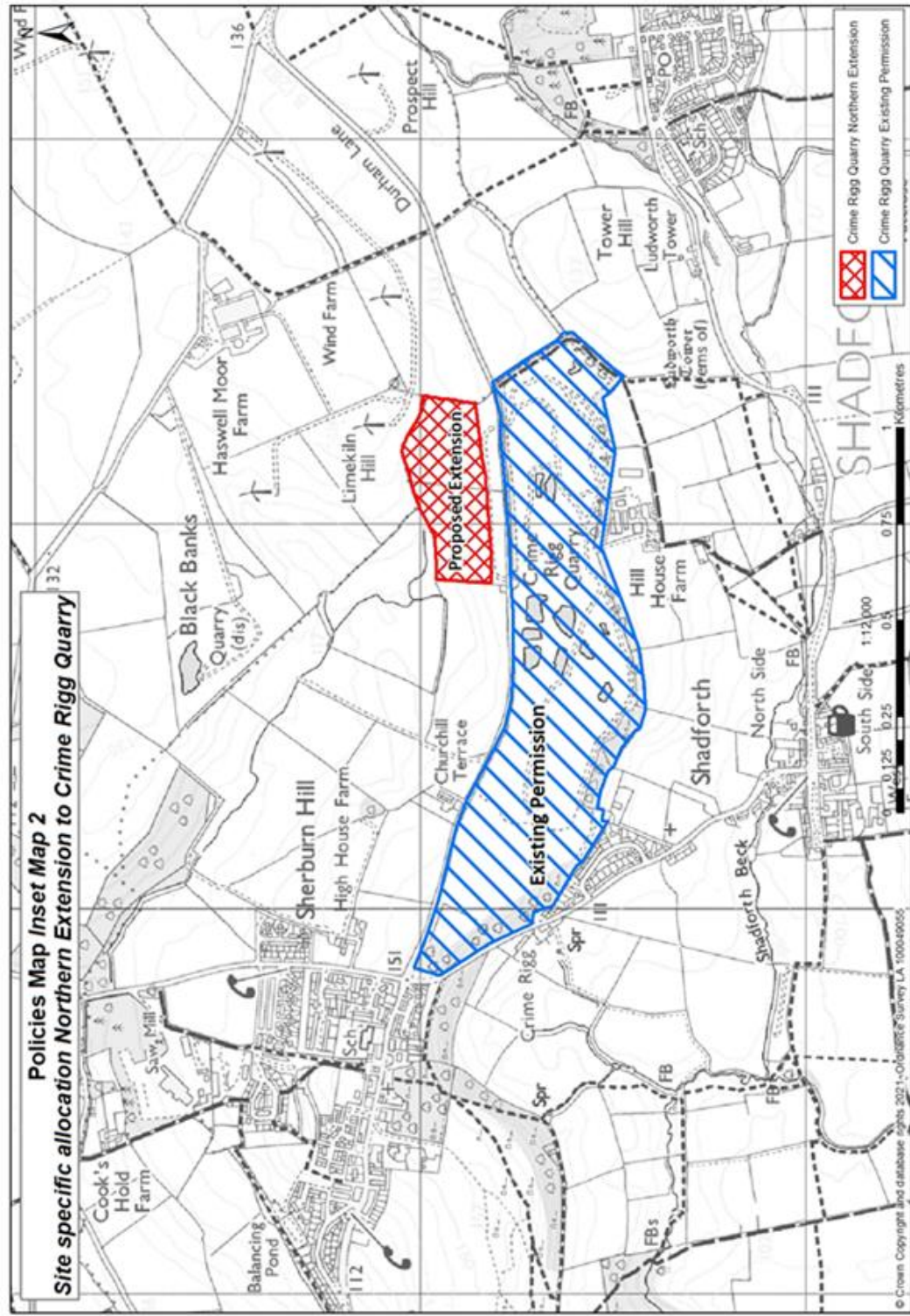
Northern Extension to Crime Rigg Quarry

The Council proposes to allocate a 9.5-hectare site specific extension to the north of the B1283 road to enable the extraction of 910,000 tonnes of Basal Permian sand together with an overlying quantity of 1,775,000 tonnes of magnesian limestone at an expected rate of 40,000 tonnes of sand and 100,000 tonnes of magnesian limestone per annum. The proposed site allocation would ensure the continued working of both sand and magnesian limestone from this existing quarry and would be expected to extend its operation life by eighteen to twenty years, depending upon annual sales meaning that the resulting end date would be circa 2043/2045. The site allocation lies in an unconstrained area of County Durham. The proposed northern extension is not directly constrained by environmental designations.

What would happen next?

If allocated a planning application would then need to be submitted by the quarry operator. This would then be considered by the Council. Should planning permission be granted it would enable the continued extraction of sand and limestone from an extension to the existing quarry on land to the north of the B1283 road.

³¹ Waste material that when disposed does not undergo any significant physical, chemical or biological transformation; does not adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm to human health; and does not endanger the quality of any surface water or groundwater e.g. glass, rubble and concrete.



Dear Sir or Madam

Publication Draft Minerals & Waste Policies and Allocations Development Plan Document

Durham County Council is preparing a new planning document called the Minerals and Waste Policies and Allocations Document (M&WDPD). Once adopted this document together with the County Durham Plan will be used to determine future planning applications for minerals and waste development in County Durham.

The Publication Draft M&WDPD and its accompanying Sustainability Appraisal Report and a Habitats Regulations Assessment Screening Report are now subject to consultation from the **28th of November 2022** to the **13th of January 2023**.

The Publication Draft M&WDPD includes detailed minerals and waste policies against which planning applications will be determined. These policies seek to protect the environment, amenity and health of local communities, address a number of economically important minerals which were not addressed by the County Durham Plan, address waste disposal and include four allocations for future mineral working and/or waste disposal. We are writing to you because you live within 500 metres of a proposed allocation for further inert waste disposal on land within the existing eastern void of Crime Rigg Quarry. An overview of what is proposed is included on page three and four of this letter.

The Publication Draft M&WDPD is available to view at all local libraries and Customer Access Points across County Durham. You can also download electronic copies of the Publication Draft M&WDPD, the accompanying Sustainability Appraisal Report, the Habitat Regulations Assessment Screening Report and all other supporting documents and learn more about the consultation from our website: <https://www.durham.gov.uk/consultation> and our Planning Consultation Portal <https://consult-durhamcc.objective.co.uk/kse>

You can make your comments known to us in a number of ways, but we would encourage you to submit your views online, via our Planning Consultation Portal at <https://consult-durhamcc.objective.co.uk/kse>.

If you are not able to use our Planning Consultation Portal you can also request by email a Microsoft Word response form for the Publication Draft M&WDPD, the Sustainability Appraisal and the Habitats Regulations Assessment Screening Report.

You can also send us your comments by e-mail to: spatialpolicy@durham.gov.uk.

You can also send us your comments to our freepost address: **FREEPOST Spatial Policy.**

Further information on how to make your comments is set out within the Publication M&WDPD and from the guidance note the Council has prepared which can be viewed and downloaded from our website as set out above.

Comments need to be made by **4.30pm, Friday 13th January 2023**.

Yours sincerely

Michael Kelleher

Head of Planning & Housing

Publication Draft Minerals and Waste Policies and Allocations Development Plan Document: Overview of Allocations

The allocations seek either to ensure a steady and adequate supply of sand from quarries in County Durham or make provision for further inert³² waste disposal. All four allocations have been carefully assessed and have been found to be suitable as potential allocations, but their acceptability would also need to be tested through the consideration of individual planning applications.

Subject to planning permission being granted the allocations at Thrislington West Quarry and on land to the north of Crime Rigg Quarry should provide for an additional 6.71 million tonnes of sand. They will enable both Thrislington Quarry West and Crime Rigg Quarry to continue to make a major contribution to the identified need for further sand and gravel working from County Durham at a rate of up to 240,000 to 340,000 tonnes per annum from these two quarries alone. The allocation at Crime Rigg Quarry would also enable the working of 1.75 million tonnes of limestone which overlies the sand at this allocation. Given the declining permitted reserves at both sites it is considered that these sites are both a priority for allocation.

Subject to planning permission being granted the allocation at Cold Knuckles Quarry would 400,000 cubic metres (approximately 625,000 tonnes) of inert waste to be imported to achieve the previously approved restoration prolife and enable the magnesian limestone which would have been used for that purpose to be instead sold thereby making best use of the limestone. The allocation at Crime Rigg Quarry would enable an extension of the existing inert landfill into the eastern part of the quarry and enable the current quarry void to be restored to a higher level than is currently permitted.

Inert Waste Disposal at Crime Rigg Quarry

Crime Rigg Quarry is an existing magnesian limestone and basal sand quarry which is being partially restored to surrounding levels through the importation and disposal of inert waste in a permitted inert landfill which is regulated by the Environment Agency. The site allocation extends to an area of 11 hectares and is the eastern part of the current operational quarry made up of an open void with perimeter soil mounding and structure planting. The site allocation would be used for inert waste disposal following the working of the remaining recoverable sand and limestone within the quarry and the exhaustion of the existing landfill void space. Potentially the site allocation would enable approximately 200,000 tonnes (133,000 cubic metres) of inert waste to be imported per annum which is commensurate with the existing scale of inert waste disposal. Depending on the acceptability of the proposed final restoration landform, either a low-level restoration scheme or a high-level restoration scheme may eventually be permitted. It is anticipated that if restored to a lower level, the site allocation could operate for a period of approximately 11.5 years or if restored to a high-level a period of approximately 24 years.

What would happen next?

If allocated a planning application would then need to be submitted by the quarry operator. The planning application would then be considered by the Council. Should planning permission be granted it would change how the eastern area of Crime Rigg Quarry would be restored and would mean that waste disposal operations would continue at this quarry following the completion of the existing permitted operations.

³² Waste material that when disposed does not undergo any significant physical, chemical or biological transformation; does not adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm to human health; and does not endanger the quality of any surface water or groundwater e.g. glass, rubble and concrete.

Dear Sir / Madam

Publication Draft Minerals and Waste Policies and Allocations Development Plan Document

Durham County Council is preparing a new planning document called the Minerals and Waste Development Plan Document (M&WDPD). Once adopted this document together with the County Durham Plan will be used to determine future planning applications for minerals and waste development in County Durham.

The Publication Draft M&WDPD and its accompanying Sustainability Appraisal Report and a Habitats Regulations Assessment Screening Report are now subject to consultation from the **28th of November 2022** to the **13th of January 2023**.

The Publication Draft M&WDPD includes detailed minerals and waste policies against which planning applications will be determined. These policies seek to protect the environment, amenity and health of local communities, specific policies for a number of economically important minerals and for waste disposal and four allocations for future mineral working and/or waste disposal. We are writing to you because you live within 500 metres of a proposed allocation for future mineral working at Thrislington West Quarry. An overview of what is proposed is included on the following page.

The consultation material and supporting documents are available to view at all local libraries and Customer Access Points across County Durham. You can download electronic copies of the documents and learn more about the consultation from our Planning Policy Consultation web page: <https://consult-durhamcc.objective.co.uk/kse>. and the Council's general consultation page: <https://www.durham.gov.uk/consultation>. You can make your comments known to us in a number of ways. Comments can be made following registration on the Planning Policy Consultation web page or by emailing: spatialpolicy@durham.gov.uk or in writing to: **FREEPOST Spatial Policy** (no other address details are required). Comments need to be made by **4.30pm, 13th January 2023**.

For enquiries and to request a copy of the consultation documents in an alternative format such as large print, Braille, audio cassette or an alternative language, please call: **03000 263403**.

Yours sincerely

Michael Kelleher

Head of Planning & Housing

Publication Draft Minerals and Waste Policies and Allocations Development Plan Document: Overview of Allocations

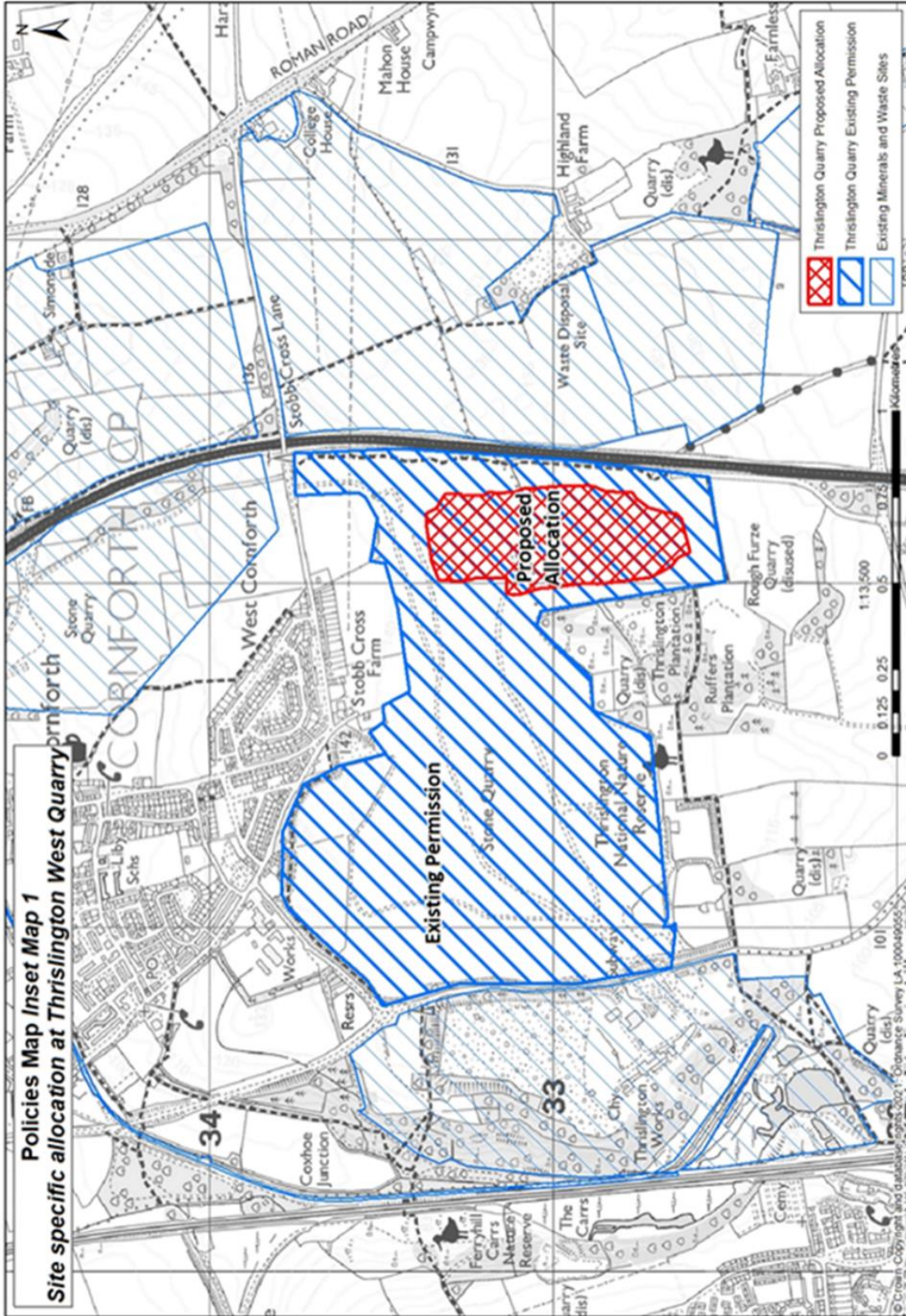
The allocations seek either to ensure a steady and adequate supply of sand from quarries in County Durham or make provision for further inert waste disposal. All four allocations have been carefully assessed and have been found to be suitable as potential allocations, but their acceptability would also need to be tested through the consideration of individual planning applications.

Subject to planning permission being granted the allocations at Thrislington West Quarry and on land to the north of Crime Rigg Quarry should provide for an additional 6.71 million tonnes of sand. They will enable both Thrislington Quarry West and Crime Rigg Quarry to continue to make a major contribution to the identified need for further sand and gravel working from County Durham at a rate of up to 240,000 to 340,000 tonnes per annum from these two quarries alone. The allocation at Crime Rigg Quarry would also enable the working of 1.75 million tonnes of limestone which overlies the sand at this allocation. Given the declining permitted reserves at both sites it is considered that these sites are both a priority for allocation.

Subject to planning permission being granted the allocation at Cold Knuckles Quarry would 400,000 cubic metres (approximately 625,000 tonnes) of inert waste to be imported to achieve the previously approved restoration prolife and enable the magnesian limestone which would have been used for that purpose to be instead sold thereby making best use of the limestone. The allocation at Crime Rigg Quarry would enable an extension of the existing inert landfill into the eastern part of the quarry and enable the current quarry void to be restored to a higher level than is currently permitted.

Thrislington West Quarry

The proposed site allocation lies within the quarry void at its eastern end adjacent to the A1(M) and would enable the extraction of 5,800,000 tonnes of Basal Permian. The proposed site allocation would ensure the continued working of sand from this existing quarry and would be expected to extend its operation life by twenty years, depending upon annual sales meaning that the resulting end date would be circa 2045. Without these additional permitted reserves, the quarry operator reports that permitted reserves would be exhausted by 2025 although the quarry is currently scheduled to cease mineral working at the end of 2030. The proposed allocation and quarry void is not directly affected by any environmental designation.



Dear «Title» «Surname»

Publication Draft Minerals and Waste Policies and Allocations Development Plan Document

Durham County Council is preparing a new planning document called the Minerals and Waste Policies and Allocations Document (M&WDPD). Once adopted this document together with the County Durham Plan will be used to determine future planning applications for minerals and waste development in County Durham.

The Publication Draft M&WDPD and its accompanying Sustainability Appraisal Report and a Habitats Regulations Assessment Screening Report are now subject to consultation from the **28th of November 2022** to the **13th of January 2023**.

The Publication Draft M&WDPD includes detailed minerals and waste policies against which planning applications will be determined. These policies seek to protect the environment, amenity and health of local communities, address a number of economically important minerals which were not addressed by the County Durham Plan, address waste disposal and include four allocations for future mineral working and/or waste disposal. We are writing to you because you live within 500 metres of a proposed allocation for further inert waste disposal on land at Cold Knuckle Quarry. An overview of what is proposed is included on page three and four of this letter.

The Publication Draft M&WDPD is available to view at all local libraries and Customer Access Points across County Durham. You can also download electronic copies of the Publication Draft M&WDPD, the accompanying Sustainability Appraisal Report, the Habitats Regulations Assessment Screening Report and all other supporting documents and learn more about the consultation from our website: <https://www.durham.gov.uk/consultation> and our Planning Consultation Portal <https://consult-durhamcc.objective.co.uk/kse>

You can make your comments known to us in a number of ways, but we would encourage you to submit your views online, via our Planning Consultation Portal at <https://consult-durhamcc.objective.co.uk/kse>.

You can also send us your comments by e-mail to: spatialpolicy@durham.gov.uk.

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Yours sincerely

Michael Kelleher

Head of Planning & Housing

Publication Draft Minerals and Waste Policies and Allocations Development Plan Document: Overview of Allocations

The allocations seek either to ensure a steady and adequate supply of sand from quarries in County Durham or make provision for further inert³³ waste disposal. All four allocations have been carefully assessed and have been found to be suitable as potential allocations, but their acceptability would also need to be tested through the consideration of individual planning applications.

Subject to planning permission being granted the allocations at Thrislington West Quarry and on land to the north of Crime Rigg Quarry should provide for an additional 6.71 million tonnes of sand. They will enable both Thrislington Quarry West and Crime Rigg Quarry to continue to make a major contribution to the identified need for further sand and gravel working from County Durham at a rate of up to 240,000 to 340,000 tonnes per annum from these two quarries alone. The allocation at Crime Rigg Quarry would also enable the working of 1.75 million tonnes of limestone which overlies the sand at this allocation. Given the declining permitted reserves at both sites it is considered that these sites are both a priority for allocation. Subject to planning permission being granted the allocation at Cold Knuckles Quarry would 400,000 cubic metres (approximately 625,000 tonnes) of inert waste to be imported to achieve the previously approved restoration prolife and enable the magnesian limestone which would have been used for that purpose to be instead sold thereby making best use of the limestone. The allocation at Crime Rigg Quarry would enable an extension of the existing inert landfill into the eastern part of the quarry and enable the current quarry void to be restored to a higher level than is currently permitted.

Inert Waste Disposal at Cold Knuckle Quarry

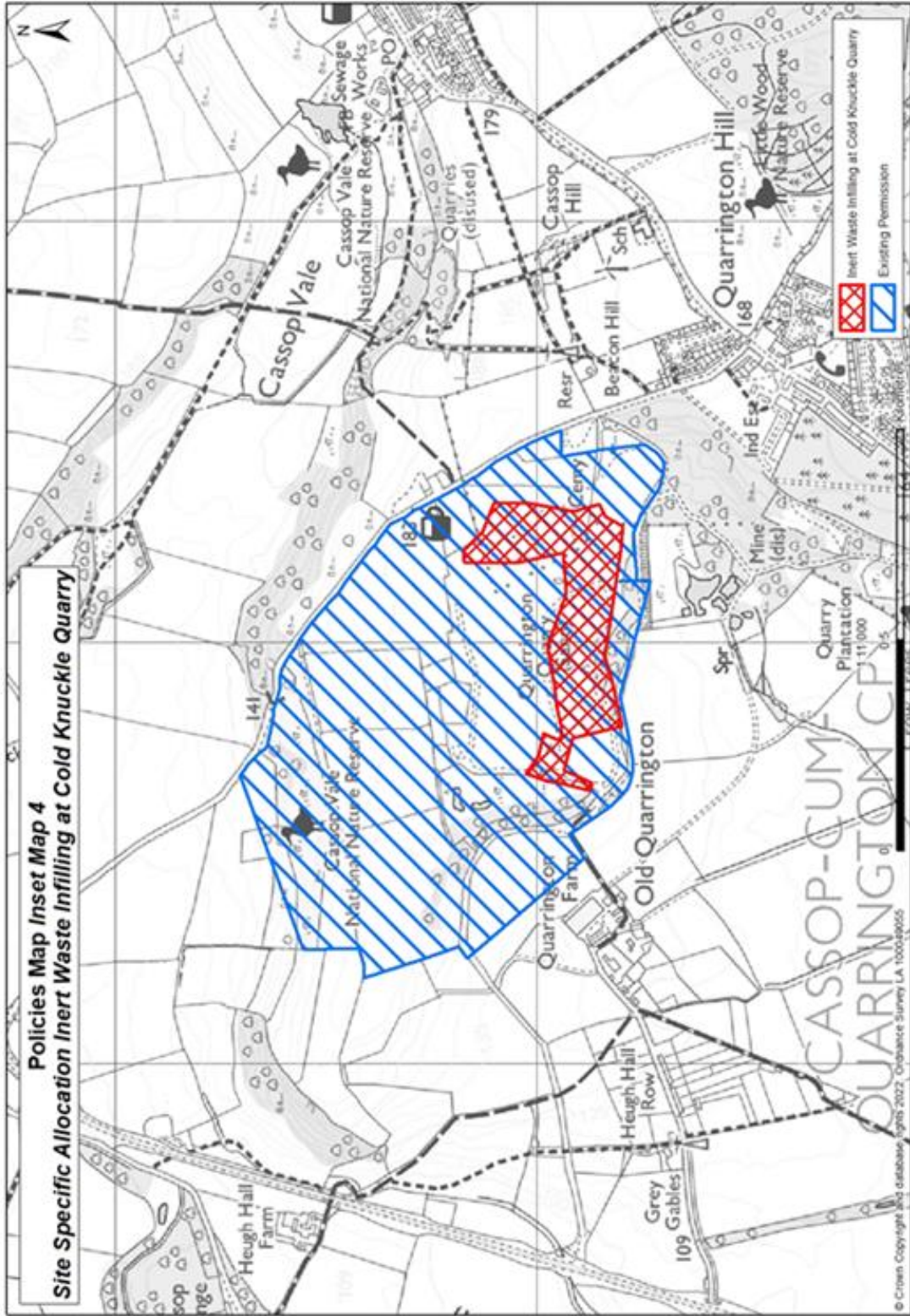
The site allocation extends to approximately 10.6 hectares and lies on the southern edge of the spur between Cassop Vale and Old Quarrington Vale. It is made up of currently operational areas of the Old Quarrington Quarry including parts of the unrestored former Cold Knuckle Quarry. The allocation would enable 400,000 cubic metres (approximately 625,000 tonnes) of inert waste to be imported to achieve the previously approved restoration prolife. It would also extend the existing inert landfill operation at Old Quarrington Quarry into Cold Knuckle Quarry, thereby providing additional landfill capacity and would enable the sale of 1 million tonnes of magnesian limestone which would otherwise be used to achieve the previously approved restoration prolife and prevent the limestones sterilisation.

The Council would seek to ensure that any permission would be restored to a high standard, and would as a minimum seek to replicate or be very close to that of the approved scheme which had sought to reconstruct the local landform using limestone and achieve the same level of nature conservation (biodiversity) net gain as the existing approved scheme. This should include the creation of a number of natural habitats including species rich grasslands, scrub/woodland planting (linking to retained scrub at the base of the escarpment), new hedges and new bridleway.

What would happen next?

If allocated a planning application would then need to be submitted by the quarry operator. The planning application would then be considered by the Council. Should planning permission be granted it would enable the reconstruction of the local landform with inert waste instead of stockpiled limestone, which then instead be sold for construction purposes.

³³ Waste material that when disposed does not undergo any significant physical, chemical or biological transformation; does not adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm to human health; and does not endanger the quality of any surface water or groundwater e.g. glass, rubble and concrete.



To: Durham County Council Library and Customer Access Point Staff

Dear Colleague,

County Durham Minerals and Waste Policies and Allocations Document

This letter should be read alongside a previous letter from the Spatial Policy Team which was sent in November 2022. This previous letter:

1. Explained that the Council is now consulting on the **Publication Draft County Durham Minerals and Waste Policies and Allocations Document** and upon its accompanying **Sustainability Appraisal Report** and a **Habitat Regulations Assessment Screening Report**;
2. Provided guidance to Library and Customer Access Point Staff on this consultation, which commences on 28th of November 2022 and ends on Friday 13th of January 2023;
3. Provided copies of the key documents and a request that they should be retained and made available for inspection. These key documents were the:
 - a. **Publication Draft Plan**;
 - b. **Statement of Consultation Regulation 18 Draft Plan**; and
 - c. **Sustainability Appraisal Report Non-Technical Summary**;
4. Provided guidance on what the consultation is about;
5. Provided guidance on what will happen after the end of the consultation; and
6. Provided information on how comments can be made.

Enclosed with this letter is one further document which we would be grateful if you could also retain and make available for inspection alongside the other documents listed under bullet 3 above. This document is the Publication Draft County Durham Minerals and Waste Policies and Allocations Development Plan Document Submission Policies Map (November 2022).

I do hope this is possible and thank you for your help in advance. If you have any questions, please contact the Spatial Policy Team using the contact details set out above.

Yours sincerely

Michael Kelleher

Head of Planning & Housing

Appendix D - Draft Plan (September 2021) Consultation Letter and Emails sent to consultees

D1 – Main letter sent to all consultees

Dear Sir or Madam

Minerals and Waste Policies and Allocations Development Plan Document

I am writing to advise that the council is now consulting on the Minerals and Waste Development Plan Document (DPD) between the **24th September 2021** and the **5th November 2021**. Once adopted this document together with the County Durham Plan will be used to determine future planning applications for minerals and waste development in County Durham.

The draft of the Minerals and Waste Policies and Allocations DPD includes specific policies for a number of economically important minerals, detailed minerals and waste policies against which planning applications will be determined and two allocations at Thrislington West Quarry and on land to the north of Crime Rigg Quarry.

The consultation material and supporting documents are available to view at all local libraries and Customer Access Points across County Durham. You can download electronic copies of the documents and learn more about the consultation from our website: <https://consult-durhamcc.objective.co.uk/kse>. They can also be accessed from the Council's general consultation page: <https://www.durham.gov.uk/consultation>.

You can make your comments known to us in a number of ways, but we would encourage you to submit your views online, via the County Durham Plan consultation pages at <https://consult-durhamcc.objective.co.uk/kse>. You can also send us your comments by e-mail to: spatialpolicy@durham.gov.uk. Alternatively, you can send us your comments to our freepost address (all you need to do is write this one line on an envelope - no other address details or postage stamp are needed): **FREEPOST Spatial Policy**. Comments need to be made by **4.30pm, 5th November 2021**.

For enquiries and to request copies of the consultation document, including in an alternative format such as large print, Braille, audio cassette or an alternative language, please call: **03000 263403** or **03000 261910** or **03000 263967**.

Yours sincerely

G Paul

Head of Development and Housing

Dear Sir / Madam

Minerals and Waste Policies and Allocations Development Plan Document

Durham County Council is preparing a new planning document called the Minerals and Waste Development Plan Document (DPD). Once adopted this document together with the County Durham Plan will be used to determine future planning applications for minerals and waste development in County Durham.

The draft of the Minerals and Waste Policies and Allocations DPD is now subject to consultation from the **24th September 2021** and the **5th November 2021**. The draft document includes specific policies for a number of economically important minerals, detailed minerals and waste policies against which planning applications will be determined and two allocations. We are writing to you because you live within 500 metres of a proposed allocation for future mineral working on land to the north of Crime Rigg Quarry. An overview of what is proposed is included on the following page.

The consultation material and supporting documents are available to view at all local libraries and Customer Access Points across County Durham. You can download electronic copies of the documents and learn more about the consultation from our website: <https://consult-durhamcc.objective.co.uk/kse>. They can also be accessed from the Council's general consultation page: <https://www.durham.gov.uk/consultation>.

You can make your comments known to us in a number of ways, but we would encourage you to submit your views online, via the County Durham Plan consultation pages at <https://consult-durhamcc.objective.co.uk/kse>. You can also send us your comments by e-mail to: spatialpolicy@durham.gov.uk. Alternatively, you can send us your comments to our freepost address (all you need to do is write this one line on an envelope - no other address details or postage stamp are needed): **FREEPOST Spatial Policy**. Comments need to be made by **4.30pm, 5th November 2021**.

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Yours sincerely

G Paul

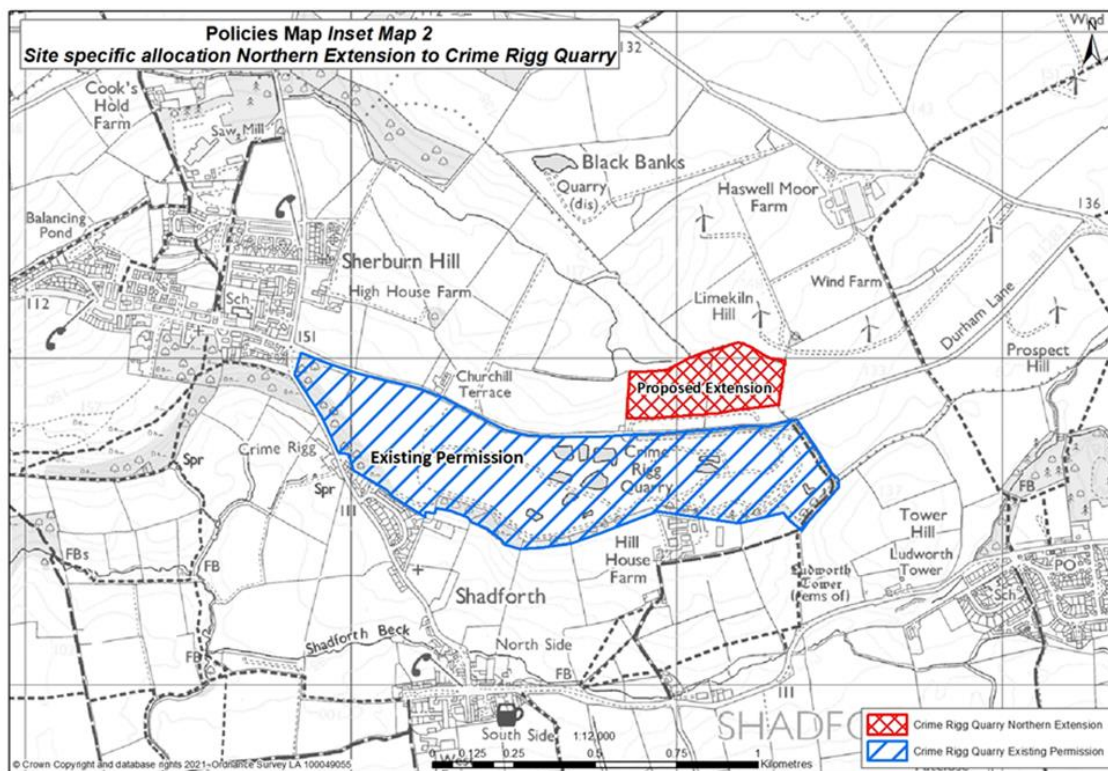
Head of Development and Housing

Minerals and Waste Policies and Allocations Development Plan Document: Overview of Allocations

The draft allocations seek to ensure a steady and adequate supply of sand from quarries in County Durham. Both proposed site allocations have been carefully assessed and have been found to be suitable as potential allocations, but their acceptability would also need to be tested through the consideration of individual planning applications. Subject to planning permission being granted these site allocations should provide for an additional 6.71 million tonnes of sand. They will enable both Thrislington Quarry West and Crime Rigg Quarry to continue to make a major contribution to the identified need for further sand and gravel working from County Durham at a rate of up to 240,000 tonnes per annum from these two quarries alone. Given the declining permitted reserves at both sites it is considered that these sites are both a priority for allocation.

Northern Extension to Crime Rigg Quarry

The Council proposes to allocate a 9.5-hectare site specific extension to the north of the B1283 road to enable the extraction of 910,000 tonnes of Basal Permian sand together with an overlying quantity of 1,775,000 tonnes of magnesian limestone at an expected rate of 40,000 tonnes of sand and 100,000 tonnes of magnesian limestone per annum. The proposed site allocation would ensure the continued working of both sand and magnesian limestone from this existing quarry and would be expected to extend its operation life by eighteen to twenty years, depending upon annual sales meaning that the resulting end date would be circa 2043/2045. The site allocation lies in an unconstrained area of County Durham. The proposed northern extension is not directly constrained by environmental designations



Dear Sir / Madam

Minerals and Waste Policies and Allocations Development Plan Document

Durham County Council is preparing a new planning document called the Minerals and Waste Development Plan Document (DPD). Once adopted this document together with the County Durham Plan will be used to determine future planning applications for minerals and waste development in County Durham.

The draft of the Minerals and Waste Policies and Allocations DPD is now subject to consultation from the **24th September 2021** and the **5th November 2021**. The draft document includes specific policies for a number of economically important minerals, detailed minerals and waste policies against which planning applications will be determined and two allocations. We are writing to you because you live within 500 metres of a proposed allocation for future mineral working at Thrislington West Quarry. An overview of what is proposed is included on the following page.

The consultation material and supporting documents are available to view at all local libraries and Customer Access Points across County Durham. You can download electronic copies of the documents and learn more about the consultation from our website: <https://consult-durhamcc.objective.co.uk/kse>. They can also be accessed from the Council's general consultation page: <https://www.durham.gov.uk/consultation>.

You can make your comments known to us in a number of ways, but we would encourage you to submit your views online, via the County Durham Plan consultation pages at <https://consult-durhamcc.objective.co.uk/kse>. You can also send us your comments by e-mail to: spatialpolicy@durham.gov.uk. Alternatively, you can send us your comments to our freepost address (all you need to do is write this one line on an envelope - no other address details or postage stamp are needed): **FREEPOST Spatial Policy**. Comments need to be made by **4.30pm, 5th November 2021**.

For enquiries and to request copies of the consultation document, including in an alternative format such as large print, Braille, audio cassette or an alternative language, please call: **03000 263403** or **03000 261910** or **03000 263967**.

Yours sincerely

G Paul

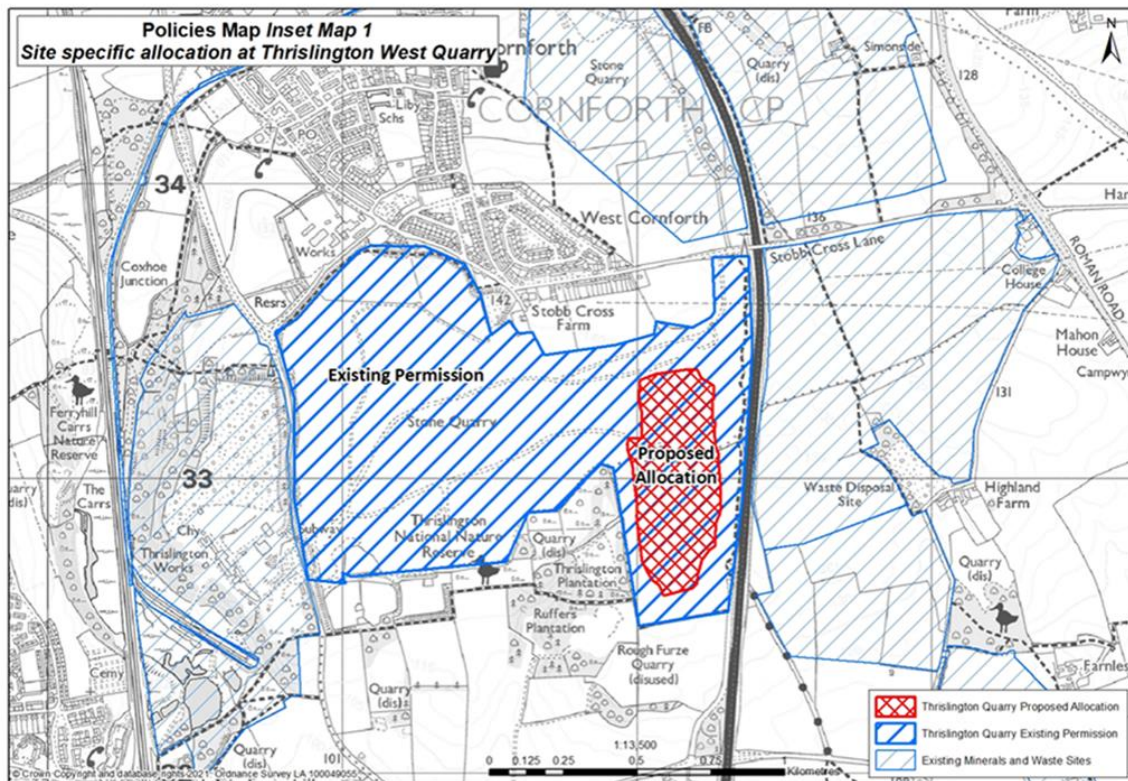
Head of Development and Housing

Minerals and Waste Policies and Allocations Development Plan Document: Overview of Allocations

The draft allocations seek to ensure a steady and adequate supply of sand from quarries in County Durham. Both proposed site allocations have been carefully assessed and have been found to be suitable as potential allocations, but their acceptability would also need to be tested through the consideration of individual planning applications. Subject to planning permission being granted these site allocations should provide for an additional 6.71 million tonnes of sand. They will enable both Thrislington Quarry West and Crime Rigg Quarry to continue to make a major contribution to the identified need for further sand and gravel working from County Durham at a rate of up to 240,000 tonnes per annum from these two quarries alone. Given the declining permitted reserves at both sites it is considered that these sites are both a priority for allocation.

Thrislington West Quarry

The proposed site allocation lies within the quarry void at its eastern end adjacent to the A1(M) and would enable the extraction of 5,800,000 tonnes of Basal Permian. The proposed site allocation would ensure the continued working of sand from this existing quarry and would be expected to extend its operation life by twenty years, depending upon annual sales meaning that the resulting end date would be circa 2045. Without these additional permitted reserves, the quarry operator reports that permitted reserves would be exhausted by 2025 although the quarry is currently scheduled to cease mineral working at the end of 2030. The proposed allocation and quarry void is not directly affected by any environmental designation.



Dear Colleague,

County Durham Plan: Minerals and Waste Policies and Allocations Development Plan Document

I am writing to advise that the council is now consulting on the Minerals and Waste Development Plan Document (DPD) between the **24th September 2021** and the **5th November 2021**.

The draft of the Minerals and Waste Policies and Allocations DPD includes: specific policies for a number of economically important minerals; detailed minerals and waste policies against which planning applications will be determined; and two allocations at Crime Rigg Quarry and Thrislington West Quarry.

I would be grateful if you could place a copy of the document and associated documents in a suitable location to be made available to anyone wishing to view a copy. In addition, I have also included a poster advertising the consultation. Additional copies of all materials are available on request and are available at: www.durham.gov.uk/consultation.

If members of the public wish to comment on the Minerals and Waste Policies and Allocations Development Plan Document they need to do so in writing by **4.30pm, 5th November**:

Online at: <https://www.durham.gov.uk/consultation> or go directly to the Durham County Council Planning Policy Consultation web page at <http://consult-durhamcc.objective.co.uk/kse>

Emailing: spatialpolicy@durham.gov.uk

Or in Writing to: **FREEPOST Spatial Policy** (no other details are required)

If you have any questions, please use the contact details above or telephone: 03000 263403.

Yours sincerely

G Paul

Head of Development and Housing

E1 - Letter for Regulation 18 Statement - Notice of Intention to Prepare a Development Plan Document & Call for Minerals and Waste Sites

Dear Sir or Madam,

County Durham Minerals and Waste Policies and Allocations Document

Regulation 18 Statement - Notice of Intention to Prepare a Development Plan Document & Call for Minerals and Waste Sites

Following the adoption of the County Durham Plan in October 2020, the council is now commencing work to prepare its Minerals and Waste Policies and Allocations Document (M&WDPD). The documents preparation is a longstanding commitment of the council and our intent to prepare the M&WDPD and its intended role is specifically referred to within the County Durham Plan.

1) Regulation 18 Statement - Notice of Intention to Prepare a Development Plan Document

In accordance with Regulation 18 of the Town and Country Planning (Local Development) (England) Regulations 2012, the council is required to notify 'specified bodies and persons' of the subject of the Plan and invite representations about what it ought to contain. Our initial view of the scope of the M&WDPD and the policy issues we consider it should address are set out in the accompanying 'Regulation 18 Statement - Notice of Intention to Prepare a Development Plan Document' (January 2021) which is attached to this letter. Please note, as well as your views, we will also consider the views of additional persons and organisations whom respond in response to the publicity we undertake on this letter and subsequent consultations. The timescale for the preparation of the M&WDPD is set out in detail in the Council's new Local Development Scheme (December 2020).

2) Call for Minerals and Waste Sites

During this first stage of the M&WDPDs preparation a call for new minerals and waste sites is also be conducted. Details of the call for sites are set out in 'A call for

Minerals and Waste Sites' (January 2021). This document can be downloaded from our planning consultation portal: <https://consult-durhamcc.objective.co.uk> or can be obtained by emailing us at spatialpolicy@durham.gov.uk

How do I get involved?

Comments on the 'Regulation 18 Statement - Notice of Intention to Prepare a Local Plan Development Plan Document' and any minerals and waste site submissions in response to the 'Call for Minerals and Waste Sites' should be made by email to spatialpolicy@durham.gov.uk or by post to the Spatial Policy Team using our Freepost address **Freepost Spatial Policy**, to be received by the deadline of 5.00 pm on **Friday 26th February 2021**. Should you wish to speak to an officer of the Spatial Policy Team this can be arranged but will need to be held in Covid secure method.

All comments on the 'Scope of M&WDPD letter' will be published but apart from the name of the sender and company/organisation (if relevant) no other personal information will be publicly available.

Why was I sent this letter?

You were sent this letter:

1. Because your organisation/company falls within a relevant category that should be notified under Regulation 18 of the Town and Country Planning (Local Development) (England) Regulations 2012; or
2. Because we consider that you may have an interest in the M&WDPDs preparation because either a) you operate a minerals or waste related business in County Durham; or b) because you have been acting as a consultant on behalf of a minerals and waste business operating in County

Durham; or c) you a major landowner who we believe may have active minerals related interests in County Durham.

A new consultation database for the M&WDPD will also be developed through its preparation. If you no longer wish to be consulted on Planning Policy matters or the M&WDPD and/or the contact details are incorrect, please inform us by using the email address set out above and we will remove or amend your details accordingly.

Yours faithfully

Mike Allum

Spatial Policy Manager

Dear AAP

I am writing to advise that the Council will be undertaking the following planning consultations between 15th January 2021 – 26th February 2021. As AAPs we believe the following consultations may be of interest to you, would like to draw your attention to them and welcome your feedback.

Background

On the 21 October 2020 the Council adopted the County Durham Plan. The report to Members also noted that we would be beginning preparation of subsequent documents including the Minerals and Waste Policies and Allocations Development Plan Document (M&WDPD). Government guidance allows the preparation of supplementary planning documents (SPDs). SPDs are capable of being a material consideration in planning decisions but are not part of the development plan. One SPD that is specifically mentioned in the County Durham Plan is the Parking and Accessibility SPD. Preparation of both documents was approved by Cabinet on the 16th December 2020.

The Council is consulting on the following documents:

1. Minerals and Waste Development Plan Document

At this stage we are inviting comments on our Notice of Intention to prepare a Development Plan document, which explains our views on the scope of the Minerals and Waste Policies and Allocations Document. The Minerals and Waste Allocations Document will form part of the statutory development plan for County Durham and together with the County Durham Plan, it will be used to make decisions on planning applications for future minerals and waste management in the county.

2. Parking and Accessibility Supplementary Planning Document (SPD)

The Council is consulting on a Parking and Accessibility Supplementary Planning Document (SPD), which will set out parking and accessibility requirements for developers and officers when assessing planning applications. The SPD will support Policy 21 (Delivering Sustainable Transport) of the County Durham Plan. This consultation has been developed in accordance with the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and other relevant guidance. It will replace the Council's Parking and Accessibility Standards 2019.

This 'issues and options' consultation is the first of two rounds of consultation and seeks comments on the Council's planned approach to specific parking and accessibility issues. An SPD will then be drafted based on responses to this consultation. A second consultation will then be undertaken on the draft SPD before the document is adopted into Council policy. This consultation covers issues such as accessibility of development to people with disabilities, parking requirements at new and extended homes, accessibility of destinations and parking requirements at different types of destinations (i.e., employment, retail, leisure), and requirements for electric vehicle and cycle parking.

We are holding two online consultation events for the SPD, if you would like to attend, please follow the link below:

Date	Time	URL
Tuesday 2 nd February	9:30a m	https://www.eventbrite.co.uk/e/133855121271
Wednesday 10 th February	6:00p m	https://www.eventbrite.co.uk/e/133968482337

Proposed Article 4 Direction:

Article 4 Direction

The Council is consulting on a proposed Article 4 Direction relating to Houses in Multiple Occupation (HMOs) for the Mount Oswald area, Carville and Belmont in Durham City. The Article 4 Direction would

mean that any change from a family home to an HMO would require planning permission. This would enable the Council to assess the suitability of the proposals in line with the County Durham Plan.

County Durham currently has two existing Article 4 Directions relating to HMOs. They are in place across most of Durham City, Newton Hall, Framwellgate Moor and Pity Me. The proposed Article 4 Direction area if implemented would adjoin the existing Article 4 Directions in place, with the impact of enlarging the Article 4 Direction area in Durham City.

Existing HMOs within the proposed Article 4 area would not be affected by the proposed introduction Article 4 Direction.

We are holding two online consultation events for the Article 4 Direction, if you would like to attend, please follow the link below:

Date	Time	URL
Tuesday 2 nd February	10:30a m	https://www.eventbrite.co.uk/e/133965491391
Wednesday 10 th February	7:00p m	https://www.eventbrite.co.uk/e/133968482337

Details of the consultations and how to get involved can be found on the Council's website at www.durham.gov.uk/consultation or by contacting the Spatial Policy Team on 03000 261908.

Yours faithfully

Stuart Timmiss

Head of Development and Housing

Appendix F - Durham County Council Website Pages

F1 - Regulation 18 Statement - Notice of Intention to Prepare a Local Plan Development Plan Document

<https://www.durham.gov.uk/article/24743/Consultation-on-our-Minerals-and-Waste-Policies-and-Allocation-Document-stage-one->

Consultation on our Minerals and Waste Policies and Allocation Document (stage one)

We are preparing a new planning document called the Minerals and Waste Policies and Allocation Document and want your views to help shape the document.

Background

This new planning document will eventually form part of the statutory development plan for County Durham and together with the County Durham Plan, it will be used to make decisions on planning applications for mineral working (quarrying and related development) and on new waste management facilities.

Once it is adopted, it will replace the current County Durham Minerals Local Plan and County Durham Waste Local Plan. The document aims to provide assurance to both the public and industry as to where future development may be allowed.

What we are doing

We are:

- inviting your comments on our 'Regulation 18 Statement - Notice of Intention to Prepare a Local Plan Development Plan Document'. The Notice explains our views on the scope of the Minerals and Waste Policies and Allocations Document, and the policy issues it should cover.
- writing to the minerals and waste industry, their representative bodies, planning consultants and key landowners to ask them to propose any new mineral and waste sites so they can be considered and if appropriate, form part of the new document. Any sites proposed through this process will be carefully considered and appraised before we make a decision on whether we support a site allocation being made.

Have your say

The closing date for comments was 5.00pm on 26 February 2021.

What happens next

Your responses to the consultation will be considered as part of the development of the draft Minerals and Waste Policies and Allocation Document. Over the next two years, we will develop draft plans and consult at each stage to ensure that we understand your views. This will include:

- preparation of the draft document
- preparation of a pre-submission draft document, where we ask you to have your final say on its content
- submission of the document to Government for an examination by an independent Planning Inspector.

<https://www.durham.gov.uk/article/26303/Consultation-on-the-County-Durham-Minerals-and-Waste-Policies-and-Allocations-Document-stage-two->

Consultation on the County Durham Minerals and Waste Policies and Allocations Document (stage two)

We are preparing a new planning document called the Minerals and Waste Policies and Allocation Document (Draft Plan). The document has now reached its Draft Plan stage and we want your comments on it.

Background

This new planning document will eventually form part of the statutory development plan for County Durham and together with the County Durham Plan, it will be used to make decisions on planning applications for mineral working (quarrying and related development) and on new waste management facilities.

Once it is adopted, it will replace the current County Durham Minerals Local Plan and County Durham Waste Local Plan.

The Draft Plan takes into account comments made to the Consultation on our Minerals and Waste Policies and Allocation Document (stage one) earlier this year and includes detailed development management policies which will allow us to consider and control future mineral working and waste development.

What we are proposing

We are now consulting on three documents:

1. [Draft Minerals and Waste Policies and Allocation Document](#): this includes policies to address detailed development management matters such as noise, dust, blasting vibration, traffic and transport matters and the restoration of mineral and some waste sites, policies that cover economically important mineral types that are not covered in the County Durham Plan and specific types of waste management operations where it is considered necessary to have policies in case future proposals come forward and two allocations for further mineral working. The Draft Plan is supported by three other documents - note that these are provided for reference and are not under consultation.

- Site Assessment Report: this appraises all of the minerals and waste proposals which were submitted by the minerals and waste industry in response to the call for new minerals and waste sites earlier this year. The comments form which accompanies the Draft Plan allows you to make comments on the sites we have currently decided not to allocate.
- Statement of Consultation: this details the comments which were submitted to the initial consultation earlier this year and our responses
- Local Aggregate Assessment (Joint Local Aggregates Assessment for County Durham, Northumberland and Tyne and Wear (April 2021): this monitors the provision of aggregates and likely future demands

2. [Sustainability Appraisal Report](#) (including appendices and non-technical summary documents): this shows we have appraised each of the policies and allocations for their environmental, economic and social effects.

3. [Habitats Regulation Assessment Screening Report](#): this shows that we have screened the Draft Plan to ensure it will not adversely affect the ecological integrity of key wildlife sites, referred to as European sites, in County Durham.

Have your say

The closing date for comments was 4.30pm on 5 November 2021.

What happens next

All comments received will be considered and will be taken into account in work to prepare a final draft which will be subject to one final stage of consultation towards the end of 2022.

The Minerals and Waste Policies and Allocations Document will then be submitted to the Government and will be examined by an independent inspector. Subject to the findings of the independent Inspector, we will proceed to finalise the document.

<https://www.durham.gov.uk/article/28458/Consultation-on-the-County-Durham-Minerals-and-Waste-Policies-and-Allocations-Document-stage-three->

Consultation on the County Durham Minerals and Waste Policies and Allocations Document (stage three)

We are preparing a new planning document called the Minerals and Waste Policies and Allocation Document (M&WDPD). It has now reached its final stage of consultation and we want your comments on it.

Background

This new planning document will eventually form part of the statutory development plan for County Durham and together with the [County Durham Plan](#), it will be used to make decisions on planning applications for mineral working (quarrying and related development) and on new waste management facilities.

Once it is adopted, it will replace the remaining saved policies of the current [County Durham Minerals Local Plan](#) and [County Durham Waste Local Plan](#).

We have now reached the Publication stage of consultation. The Publication Draft M&WDPD takes into account comments made to the [Consultation on the County Durham Minerals and Waste Policies and Allocations Document \(stage two\)](#) last year and includes detailed development management policies which will allow us to consider and control future mineral working and waste development.

This is the final stage of consultation prior to the submission of the documents to the Secretary of State. Before submitting the documents, an examination by a Local Plan Inspector will take place to ensure the plans are sound and are legally compliant.

What we are proposing

We are now consulting on three documents:

1. [Publication Draft Minerals and Waste Policies and Allocation document](#): this includes policies to address a number of detailed development management matters to ensure that minerals and waste development do not have an unacceptable impact on the environment, the living conditions of local communities and human health, including detailed policies on noise, air quality, dust, blasting vibration, traffic and transport matters, and the restoration of mineral and some waste sites. It also contains policies for economically important mineral types that are not covered in the County Durham Plan and for the recovery and disposal of waste. There is also two allocations for mineral working and two for waste disposal. The Draft is supported by four other documents - note that these are provided for reference and are not under consultation.
 - Statement of Consultation: this details the consultation and engagement undertaken on the Draft Plan (stage two) last year.
 - Minerals and Waste Site Assessment Report (updated): this assesses all of the proposed minerals and waste sites as potential allocations from the call for new sites last year.
 - Heritage Impact Assessment: this provides a detailed assessment of designated and non-designated heritage assets.
 - Local Aggregate Assessment (Joint Local Aggregates Assessment for County Durham, Northumberland and Tyne and Wear (April 2022): this monitors the provision of aggregates and forecasts future demand.
2. [Sustainability Appraisal report](#) (Including appendices and non-technical summary documents): this shows we have appraised each of the policies and allocations in the Publication Draft for their environmental, economic and social effects.

3. [Habitats Regulations screening report](#): this shows that we have screened the Publication Draft to ensure it will not negatively affect the ecological integrity of key wildlife sites, referred to as European sites, in County Durham.

To find out more, an [online M&WDPD consultation event](#) has been organised on Wednesday 7 December at 5.00pm. To book, you will need to register on Eventbrite.

Have your say

Before making your comments, we recommend that to read the guidance contained with chapter one of the Publication Draft.

The closing date for comments was 4.30pm on 13 January 2023.

What happens next

We intend to submit the Minerals and Waste Policies and Allocations Document for examination in May 2023 and hope that the appointed Inspector will examine it in Autumn/Winter 2023. Based on the findings of the independent Inspector, we will proceed to finalise the document. This may include further consultation before the documents are adopted.

Appendix G - Durham County Council Press Releases

G1 - Press Release on Draft Minerals and Waste Policies and Allocations Document (September 2021)

Public consultation on key planning document County Durham residents are invited to comment on a document that will play a key part in future planning decisions related to mineral working and waste development. The Minerals and Waste Policies and Allocations Document addresses issues relating to the potential impact of such sites, including noise and dust, traffic, the restoration of land and two new sites where further quarrying could take place. Prepared by Durham County Council, it will be used by the authority to guide decision-making on planning applications for mineral working and waste development.

The council is inviting people to have their say on a draft version of the document through a public consultation.

Cllr Elizabeth Scott, Cabinet member for economy and partnerships, said: "Our county has more than 150 mineral and waste sites. Although not all of these are currently active, there are a large number of quarries extracting minerals such as limestone, brick clay, sand and gravel. In fact, County Durham is the largest producer of aggregates in the region, making the mineral industry vital to our economy.

"Meanwhile, we have a network of waste management sites, including household waste recycling centres, waste transfer stations and landfill sites, all of which can have an impact on people's everyday lives.

"It is essential that decisions about how they operate are guided by fair and sound principles, and that members of the public have the opportunity to have their say on these. I would urge everyone to take part in the consultation and ensure their views are taken into account."

As well as holding a public consultation, the council has also sought comment from a range of stakeholders, including the Environment Agency, Natural England, Heritage England, the Coal Authority and adjoining local Council's.

The final document will sit alongside the County Durham Plan and will replace existing policies of the County Durham Minerals Local Plan (2000) and the County Durham Waste Local Plan (2005). Once the consultation is complete, the feedback received will be used to develop the next stage of the document, known as the pre-submission draft, which members of the public will have a further chance to comment on.

The final version will then be submitted to the government and will be subject to examination by an Independent Planning Inspector.

To find out more and take part in the consultation, visit www.durham.gov.uk/consultation. The consultation closes at 4.30pm on Friday, 5 November.

Consultation on future of quarry applications in County Durham - Published November 28, 2022, 9.21am

A strategy which will help determine future planning applications for quarrying and waste management facilities in County Durham is out for consultation



We are asking the public to give views on the final version of its Minerals and Waste Policies and Allocations Document.

Future planning applications

This document aims to ensure mineral or waste developments, such as quarries or recycling centres, do not have adverse impacts on the environment, local communities, or people's health.

It will be used to influence future planning application decisions, with consideration being given to factors such as noise, air quality and dust, blasting vibration, and traffic and transport.

Members of the public have until Friday 13 January to give feedback on the consultations document.

Residents can also register to attend an online information event on Wednesday 7 December for further details on the consultation.

Waste disposal policies

The document also contains policies for extracting economically important minerals, such as lithium, and policies on the recovery and disposal of waste.

It also contains proposals for two new sand and limestone quarrying sites, and two new sites for waste disposal, with all four located within or adjacent to existing quarries in the county.

County Durham Plan

Cllr Elizabeth Scott, our Cabinet member for economy and partnerships, said: "This consultation is the final stage in the development of our Minerals and Waste Policies and Allocations Document, which has been prepared through multiple stages of consultation.

"The document will complement the existing County Durham Plan, outlining a series of requirements for future planning applications to ensure any new developments are in the best interests of, and do not adversely affect, our communities and the environment."

Following the consultation, the document will be submitted to Government in May 2023.

Documents are available to view in all of our libraries and Customer Access Points, and residents can comment by emailing SpatialPolicy@durham.gov.uk, or writing to the team's Freepost address - Freepost Spatial Policy.

Appendix H - Publication Draft Newspaper Articles

Northern Echo

[Consultation over quarrying and waste management facilities in Durham | The Northern Echo](#)

Consultation over quarrying and waste management facilities in Durham



Crime Rigg Quarry, near Ludworth (Image: Durham County Council)

A strategy which will help determine future planning applications for quarrying and waste management facilities in County Durham is out for consultation.

Durham County Council is asking the public to give views on the final version of its Minerals and Waste Policies and Allocations Document.

This document aims to ensure mineral or waste developments, such as quarries or recycling centres, do not have adverse impacts on the environment, local communities, or people's health.

It will be used to influence future planning application decisions, with consideration being given to factors such as noise, air quality and dust, blasting vibration, and traffic and transport.

The document also contains policies for extracting economically important minerals, such as lithium, and policies on the recovery and disposal of waste.

It also contains proposals for two new sand and limestone quarrying sites, and two new sites for waste disposal, with all four located within or adjacent to existing quarries in the county.

Councillor Elizabeth Scott, Durham County Council's cabinet member for economy and partnerships, said: "This consultation is the final stage in the development of our Minerals and Waste Policies and Allocations Document, which has been prepared through multiple stages of consultation.

"The document will complement the existing County Durham Plan, outlining a series of requirements for future planning applications to ensure any new developments are in the best interests of, and do not adversely affect, our communities and the environment."

For all the top news updates from right across the region straight to your inbox, sign up to our newsletter

Members of the public have until Friday January 13 to give feedback on the document, which can be viewed and commented on here.

Residents can also use this link to register to attend an online information event on Wednesday 7 December for further details on the consultation.

Waste Bulletin

13 waste consultations to look out for in December and January - 7 December 2022, by Alice Fillan³⁴

County Durham Minerals and Waste Policies and Allocations Document (stage three)

Closes: 13 January 2023

Published by: Durham County Council (November 2022)

Durham County Council is consulting on the draft Minerals and Waste Policies and Allocations document for the county, as well as the sustainability appraisal and Habitats Regulations screening reports. The finalised document is intended to supplement the County Durham Plan and Neighbourhood Plans. It sets out six non-strategic minerals and waste objectives and 25 related policies, including four relating to new allocations for mineral works (Thrislington West Quarry and an extension to Crime Rigg Quarry, for sand and gravel and magnesian limestone) and waste development (within Crime Rigg Quarry and Cold Knuckle Quarry). An online event is due to take place on 7 December at 5pm.

[Read the full details](#)

³⁴ [13 waste consultations to look out for in December and January | Mineral and Waste Planning](#)

Appendix I - Publication Draft List of Consultees consulted by Spatial Policy Direct

Please note this shows all consultees consulted at the Publication Draft stage. The key difference between those consulted at this stage and earlier stages is as a result of additional consultees who have either self-registered after the Regulation 18 Notice of Intention to prepare a Development Plan Document or been added by the Council as a result of comments made in response to the consultation which has been undertaken. As part of preparing the tables below duplicate consultees have been removed.

The Coal Authority	Cassop Cum Quarrington Parish Council	Hope Parish Meeting
Environment Agency	Castle Eden Parish Council	Horden Parish Council
Historic England	Chilton Town Council	Hunderthwaite Parish Council
Marine Management Organisation	City of Durham Parish Council	Hunstanworth Parish Meeting
Natural England	Cleatlam Parish Meeting	Hutton Henry Parish Council
Network Rail Property (Eastern)	Cockfield Parish Council	Hutton Magna Parish Meeting
Highways England	Cornforth Parish Council	Ingleton Parish Council
Northumberland County Council	Corsay Parish Council	Kelloe Parish Council
North Yorkshire County Council	Cotherstone Parish Council	Kimbleworth & Plawsworth Parish Council
Cumbria County Council	Coxhoe Parish Council	Lanchester Parish Council
Gateshead Council	Croxdale & Hett Parish Council	Langleydale & Shotton Parish Meeting
Sunderland Council	Dalton le Dale Parish Council	Lartington Parish Council
Eden District Council	Dene Valley Parish Council	Little Lumley Parish Council
Richmondshire District Council	Easington Colliery Parish Council	Lunedale Parish Council
Yorkshire Dales National Park Authority	Easington Village Parish Council	Lynesack & Softley Parish Council
Darlington Borough Council	Edmondsley Parish Council	Marwood Parish Council
Hartlepool District Council	Edmundbyers Parish Meeting	Mickleton Parish Council
Stockton on Tees Borough Council	Eggleston Parish Council	Middleton in Teesdale & Newbiggin Parish Council
Redcar and Cleveland Borough Council	Eldon Parish Council	Middridge Parish Council
Office Of Road and Rail	Esh Parish Council	Monk Hesleden Parish Council
Sport England	Etherley Parish Council	Mordon Parish Meeting
Nottinghamshire County Council	Evenwood & Barony Parish Council	Morton Tinmouth Parish Meeting
Derbyshire County Council	Ferryhill Town Council	Muggleswick Parish Council
County Durham Association of Local Council's	Fishburn Parish Council	Murton Parish Council - Co Durham
County Durham Association of Local Council's	Forest & Frith Parish Meeting	Nesbitt Parish Meeting
Barforth Parish Meeting	Framwellgate Moor Parish Council	North Lodge Parish Council
Barnard Castle Town Council	Gainford and Langton Parish Council	Ouston Parish Council
Barningham Parish Meeting	Gilmonby Parish Meeting	Ovington Parish Council
Bearpark Parish Council	Great Aycliffe Town Council	Pelton Parish Council
Belmont Parish Council	Greater Willington Town Council	Peterlee Town Council
Bishop Auckland Town Council	Great Lumley Parish Council	Pittington Parish Council
Bishop Middleham Parish Council	Greencroft Parish Council	Raby and Keeverstone Parish Meeting
Bolam Parish Meeting	Hamsterley Parish Council	Rokeby, Brignall & Egglestone Abbey Parish Council

Boldron Parish Meeting	Haswell Parish Council	Romaldkirk Parish Council
Bournmoor Parish Council	Hawthorn Parish Council	Sacriston Parish Council
Bowes Parish Council	Headlam Parish Meeting	Satley Parish Council
Bradbury and The Isles Parish Meeting	Healeyfield Parish Council	Scargill Parish Meeting
Brancepeth Parish Council	Hedleyhope Parish Council	Seaham Town Council
Brandon & Byshottles Parish Council	Hilton Parish Meeting	Seaton with Slingley Parish Council
Burnhope Parish Council	Holwick Parish Meeting	Sedgefield Town Council

Shadforth Parish Council	Paul Howell MP	City of Durham Trust
Sheraton with Hulam Parish Meeting	Kevan Jones MP	Sustrans
Sherburn Village Parish Council	Grahame Morris MP	Sedgefield Civic Trust
Shildon Town Council	Mary Foy MP	Alzheimer's Society
Shincliffe Parish Council	Durham Constabulary	Environmental Services Association
Shotton Parish Council	CTIL (Cornerstone Telecommunications Infrastructure Limited)	Mineral Products Association
South Bedburn Parish Council	EE	British Aggregates Association
South Hetton Parish Council	Avonline	British Ceramics Confederation
Spennymoor Town Council	BT Openreach	Agricultural Lime Association
Staindrop Parish Council	Three	Business Durham
Stainton and Streatlam Parish Council	Wildcard Networks	Durham Bid
Stanhope Parish Council	Public Health England	Visit County Durham
Stanley Town Council	County Durham and Darlington NHS Foundation Trust	National Farmers Union (NFU)
Startforth Parish Council	NHS County Durham Clinical Commissioning Group	CLA (Rural Power House)
Thornley Parish Council	NHS England	CLA (Rural Power House)
Tow Law Town Council	Durham County Carers Support	Home Builders Federation
Trimdon Foundry Parish Council	Avison Young (National Grid)	Northeast England Chamber of Commerce
Trimdon Parish Council	Gas & Electricity Transmission, National Grid Plant Protection	W & M Thompson (Quarries) Ltd
Urpeth Parish Council	Northern Powergrid	Tarmac
Wackerfield Parish Meeting	Northern Gas Networks	Breedon Northern
Waldridge Parish Council	Gas & Electricity Transmission, National Grid Plant Protection	Cemex Ltd
West Auckland Parish Council	Northern Gas Networks	Aggregate Industries UK Ltd
West Rainton and Leamside Parish Council	Northumbrian Water Limited	Hall Construction
Wheatley Hill Parish Council	Hartlepool Water Co	Tynedale Roadstone
Whorlton & Westwick Parish Council	Yorkshire Water	North East Concrete
Windlestone Parish Council	Homes England	Hanson Aggregates
Wingate Parish Council	Green Lane Residents' Association	KW Purvis
Winston Parish Council	St Nicholas Community Forum	O'Brien Aggregate Marsden Ltd
Witton Gilbert Parish Council	Durham City Cycling Forum	Hargreaves Surface Mining
Witton Le Wear Parish Council	Durham Bike Riders Group (DBUG)	Wienerberger
Wolsingham Parish Council	County Durham Local Access Forum	Ibstock Brick
Woodland Parish Council	Bishop Auckland Civic Society	Dunhouse Quarry Ltd
Wycliffe with Thorpe Parish Meeting	The Friends of the Stockton & Darlington Railway	Border Stone Quarries Ltd

Alston Moor Parish Council	The Campaign for Real Ale (Darlington Branch)	Shipley Quarries
Dufton Parish Council	Cycling UK Local Representative	Stainton Quarry Ltd
Murton Parish Council - Cumbria	Elvet Residents' Association (ERA)	Windy Hill Quarry Construction Co
Warcop Parish Council	Stockton And Darlington Railway	Harworth Estates
Stainmore Parish Council	The Ramblers Association	MD2 Consulting Ltd
Dehenna Davison MP	The Ramblers Association (Easington)	Lingberry Quarry
Richard Holden MP	The Ramblers Association (Sedgefield)	Augean

John Wade Recycling	Johnsons Vauxhall Spares	Cussins (North east) Limited
Eco Tyre Disposals Ltd	Chilton Auto Breakers	Miller Homes
Biffa Waste Services Limited	T J Autos Fast Lanes Valeting	Thirteen Homes
Warrens Group Limited	Mount Pleasant Recycling	Buckley Burnett Ltd
Agricore Ltd	Sacriston Auto Dismantlers	Lambton Estates
P B Skiphire	Monte's Transport Spares	Avant Homes (North East)
Kearton Farms Ltd	Burnopfield Metals	Barratt Homes North east
A & G Skip Hire Ltd	Kevin Dixon Commercials	Gentoo Homes
John Simpson Civils	Autocraft	Livin
Sharpsmart	Stephanyan Ara	Ediscum Properties Limited
Personnel Hygiene Services Ltd	Kevin Brunton Car & Commercial	Castle Estates (Brancepeth) Limited
Esh Construction Recycling	Rooster Motorcycles	Keepmoat
Remondis	J Denham Metals Ltd	Persimmon Homes (Durham)
Ken Thomas Site Clearance Ltd	Village Inn Garage	Persimmon Homes (Teesside)
Lister Recycling and Waste Management Limited	John Kerr Metals	Ogden Properties
Wanted Wood Recycling	R R Commercials	Riverside Homes
W Marley Agricultural Contractors Ltd	Finley Bros Limited	Karbon Homes
Mount Pleasant Recycling	Recycling Lives Limited	Believe Housing
F & R Jackson Ltd	J Denham Metals Ltd	North Pennines AONB Partnership
Ward Bros Enterprises Ltd	Andrew Newton Limited	Heritage Coast
George Street Transfer Station	K R Salvage	Durham Wildlife Trust
Bishop Middleham Plant and Recycling Ltd	Browns Yard	Forestry Commission
Toulsons Transport	Sol Developments Limited	Woodland Trust
Veolia Bioenergy UK Limited	Appleby Bros	Woodland Trust
W J Drennan Limited	North East Green Waste Ltd	RSPB
Limelight Energy Limited	Story Homes Ltd	Council for Protection of Rural England
Johnson Brothers	Taylor Wimpey North East	Durham County Badger Group
Halwick Energy	Partner Construction Ltd	National Trust Regional Office
Teesdale Conservation Volunteers (Rotters)	Sir Robert Ogden Estates Limited	Council For British Archaeology (Now NAS)
Compost UK	Bellway Homes (Durham) Limited	Ancient Monuments Society (Now NAS)
P Hutchinson & Sons	Taylor Wimpey Strategic Land	Battlefields Trust
Strathmore Renewables Ltd	WYG (Tetra Tech)	Commission For Architecture and The Built Environment
Veolia ES Cleanaway (UK) Limited	Young RPS	Open Space Society

Veolia Bioenergy Pellet Mill	Harbour House Farms	Garden Historic Society
European Metal Recycling Ltd	Barratt David Wilson Homes NE	The Georgian Group (Now NAS)
Seaham Metals	Taylor Wimpey	Victorian Society (Now NAS)
North East Motor Salvage Ltd	Bellway Homes Limited (North East)	Weardale Railway Ltd
Copart UK Ltd	Lichfields	The Theatres Trust
Gers Metals	Barratt David Wilson Homes NE	The Society for Protection of Ancient Buildings (Now NAS)
Kemp Commerical Spares	Esh Living	Twentieth Century Society (Now NAS)

Durham University Estates and Buildings	David Longstaff	Sue Ballantyne
Matthew Wright	Alan G Kernohan	Stephen L Pickering
Ann Robson	Dennis Younger	Hazel O'Donnell
Carlton Baugh	Rita McIntosh	Gavin Jenkins
Prof James Baldini	Eric Hepplewhite	Catherine Lawlor
Peter McDowell	Mathew Teale	Alison Shepherd
Steve Bhowmick	Michael Meadowcroft	Owen Temple
Clr Jeanette Stephenson	Celia Chapple	Marie-Therese Pinder
John D Clare	Prof Brian A Whitton	Stanley Foster
Chris Myers	Antony Friswell	John White
Siemens Healthcare Limited	Cynthia Ives	Diane Toby
Durham County Council	Paul Reed	Yvette Humphreys
Green Party	Fleur Coppock	Alan Humphreys
County Durham & Darlington Fire & Rescue Service	Mr Jackson Hudson	Diane Thomas
Clr David Hall	Mrs Ann Urwin	Geoffrey Tait
Clr Richard Bell	Miss Yvonne Townsend	Robert Porter
Clr Gloria Wills	David Trotter	Mrs Patricia Bainbridge
Louis J & Standen Unknown	Edward Hirst	Judith M Berry-Gree
Delta North Consett Ltd	Mrs Joan Firby	John Derek Howarth
Raby Estates	Mike Cunningham	V J Freeman
Ward Timber Ltd	Mark Goodrich	Mr F K Fleming
Torre Garda	Philip Timmins	William Gilbert Hamilton
Tesco Stores Limited	Robin Newlove	Joseph Alan Charlton
Greenfield Community College	Michele Maccallam	Sheila Williams
Thomas Swan & Co Ltd	Adrian Jenkins	John Ashby
Durham Cathedral	Christine Coxon	Robin Trounson
The Trust of Oxenham	Ms Christine Farnsworth	Ruth Choi
William Smith Group 1832 Ltd	Carol Wenington	Jeremy Roff
Civil Aviation Authority	Shirley Leary	Mr David Gwyn Llewellyn
High Moorsely Meteorological Office	Andrea McGuigan	David Wright
Health and Safety Executive	Steven Peat	Richard Laing
SABIC	Mrs Linda Weston	Brian Ge Le Fevre
Met Office Safeguarding	Richard Cowen	Janet George

Ministry Of Defence - DIO Safeguarding Department	Brian Lander	Mrs Pat Doyle
Ministry Of Defence - Wind Turbine Safeguarding	Mrs Suzie Williams	Mr Peter Rhodes
NATS Ltd	Mrs Dawn Zouari	Elizabeth I Gawley
Newcastle Airport	Lesley Brearey	Anne Laskey
Teesside International Airport	Nicola Duckworth	Richard Hornby
Fishburn Airfield	Mr Glendon March	Mrs H V Thompson
Shotton Airfield	Alison Nelsey	William McArdle

Liz Brown	Natalie Whitworth	Ian Simmons-Thomas
Mr Steve Jeffries	Libby Boaks	Mr Nick Butterley
Michelle Silence	Don Campbell	Ian Hodgson
Mrs Teresa Whitham	Dean Cooper	James Garthwaite
Kevin Storey	Jane Wilkinson	Andrea Hall
David Friesner	Shaun Ward	Mr Lewis Pemberton
Robin Hidson	Victoria Cartwright	Sarah Clarke
Barrie John Evans	Steve Aspinall	Alan Tubman
Raymond Black	David Buttle	Jimmy Llewellyn
Janet McGraw	Philip Bacon	Adrian Wiggett
Pam Taylor	Heather Bain	Samantha Ryan
Unknown	Lynsey Haigh	Stuart Wardle
Dr Malcolm Bell	Courtnee Ryder	John Ashby
Andrew Haysey	Ian Banks	Gary Tidbury
Paul Danby	Emma Connolly	Nick Rippin
Paul Hirst-Dean	Conlon Reilly	Stephen Barr
Allan Gemmill	Tracy Porter	Susan Tyson
Mrs Anne Chalmers	john lawson	Sarah Clarke
Alan Beckwith	Jacqueline Cunliffe	Malcolm Read
The Banks Group	William Morrow	IAN SAUNDERS
The Coal Authority	Mark Leary	Brian Warne
Dr Jurgen Schmoll	Barbara Bates	ROBBIE RODISS
Thomas Bennett	Jacqui Hall	Fern Stewart
richard garland	Patricia Stewart	Dominic Carroll
Gilesgate Residents Association	Aaron Chaudhary	Matthew Phillips
Mark Hall	Andy Lee	Catherine Smith
Dan Austin	Philip Bacon	John Lowe
HSE	Amy Smith	nicole roe
Mathew Teale	Ann Turner	Stephen Moralee
Nicky Sawicki	Findley Kathryn	Neil Murphy
Richard Spencer	Sara Smith	Ashley Longhorne
Shane Smith	Robert Lawshaw	Alan Todd
Sarah Fawcett	John GIBSON	Jill Adamson
Brian Mason	Catherine Smith	Chris Fleet

Helen Emmerson	Helen Coxon	Vicky Owen
Katie Flanagan	Mr John Smith	Kelvin Owen
Hayley Cunliffe	Claire Varle	Malcolm Blanckley
Neil Miller	Sarah Hacking	Helen Maddison
Daniel Gallagher	Lucy Dixon	Geoff and Sandie Miller
Lorraine Potter		

Daniel Smith	Sophie Morgan	Jim Carslake
Brian Percival	Derek Brown	County Durham Green Party
Andrew Coxon	Thelma Barnes	Jules Brown
Helen McDougall	David Gardner	Andy Dawson
Maureen Maddison	Laura Conlon	Margaret Morris
Susan Joyce	Charles larder	David Robinson
Mrs Thompson	Mark Hall	Andy Logan
Joyce Owen	Alma Miller	Fran and Stuart Stevens
Jan Lindley	Geoff Longstaff	Jordan Hopper-Layton
Fiona Lindsay	Susan Johnson	David Robinson
Jim Barnes	David Brown	Tony Mearman
Jenny Barnes	Melvyn Smith	George Rossiter
Alan Brown	Melanie Box	Suzanne Plant
Catherine Smith	Mrs C Jackson	Alan Littlefair
Rebecca James	Tony Nurowski	Ross Hamilton
Matthew Reid	Kathryn Athey	Colin Clark
Malcolm J Graham	Victoria Bowes	Martin Gollan
David Morton	Andrew Haysey	Danny Wood
Denise Twist	Steve Garbutt	Louise Tomlinson
Dean Cockburn	Western Relief Road Action Group	Joy Cook
Eva Davison	Dawn Rose	Dorothy Hamilton
Chris Oates	Susan Johnson	Michael Ackroyd
Bill Elliott	Michelle Urwin	Alan Tubman
Jim W Patterson	Stephanie Henderson	Ann Evans
John Kay	Mary Hall	Suzanne Plant
Alan Todd	Jasmine Robinson	John Watson
Margaret Coupland	Amanda Shaw	Stephen MacQuarrie
Jackie Sharman	Jamie Wightman	Carrie Taylor
Dave McGuire	Douglas Kimber	Clr Beaty Bainbridge
Colin Jackson	Zoe Cusker	Toby Thatcher
Andrew Richard Long	Michelle Fernandez	Chris Fleet
Peter Shovlin	Jamie Wightman	Clr Bill Moist
Matthew Hill	Stephen Smith	John Pallister
Mark Knox	Jamie Wightman	Taylor Wimpey c/o
Caroline Siddall	Amanda Taylor-Saunders	Homes England

Kayleigh Kirtley	Brian Fairless	Chris M J Allen
Rachael Elley	Fran Stevens	Bill McArdle
Lichfields (on behalf of) Co. Durham Land LLP	Clive Bowery	Bellway Homes Limited (North East)
Alicia Holmes	Friends Durham Green Belt	John Pacey (WRAGG)
David Miller	Raymond Tulip	Nicola Newman

Joanne Wilson	Stephen Conway	Mr William McCready
Alice Midgley	Mrs Margaret Donachie	Simon Rooney
Deborah Sims	Paul John Gibson	Mrs Andrea L Worthington
Hallam Land Management Ltd	Mr Thomas Alan Mills	Mrs A M Armstrong
Maria Ferguson	Ellen Petrie	Mr Gawin I Holmes
Mr Milo Barnett	Raymond Stelling	Aileen Congreve
The British Horse Society	Anthony John Walker	Gerry Jones
David Atkinson	Irene Llewellyn	Mr Colin Theakston
Sophie Gooch	Colin Wills	Mike Costello
Mr Michael Joicey	David Coppock	Shotley Low Quarter Parish Council
Mrs Kelly Philpott	Burt Hunter	Allendale Parish Council
Hellen Murray-English	Dr Timonhy Clark	Blanchland Parish Council
Ellen Pinder	Ian M Dobbs	Hexhamshire and District Parish Council
Mrs Sam Shippen	Judith McCann	Healey Parish Council
James Cokill	Jackie Gentle	West Allen Parish Council
Martin Whittaker	Elizabeth I Jowett	Lamesley Parish Council
Janet Blackburn	John Lowe (Durham City Trust)	Marie-Therese Roberts
Roger Cornwell	Mrs Karen Tindale	Dawn Frost
Sophie Gooch	Martin Bulmer	Hetton Town Council
Yvonne Flynn	Andrea Stobbart	Dalton Piercy Parish Council
Mr John Lowe	Colin & Denise Thompson	Elwick Parish Council
Kath Sims-williams	Mark Pendleton	Greatham Parish Council
Clair Nixon	Peter Samuel	Hart Parish Council
Samuel Kenny	Hazel Dent	Headland Parish Council
Richard Newsome	Roger & Susan Huspith	Grindon & Thorpe Thewles Parish Council
Stephen Ragg	Jan Durham	Wynyard Parish Council
Steve Ragg	Chris Cowen	Stillington and Whitton Parish Council
County Durham Local Access Forum	Howell John Harris	Bishopton Village Parish Council
Bowburn & Parkhill Community Partnership	Jonathan R Taylor	Heighington Parish Council
Mr B Naylor	James Llewellyn	Piercebridge Parish Council
Richard Burton	Brian Lowe	Caldwell Parish Meeting
Malcolm Read	Louise Hudspith	Muker Parish Council
Karen Eynon	David Purvis	Newsham Parish Council
Mr Leslie Arthur Rutherford	John Snowball	East & West Layton & Carkin Parish Council
Paul Martin	Geoffrey Ritzema	Eppleby Parish Council

Mrs Ann Evans	Francis G Frost	Chloe Hillam
Hugh Thompson	Mrs Patricia Campbell	Andrea Petty
Unknown	P H Harris	Andy Bailey
Edward Buist	Mr S Cleminson	Angela Brown
Carole Baker	Clare Longstaff	Julie Bradbrook

Kate Cattell	The Mineral Planning Group Ltd	Davis Planning Partnership
Nicole Brewster	Gareth Cherry	Anton Lang Planning Services Limited
County Durham Partnership	Rise	Ward Hadaway
Marske and New Forest Parish Council	Avison Young	Prism Planning
Manfield with Cliffe Parish Council	John Finlayson	Rok Planning
Dalton Parish Meeting	Dr Jurgen Schmol	H H H Planning Services Ltd
James Taylor	Michelle Robinson	Planning House
Alan Doak	Mr Mark Smith	Planning Advice Plus
Stewart Provan	Karen Eynon	Maria Ferguson Planning Consultancy
Jenna Conway	Rolling Stock Engineering Ltd	Graham Young Consulting
Claire Alexander	Melanie Lindsley	Fairhurst
Jack Osgerby	Mr Jack Freeman	Gladman
Action for Station Town	Henry Cumbers	New Bold Design
Mr Anthony Whitehead	Mrs Angela Johnson	Brookhouse Group
Charlotte Macgregor	Katherine Temple	Crystal Stream
Ms Kelly Monahan	Tetlow King Planning	Bird Song Consultancy
Mr Len Shield	Lesley Swinbank	Hedley Planning Services
Peter Dawson	Strata	DPP Planning
Michael O'Driscoll	CPRE the countryside charity Durham Branch	Hellens Group
Bishop Auckland Cycling	Nicholas Beale	Boyer Planning
Peter M Aitken OBE	Nick McLellan	SSA Planning
Cycling UK	Avril Boulton	Carver Commercial
Clare Hammond	Neil Beards	H&H Land & Estates
Kelly Hetherington	Mr Jim Hanrahan	KLR Planning
Durham Road Block	Mr Keith Tallentire	Lichfields
Durham County Council	Mr John Little	Christopher Brummitt Architect (CBA)
Carville and Belmont Residents Association (CBRA)	Vicky Robinson	Land Connection Ltd
Carole Lattin	Anglian Water Services Limited	Wood Group UK Limited
Nick Lightfoot	Richborough Estates	DC Development Consultancy LLP
Remondis	Dickinson Planning	Kookaburra Ltd
Anon	Northern Lithium	Gleeson
Mr Philip Timmins	Wardell Armstrong LLP	North Star Housing
Ms Janet Hutchinson	Heaton Planning	Strathmore Homes Ltd
Trust Pathways	Bellway Homes Limited (Group Office)	Jo-Anne Garrick Ltd
Ross Chisholm	Church Commissioners for England	Planning House

Overview and Scrutiny	Savills	Savills
Julie Kirkley	R&K Wood Planning LLP	George F White
Jim Welch	ACT Environmental	BNP Paribas Real Estate
Julie Kirkley	WYG Planning	Tetlow King Planning
Stewart Provan	Strutt & Parker	Amazon
Planware Limited		

Appendix J - Consultees Consulted Directly by Durham County Council Consultation Team

- Better Together Forum members
- Youth Council
- Town and Parish Council's via CDALC
- Disabilities Partnership
- AAP (Area Action Partnership) Chairs and Coordinators

Better Together Forum Member organisations

- Age UK County Durham
- Alzheimer's Society
- Association of Teesdale Day Clubs
- Butterwick Hospice
- Changing Lives
- Citizens Advice County Durham
- Coquet Trust
- Cornforth Partnership
- County Durham Community Foundation
- County Durham Sport
- Cruse Bereavement Care
- DASH
- Durham Association of Boys and Girls Clubs
- Durham Christian Partnership
- Durham Community Action
- Durham County Carers Support
- Durham Scouts
- Early Year Alliance
- East Durham Trust
- Family Action
- Finchale Group
- Foundation UK
- Groundwork
- Hartlepool & East Durham MIND
- Healthwatch
- Home Group
- Hospital of God
- Humankind
- Investing in Children
- Jack Drum Arts
- ManHealth
- Moving On
- MS (Multiple Sclerosis) Society
- NE First Credit Union
- NE Youth
- NECAT
- NEPACS
- Northern Learning Trust
- Northern Rights
- OASES (Northeast Environment Network)
- PCP
- Rare Rockets
- Relate
- Richmond Fellowship
- Social Enterprise Acumen

- St Cuthbert's Hospice
- St Margaret's Centre
- Supportive
- UTASS
- Veterans at Ease
- Waddington Street Centre

Appendix K - List of Respondents at each stage of the Minerals and Waste Policies and Allocations Documents preparation

K1 - Regulation 18 Consultation - Notice of intent to prepare a Development Plan Document and Minerals and Waste Call for Sites (January 2021)

Person ID	Comment Number	Company / Organisation or Individual
1256251	1	CPRE
1262160	2	Natural England
1256014	3	Mineral Products Association
1255806	5	Historic England
1255982	7	National Grid c/o Avison Young
1255811	8	Northumberland County Council
1255804	9	The Coal Authority
1263114	10	Redmondis
1266767	11	Anglian Water Services Limited
1267035	12	Tarmac
1256160	14	Forestry Commission

K2 - Regulation 18 Consultation - Draft Minerals and Waste Policies and Allocations Document (September 2021)

Person ID	Comment Number	Company / Organisation or Individual	Part of Draft Plan where comment was assigned. Chapter or Policy
1255812	1	North Yorkshire County Council	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1283246	2	Rolling Stock Engineering Ltd	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1255822	3	Redcar and Cleveland Borough Council	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1283855	4	Cornforth Parish Council	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1287689	5	Northern Lithium c/o Mr Nick Beale Wardell Armstrong LLP	Policy MW16 - Vein Minerals, Lithium, Silica Sand/Moulding Sand and Ganister.
1287648	6	Northumberland County Council	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1255862	7	Eldon Parish Council	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1266744	8	National Grid c/o Mr Chris Johnson Avison Young	Policy MW2 - Mineral Exploration.

1299716	9	Banks Group	Chapter 7 - Other Minerals
1256029	10	Breedon Northern	Chapter 8 - Waste
1299775	11	The Coal Authority	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1299795	13	Dr Jurgen Schmoll	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1255805	14	Environment Agency	Policy MW1 - General criteria for considering minerals and waste development
1255805	15	Environment Agency	Policy MW3 - Benefits of Minerals Extraction.
1255805	16	Environment Agency	Policy MW10 - Onsite mineral processing.
1255805	17	Environment Agency	Chapter 6 - Oil & Gas
1255805	18	Environment Agency	Chapter 7 - Other Minerals
1255805	19	Environment Agency	Chapter 8 - Waste
1255805	20	Environment Agency	Chapter 9 - Minerals and Waste Site Restoration
1255805	21	Environment Agency	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1255805	22	Environment Agency	Policy MW3 - Benefits of Minerals Extraction.
1256029	23	Breedon Northern	Policy MW10 - Onsite mineral processing.
1256029	24	Breedon Northern	Policy MW4 - Noise.
1256191	26	Durham Green Party	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1256191	27	Durham Green Party	Chapter 3 - An Overview of Issues addressed by the Draft M&WDPD
1256191	28	Durham Green Party	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1256191	29	Durham Green Party	Chapter 6 - Oil & Gas
1256191	30	Durham Green Party	Chapter 7 - Other Minerals
1256191	31	Durham Green Party	Chapter 9 - Minerals and Waste Site Restoration
1255806	32	Historic England	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1255806	33	Historic England	Policy MW1 - General criteria for considering minerals and waste development
1255806	34	Historic England	Policy MW2 - Mineral Exploration.
1255806	35	Historic England	Policy MW3 - Benefits of Minerals Extraction.
1255806	36	Historic England	Policy MW6 - Blasting.
1255806	37	Historic England	Policy MW8 - Mineral Rail Handling Facilities.
1255806	38	Historic England	Policy MW9 - Borrow Pits.
1255806	39	Historic England	Policy MW14 - Oil and Gas Exploration, Appraisal and Production.
1255806	40	Historic England	Policy MW15 - Transport of Oil and Gas.

1255806	41	Historic England	Policy MW16 - Vein Minerals, Lithium, Silica Sand/Moulding Sand and Ganister.
1255806	42	Historic England	Policy MW18 - Inert waste 'Other recovery'.
1255806	43	Historic England	Policy MW19 - Inert waste disposal via landfill.
1255806	44	Historic England	Policy MW20 - Non-Hazardous Waste landfill.
1255806	45	Historic England	Policy MW21 - Landfill and Landraise - Water Resources.
1255806	46	Historic England	Policy MW22 - Mineral Site Restoration, Landfill and Landraise.
1255806	47	Historic England	Policy MW22 - Mineral Site Restoration, Landfill and Landraise.
1255806	48	Historic England	Policy MW23 - Site specific allocation, land at Thrislington West Quarry.
1255806	49	Historic England	Policy MW24 - Site specific allocation, northern extension to Crime Rigg Quarry.
1255806	50	Historic England	Chapter 11 - Monitoring and Implementation Framework
1300496	51	Health Safety Executive	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1268636	52	Kearnton Farms Limited	Policy MW1 - General criteria for considering minerals and waste development
1268636	53	Kearnton Farms Limited	Policy MW5 - Dust
1268636	54	Kearnton Farms Limited	Policy MW6 - Blasting.
1268636	55	Kearnton Farms Limited	Policy MW7 - Traffic and Transport.
1268636	56	Kearnton Farms Limited	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1268636	57	Kearnton Farms Limited	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1256934	58	Marine Management Organisation	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1256014	59	Mineral Products Association	Chapter 2 - Overview of Minerals and Waste in County Durham
1256014	60	Mineral Products Association	Chapter 4 - Vision & Objectives
1256014	61	Mineral Products Association	Chapter 4 - Vision & Objectives
1256014	62	Mineral Products Association	Chapter 3 - An Overview of Issues addressed by the Draft M&WDPD
1256014	63	Mineral Products Association	Policy MW1 - General criteria for considering minerals and waste development
1256014	64	Mineral Products Association	Chapter 5 - Minerals and Waste Development Management Policies
1256014	65	Mineral Products Association	Chapter 5 - Minerals and Waste Development Management Policies

1256014	66	Mineral Products Association	Chapter 5 - Minerals and Waste Development Management Policies
1256014	67	Mineral Products Association	Chapter 5 - Minerals and Waste Development Management Policies
1256014	68	Mineral Products Association	Chapter 5 - Minerals and Waste Development Management Policies
1256014	69	Mineral Products Association	Chapter 5 - Minerals and Waste Development Management Policies
1256014	70	Mineral Products Association	Chapter 5 - Minerals and Waste Development Management Policies
1256014	71	Mineral Products Association	Policy MW2 - Mineral Exploration.
1256014	72	Mineral Products Association	Chapter 5 - Minerals and Waste Development Management Policies
1256014	73	Mineral Products Association	Chapter 5 - Minerals and Waste Development Management Policies
1256014	74	Mineral Products Association	Chapter 5 - Minerals and Waste Development Management Policies
1256014	75	Mineral Products Association	Chapter 5 - Minerals and Waste Development Management Policies
1256014	76	Mineral Products Association	Policy MW4 - Noise.
1256014	77	Mineral Products Association	Policy MW4 - Noise.
1256014	78	Mineral Products Association	Policy MW4 - Noise.
1256014	79	Mineral Products Association	Policy MW5 - Dust
1256014	80	Mineral Products Association	Policy MW5 - Dust
1256014	81	Mineral Products Association	Policy MW5 - Dust
1256014	82	Mineral Products Association	Policy MW7 - Traffic and Transport.
1256014	83	Mineral Products Association	Policy MW7 - Traffic and Transport.
1256014	84	Mineral Products Association	Policy MW8 - Mineral Rail Handling Facilities.
1256014	85	Mineral Products Association	Policy MW9 - Borrow Pits.
1256014	86	Mineral Products Association	Policy MW10 - Onsite mineral processing.
1256014	87	Mineral Products Association	Policy MW10 - Onsite mineral processing.
1256014	88	Mineral Products Association	Policy MW11 - Storage of minerals.
1256014	89	Mineral Products Association	Policy MW13 - Local Liaison Groups.
1256014	90	Mineral Products Association	Policy MW13 - Local Liaison Groups.
1256014	91	Mineral Products Association	Policy MW16 - Vein Minerals, Lithium, Silica Sand/Moulding Sand and Ganister.
1256014	92	Mineral Products Association	Chapter 7 - Other Minerals
1256014	93	Mineral Products Association	Chapter 9 - Minerals and Waste Site Restoration
1256014	94	Mineral Products Association	Chapter 9 - Minerals and Waste Site Restoration
1256014	95	Mineral Products Association	Chapter 9 - Minerals and Waste Site Restoration

1256014	96	Mineral Products Association	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1256014	97	Mineral Products Association	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1256014	98	Mineral Products Association	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1256014	99	Mineral Products Association	Policy MW23 - Site specific allocation, land at Thrislington West Quarry.
1256014	100	Mineral Products Association	Policy MW24 - Site specific allocation, northern extension to Crime Rigg Quarry.
1255810	101	Highways England	Policy MW23 - Site specific allocation, land at Thrislington West Quarry.
1267035	102	Tarmac c/o Jenna Conway Heaton Planning	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1267035	103	Tarmac c/o Jenna Conway Heaton Planning	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1267035	104	Tarmac c/o Jenna Conway Heaton Planning	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1267035	105	Tarmac c/o Jenna Conway Heaton Planning	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1267035	106	Tarmac c/o Jenna Conway Heaton Planning	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1267035	107	Tarmac c/o Jenna Conway Heaton Planning	Chapter 2 - Overview of Minerals and Waste in County Durham
1267035	108	Tarmac c/o Jenna Conway Heaton Planning	Chapter 5 - Minerals and Waste Development Management Policies
1267035	109	Tarmac c/o Jenna Conway Heaton Planning	Policy MW3 - Benefits of Minerals Extraction.
1267035	110	Tarmac c/o Jenna Conway Heaton Planning	Policy MW4 - Noise.
1267035	111	Tarmac c/o Jenna Conway Heaton Planning	Policy MW10 - Onsite mineral processing.
1267035	112	Tarmac c/o Jenna Conway Heaton Planning	Policy MW11 - Storage of minerals.
1267035	113	Tarmac c/o Jenna Conway Heaton Planning	Policy MW22 - Mineral Site Restoration, Landfill and Landraise.
1267035	114	Tarmac c/o Jenna Conway Heaton Planning	Chapter 10 - Potential Non-Strategic Minerals and Waste Allocations
1267035	116	Tarmac c/o Jenna Conway Heaton Planning	Chapter 11 - Monitoring and Implementation Framework
1255988	117	Northumbrian Water Limited	Policy MW19 - Inert waste disposal via landfill.
1255988	118	Northumbrian Water Limited	Policy MW23 - Site specific allocation, land at Thrislington West Quarry.

1255815	119	Sunderland Council	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1265872	120	Durham County Council Overview and Scrutiny Committee	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1303456	121	Natural England	Policy MW23 - Site specific allocation, land at Thrislington West Quarry.
1303456	122	Natural England	Policy MW24 - Site specific allocation, northern extension to Crime Rigg Quarry.
1255810	123	Highways England	Policy MW24 - Site specific allocation, northern extension to Crime Rigg Quarry.
1255810	124	Highways England	Chapter 1 - The Minerals and Waste Policies and Allocations Document
1255810	125	Highways England	Chapter 5 - Minerals and Waste Development Management Policies

K3 - Publication Draft Minerals and Waste Policies and Allocations Document (November 2022)

Person ID	Comment Number	Company / Organisation or Individual	Part of Publication Draft where comment has been assigned. Document or chapter or Policy or paragraph.
1332454	1	CPRE	Paragraph 4.3
1332454	2	CPRE	Policy MW1 - General criteria for considering minerals and waste development and paragraphs 4.13 and 4.20
1332454	3	CPRE	Policy MW2 - Mineral Exploration
1332454	4	CPRE	Policy MW5 - Air Quality and Dust
1332454	5	CPRE	Policy MW7 - Traffic and Transport
1332454	6	CPRE	Policy MW11 – Periodic Review of Mineral Planning Permissions
1332454	7	CPRE	Policy MW12 - Oil and Gas Exploration, Appraisal and Production
1332454	8	CPRE	Policy MW13 - Transport of Oil and Gas
1332454	9	CPRE	Policy MW16 - Inert waste 'other recovery'
1332454	10	CPRE	Policy MW17 - Inert Waste Disposal via landfill
1332454	11	CPRE	Policy MW18 - Non-Hazardous Landfill
1332454	12	CPRE	Policy MW20 - Mineral Site Restoration, Landfill and Landraise
1332454	13	CPRE	Policy MW24 - Site Specific Allocation Inert Waste Disposal at Cold Knuckle Quarry
1332454	14	CPRE	Policy MW4 - Noise
1332920	16	Historic England	Publication Draft Minerals and Waste Policies and Allocations Document
1256014	17	Mineral Products Association	Numerous references
1256014	18	Mineral Products Association	Paragraph 1.17
1256014	19	Mineral Products Association	Paragraph 4.4
1256014	20	Mineral Products Association	Page 20. 3rd Bullet Point

1256014	21	Mineral Products Association	Paragraph 4.17
1256014	22	Mineral Products Association	The Historic Environment
1256014	23	Mineral Products Association	Paragraph 4.24
1256014	24	Mineral Products Association	Paragraph 4.33
1256014	25	Mineral Products Association	Paragraph 4.41
1256014	26	Mineral Products Association	Paragraph 9.1
1256014	27	Mineral Products Association	Paragraph 4.72
1256014	28	Mineral Products Association	Policy MW14 – Vein Minerals, Metalliferous minerals, Lithium and Silica Sand
1256014	29	Mineral Products Association	Paragraph 9.8
1256014	30	Mineral Products Association	Table 1
1256014	31	Mineral Products Association	Paragraph 10.4
1256014	32	Mineral Products Association	Table 10.1
1287689	33	Northern Lithium	Policy MW2 - Mineral Exploration
1287689	34	Northern Lithium	Policy MW3 - Benefits of Mineral Extraction
1287689	35	Northern Lithium	Policy MW14 - Vein minerals, metalliferous minerals, lithium and silica sand
1324517	36	Church Commissioners for England	Policy MW1 - General criteria for considering minerals and waste development
1324517	37	Church Commissioners for England	Policy MW3 - Benefits of Minerals Extraction
1324517	38	Church Commissioners for England	Policy MW14 – Vein Minerals, Metalliferous minerals, Lithium and Silica Sand
1268636	39	Kearnton Farms Limited	Non-Allocation of Extension to Huland's Quarry
1255815	40	Sunderland Council	Publication Draft Minerals and Waste Policies and Allocations Document
1255814	41	Gateshead Council	Publication Draft Minerals and Waste Policies and Allocations Document
1255862	42	Eldon Parish Council	Publication Draft Minerals and Waste Policies and Allocations Document
1255813	43	Cumbria County Council	Publication Draft Minerals and Waste Policies and Allocations Document
1255813	44	Cumbria County Council	Publication Draft Minerals and Waste Policies and Allocations Document
1255805	47	Environment Agency	Policy MW1 - General criteria for considering minerals and waste development
1333045	49	Mr Keith Tallentire	Policy MW2 - Mineral Exploration
1333045	50	Mr Keith Tallentire	Policy MW3 - Benefits of Minerals Extraction
1333045	51	Mr Keith Tallentire	Policy MW7 - Traffic and Transport and Policy MW8 - Mineral Rail Handling Facilities
1267035	52	Tarmac	Paragraph 9.3 Non-Allocation of Site
1333050	53	Mr John Little	Policy MW24 - Site Specific Allocation Inert Waste Disposal at Cold Knuckle Quarry
1310803	54	The British Horse Society	Policy MW7 - Traffic and Transport 3.a
1310803	55	The British Horse Society	Policy MW23 - Site Specific Allocation Inert Waste Disposal at Crime Rigg Quarry (2)
1310803	56	The British Horse Society	Policy MW24 - Site Specific Allocation Inert Waste Disposal at Cold Knuckle

			Quarry (2)
1310803	57	The British Horse Society	Paragraph 4.29
1310803	58	The British Horse Society	Paragraph 4.47
1310803	59	The British Horse Society	Paragraph 8.13e
1333053	61	Breedon	Policy MW22 - Site Specific Allocation Northern Extension to Crime Rigg Quarry
1333053	62	Breedon	Chapter 9 Non-Allocation of Site – Eastern Extension to Raisby Quarry
1255804	63	The Coal Authority	Publication Draft Minerals and Waste Policies and Allocations Document
1332752	64	Avril Boulton	Policy MW24 - Site Specific Allocation Inert Waste Disposal at Cold Knuckle Quarry
1255928	65	Shincliffe Parish Council	Publication Draft Minerals and Waste Policies and Allocations Document
1333065	66	Vicky Robinson	Policy MW21- Site specific allocations at Thrislington West Quarry
1256014	67	Mineral Products Association	Paragraph 4.60
1255805	68	Environment Agency	Publication Draft Minerals and Waste Policies and Allocations Document
1324517	69	Church Commissioners for England	Policy MW2 – Mineral Exploration
1333053	70	Breedon	Policy MW24 - Site Specific Allocation Inert Waste Disposal at Crime Rigg Quarry

Table note. Please note there are no comment numbers 15, 45, 46, 48 and 60. There are 65 comments set out above.

Appendix L - Copies of any representations made in accordance with Regulation 20.1(d)
This appendix lists the representations received in Plan order. It has been prepared to comply with the requirements of regulation 20.1 (d) of the Town and Country Planning (Local Planning) (England) Regulations 2012 which requires copies of any representations made in accordance with regulation 20.

Comment ID: 41.

Consultee ID: 1255814.

Consultee Name and Organisation: Chris Carr - Gateshead Council.

Document or Chapter or Paragraph number or policy number: Minerals and Waste Policies and Allocations Document.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? Thank you for the opportunity to comment on the Minerals and Waste Policies and Allocations Document. The main cross boundary issue is the future of Birtley Quarry in County Durham, which supplies the Union Brickworks in Gateshead. This relationship is recognised in the supporting text of CDP Policy 52. The Council agrees that the Policies and Allocations Document does not raise any issues which would require a Statement of Common Ground between Gateshead and Durham.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision).

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary.

Comment ID: 44.

Consultee ID: 1255813

Consultee Name and Organisation: Rachel Whalley - Cumbria County Council.

Document or Chapter or Paragraph number or policy number: Minerals and Waste Policies and Allocations Document.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? I can confirm that Cumbria County Council, as a neighbouring minerals and waste planning authority, has no objection to or any comment to make on this Publication Draft Minerals and Waste Policies and Allocations DPD.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision).

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary.

Comment ID: 43.

Consultee ID: 1255813

Consultee Name and Organisation: Rachel Whalley - Cumbria County Council.

Document or Chapter or Paragraph number or policy number: Minerals and Waste Policies and Allocations Document

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? Confirming I have responded to the formal consultation on the Publication Draft Minerals and Waste Policies and Allocations DPD advising that Cumbria County Council, as a neighbouring minerals and waste planning authority, has no objection or comments to make. Regarding your correspondence below, I note the council is now proposing to allocate two sites for provision of sand in order to maintain an adequate supply and have a landbank of at least 7 years at 2035. This is pleasing to see as Cumbria County Council currently cannot demonstrate a 7-year landbank of permitted reserves for sand and gravel and there is an issue of sand and gravel supply for other MPAs within the North West region. Having checked through the information from our recent Local Aggregates Assessments it is clear that the amount of sand and gravel sales from Cumbria recorded as going to County Durham is insignificant, and indeed the amount going to other MPAs in the North East is a very small proportion of total sales. On this basis, I consider that the issue of sand and gravel supply does not constitute a significant cross-boundary issue between our two authorities and that a Statement of Common Ground is not required. Similarly, having recently commissioned an updated Waste Needs Assessment, I consider there are no issues relating to waste management or disposal that constitute a significant cross-boundary issue between our two authorities at this time. I would be happy to participate in any meeting to discuss the content of your SOCG if that would be helpful.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply):

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q.7 If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 40.

Consultee ID: 1255815.

Consultee Name and Organisation: Planning Policy Strategic Plans and Housing Manager Sunderland Council.

Document or Chapter or Paragraph number or policy number: Minerals and Waste Policies and Allocations Document.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? I refer to your consultation on the County Durham Publication Draft Minerals and Waste Policies and Allocations Development Plan Document (M&WDPD). Sunderland City Council (the Council) welcomes the opportunity to engage on the preparation of the M&WDPD. The Council notes the proposed minerals and waste development management policies and allocations which relate to four sites across County Durham. In relation to the aforementioned policies and allocations, the Council has no comments to make. Furthermore, in relation to cross boundary matters pertaining to minerals and waste between our authorities, the Council believes there are no outstanding matters which would require Statement of Common Ground. Notwithstanding this, if Durham County Council consider a Statement of Common Ground (SoCG) is required, then the Council is happy to engage positively in the preparation of a SoCG which is satisfactory to both parties.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 42.

Consultee ID: 1255862.

Consultee Name and Organisation: Mr T Bolton, Clerk Eldon Parish Council.

Document or Chapter or Paragraph number or policy number: Minerals and Waste Policies and Allocations Document.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? I refer to the consultation in connection with the above and write to advise that Eldon Parish Council is supportive of the proposals.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 63.

Consultee ID: 1255804.

Consultee Name and Organisation: Melanie Lindsley, The Coal Authority.

Document or Chapter or Paragraph number or policy number: Minerals and Waste Policies and Allocations Document.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? Thank you for your notification received on the 28th of November 2022 in respect of the above consultation. The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas. As you will be aware our records indicate that there is Surface Coal Resource present in the Durham area. We have commented on a previous consultation on the draft Minerals and Waste Policies document in a letter to the LPA dated 5th November 2021. In this letter we noted that we had no specific comments to make on the document. It is noted that this is the final stage of the consultation process for this document. I can confirm that the Planning team at the Coal Authority still have no specific comments to make. Please do not hesitate to contact me should you wish to discuss this further.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply):

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 68

Consultee ID: 1255805.

Consultee Name and Organisation: Louise Tait, Environment Agency.

Document or Chapter or Paragraph number or policy number: Minerals and Waste Policies and Allocations Document.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Sound.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? Thank you for the opportunity to comment on the above consultation. Having assessed the Publication Draft Plan and policies we consider that the plan is sound.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply):

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 16.

Consultee ID: 1332920.

Consultee Name and Organisation: Mr Jim Hanrahan, Historic England.

Document or Chapter or Paragraph number or policy number: Minerals and Waste Policies and Allocations Document.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? Thank you for your consultation regarding the County Durham Minerals & Waste Development Plan. Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

General Comments. In terms of our areas of interest we note that the document contains policies for extracting economically important minerals and policies on the recovery and disposal of waste. It also contains proposals for two new sand and limestone quarrying sites, and two new sites for waste disposal, with all four located within or adjacent to existing quarries in the County. The link below will take you to our advice on Minerals, Mineral Extraction and Archaeology: Historic England Advice Note 13. Any development relating to the winning of minerals and the management of waste will be required to reflect the protection of the historic environment, buildings and their surroundings. It is noted that the policy follows NPPF guidance and considers the impact of the development on the environment. We do not have any further specific comments to make at this time. If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply):

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 17.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Minerals and Waste Policies and Allocations Document.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silicas and industries. With the affiliation of British Precast, the British Association of Reinforcement (BAR), Eurobitume, MPA Northern Ireland, MPA Scotland and the British & Irish Calcium Carbonate Federation, it has a growing membership of 530 companies and is the sectoral voice for mineral products. MPA membership is made up of the vast majority of independent SME quarrying companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of UK cement production, 90% of GB aggregates production, 95% of asphalt and over 70% of ready-mixed concrete and precast concrete production. In 2018, the industry supplied £16 billion worth of materials and services to the Economy. It is also the largest supplier to the construction industry, which had annual output valued at £172 billion in 2018. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors. For more information visit: www.mineralproducts.org
With reference to the current consultation, we have highlighted where we believe improvements could be made to the text by drawing through suggested deletions and underlining bold text for insertions. We thank the Council for largely clarifying the points raised in our initial comments submitted on 5th November 2021 and trust the above comments are also welcomed. We would welcome the opportunity to meet with officers in advance of further iterations of the Local Plan.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording "Council' or Council's". MPA Comment - The plan uses both referring to the same document

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested amendment - Suggest using one or the other.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 65.

Consultee ID: 1255928.

Consultee Name and Organisation: Mr Richard Ormerod, Shincliffe Parish Council.

Document or Chapter or Paragraph number or policy number: Minerals and Waste Policies and Allocations Document.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Shincliffe Parish Council urges Durham County Council, as part of its minerals and waste policy, to do everything in its power to facilitate the exploring of opportunities to use mine water to heat and cool homes and businesses.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 18.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Chapter 1 Paragraph 1.17.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording “the Council discusses matters of mutual concern with all adjoining minerals and waste planning authorities”. MPA Comment - The importance of some industrial minerals and building stones within Durham would suggest that downstream markets for such go beyond “adjoining” minerals and waste planning authorities.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment -Whilst we recognise the DtC may disappear under the LURB, it may be advisable for the Council to liaise with Council's, further afield. This is reflected in Chapter 2 which explains the diversity of the minerals worked and their end uses.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 1.

Consultee ID: 1332454.

Consultee Name and Organisation: Mr Richard Cowen, Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Chapter 4 Paragraph 4.3.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Legally Compliant NO. Sound NO. Complies with the Duty to Cooperate YES.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3 If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not Effective.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: We question the sentence which reads "These policies will need to be read alongside the policies and provisions of the M&WDPD". While it may appear pedantic, surely this is the wrong way round. If the M&WDPD is a subsidiary document to the CDP, surely the Policies in the M&W plan must be read alongside the CDP, not the other way round?

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: We believe the sentence should read "The Policies in the M&WDPD will need to be read alongside the provisions of the CDP and in the event of any disparity, the provisions of the CDP will prevail".

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision). Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary. To be able to address any points the Examiner may wish to clarify.

Comment ID: 19.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Chapter 4 Para 4.4

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording – “Mineral and waste developments within the county requiring planning permission must therefore be determined in accordance with the policies contained within the CDP and once adopted the M&WDPD”. MPA Comment - Minerals developments should also be determined in accordance with National Planning Policy.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment -"Mineral and waste developments within the county requiring planning permission must therefore be determined in accordance with national planning policy, the policies contained within the CDP and once adopted the M&WDPD"

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 47.

Consultee ID: 1255805.

Consultee Name and Organisation: Louise Tait, Environment Agency.

Document or Chapter or Paragraph number or policy number: Policy MW1 - General criteria for considering minerals and waste development.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Policy MW1 (General criteria for considering minerals and waste development) Whilst we fully support Policy MW1 (General criteria for considering minerals and waste development), we wish to highlight that mine water and water abstraction is no longer mentioned within Policy MW1.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: It would be our preference that mine water and water abstraction continues to be referenced within Policy MW1. However, if this is not to be the case, we would recommend that these risks are considered fully at the planning application stage.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 36.

Agent ID: 1332925 **Consultee ID:** 1324517.

Consultee Name and Organisation: Church Commissioners for England. Lucy Stephenson, Savills.

Document or Chapter or Paragraph number or policy number: Policy MW1 - General criteria for considering minerals and waste development.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? SOUND (positively prepared, justified, likely to be effective and consistent with national policy).

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? In response to the Publication Draft County Durham Mineral and Waste Policies and Allocations Document (M&WDPD) which will, when adopted, form part of the statutory development plan for County Durham and will ultimately replace all remaining saved policies of the County Durham Minerals Local Plan (CDMLP) which was adopted in December 2000 and the County Durham Waste Local Plan (CDWLP) which was adopted in April 2005.

Church Commissioners for England - Church Commissioners are a charitable institution which administers the property assets of the Church of England. They manage a diversified portfolio of investments across a broad range of asset classes and subsequently support the Church of England' work and mission, facilitating its growth and contributing to the common good.

Church Commissioners have significant minerals interests across County Durham and are actively working these assets. Within the county there is an active deep mine and a number of operational quarries producing approximately 1.6 million tonnes per annum of construction aggregate.

Whilst the Church Commissioners have active interests in mineral assets within their ownership, they are also keenly aware of opportunities for the development of lithium and other critical minerals within County Durham that form part of their widespread minerals portfolio.

As a significant owner of mineral assets across the County, the comments enclosed within these representations seek to ensure that the interests of the Church Commissioners are taken into account through the emerging County Durham Mineral and Waste Policies and Allocations Document.

Commentary on the County Durham Mineral and Waste Policies and Allocations Document

Comments enclosed are made in the context of the National Planning Policy Framework which requires Local Plans to be:

1 Positively Prepared - providing a strategy which, as a minimum seeks to meet the areas objectively assessed needs and is informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

2. Justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

3. Effective - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground,

4. Consistent with National Policy - enabling the developer of sustainable development in accordance with policies in the Framework.

These representations are submitted following a comprehensive review of the County Durham Mineral and Waste Policies and Allocations Document and supporting technical reports.

In general, the Church Commissioners are supportive of the Policies and site allocations within the emerging Local Plan, which align with the requirements of the NPPF in that they are positively prepared, justified, likely to be effective and consistent with national policy.

Draft Policy MW1 outlines the General Criteria against which any application for minerals and waste development will be considered. The criteria outlined within this policy are reasonable and are likely to ensure that unacceptable adverse impacts are avoided. The inclusion of separation distances between minerals and waste development and occupied residential dwellings, calculated on a site by site basis, is also supported. The approach taken within Policy MW1 will ensure that flexibility is retained for applications to be considered to meet demand and clearly outlines the key considerations of any planning application.

Summary

This letter has been written in response to the County Durham Mineral And Waste Policies And Allocations Document - Publication Draft Plan and is intended to represent the interests of the Church Commissioners, who own a significant proportion of the sub-surface materials across the County. The Church Commissioners are largely supportive of the Draft Policies outlined within the Publication Draft Document, which are positively prepared, justified, effective and consistent with national policy. The Church Commissioners are particularly supportive of the positive approach taken by the County Council to the consideration of proposals relating to mineral exploration and new extraction opportunities within the County.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

The Church Commissioners welcome the opportunity to make representations to the Publication Draft Local Plan and will seek to be actively involved in the process moving forward, including at Examination in Public stage.

We trust the comments enclosed within these representations can be taken into account and look forward to receiving future communication regarding the arrangements for Examination.

Comment ID: 2.

Consultee ID: 1332454.

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW1 - General criteria for considering minerals and waste development & paragraphs 4.13 and 4.20

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Legally compliant NO. Sound NO. Complies with the Duty to Cooperate YES.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not effective.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: We note that although this Policy does not specify noise, it is mentioned in the text and there is a separate policy on noise. We wish to mention at the present that this should address all types of noise, including infrasound where it may occur, that may affect human health. As far as biodiversity is concerned, we are pleased to note the reference here to protected species. While habitats are important, if work results in species being displaced and those species are not properly accounted for, there will be a net biodiversity loss rather than a gain. In view of the provisions of the Environment Act 2021, we represent that this is very important. We are also aware that parts of County Durham are important for fossil remains. This may form part of the Geodiversity provisions in this policy, but there is no reference to this in the text. We represent that this should be addressed in the Policy and the Text.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Policy MW1 should make a reference to fossil finds Paragraph 4.13 should clarify that all types of noise will need to be addressed Paragraph 4.20 (or thereabouts) should explain the need to address situations where fossil remains are found.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: To clarify any points for the Examiner that may arise.

Comment ID: 20.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Page 20. 3rd Bullet Point.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - "Air pollution - If not, properly controlled increases in air pollutants can have harmful effects on human health and the natural and historic environment." MPA Comment - It is not clear how Air pollution can impact upon the historic environment. It would be helpful to explain how to justify this comment.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment -Provide an explanation and clarity.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 21.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: 4.17.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - "Proposals should also seek to avoid creating visually prominent extraction areas and orientate working faces to minimise their visibility, avoiding breaching local skylines." MPA Comment -Whilst we recognise the importance of minimising the impact upon the landscape, avoiding breaching the skyline may not always be possible. The wording should reflect this. This wording would be consistent with paragraph 4.19.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment - "Proposals should also seek to avoid creating visually prominent extraction areas and orientate working faces to minimise their visibility, where possible, avoiding breaching local skylines."

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 22.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Chapter 4 Historic Environment

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - General Context. MPA Comment -Quarries provide appropriate materials to ensure the historic environment and local vernacular can be maintained.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment - This should be reflected in the text.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 23.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Paragraph 4.24.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - "Mineral working by its very nature can result in the removal of limestones and sand which form part of aquifers". MPA Comment -The inference on this sentence is not correct. It suggests all limestone and sands are part of aquifers. Rephrase the sentence accordingly.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment - "Mineral working by its very nature can result in the removal of limestones and sand which may form part of an aquifers."

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 57.

Consultee ID: 1310803.

Consultee Name and Organisation: Charlotte Ditchburn, The British Horse Society.

Document or Chapter or Paragraph number or policy number: Paragraph 4.29.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

I am responding to this consultation on behalf of The British Horse Society, an equestrian Charity with over 119,000 members which represents the 3 million horse riders in the UK. There are 31,498 horses registered in Durham. Nationally equestrians have just 22% of the rights of way network and carriage drivers a mere 5%, increasingly disjointed by roads which were once quiet and are now heavily used by traffic resulting from development within the County. It is therefore important that these public rights are protected.

Background to comments

Increasing pressure for development of houses and industry is making even fewer of those bridleways and byways available. Ancient 'green lane' bridleways, byways and unsurfaced roads are being tarmacked as access roads or cycle tracks and engulfed by new development spreading into the countryside. Traffic increases with new development or change of use so roads become even less safe for riders and carriage drivers (equestrians) to use to access any traffic-free routes there may be. Riders are also increasingly excluded from verges by creation of foot-cycleways – segregated provision for other vulnerable non motorised users but equestrians are excluded and forced into the carriageway. Historically verges have provided a refuge and could, if mown, provide a segregated route.

Safe routes for equestrians are desperately needed because the accident statistics in respect of horses on the roads are horrific. There have been 8,561 incidents reported to the British Horse Society since 2010, 44 people have lost their lives, 1,453 have been injured, 502 horses have been killed, 1,311 horses injured, and 85% of these incidents involved vehicles passing too close to the horse and/or too fast.

Failure to accommodate the needs of these users would be contrary to National and Local Policies such as:

- **Highways England Accessibility Strategy** states:
'Our vision focuses on supporting our road users' journeys, pedestrians, cyclists, equestrians, those with disabilities (such as users with mobility or sensory impairments) and other vulnerable users – while delivering longer-term benefits for communities and users alike.
We want to address the barriers our roads can sometimes create, help expand people's travel choices, enhance and improve network facilities, and make everyday journeys as easy as possible.
This will be achieved by ensuring our network supports and contributes to accessible, inclusive and integrated journeys which are safe, secure, comfortable and attractive.'
- **NPPF policy 58 Requiring Good design**
Create safe and accessible environments.
Paragraphs 73 and 81 of the NPPF require Local Authorities to plan positively for access to high quality open spaces for sport and recreation which can make important contributions to the health and wellbeing of communities and to plan positively to enhance the beneficial use of the Green Belt, such as looking for

opportunities to provide access; to provide opportunities for outdoor sport and recreation.

- **NPPF Section 8**

Promoting healthy communities

Policy 73 access to high quality open spaces for sport and recreation and can make important contribution to the health and wellbeing of communities.

Policy 75 Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users. For example, by adding links to existing rights of way networks.

Policy 81 local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation.

- **The Durham Rights of Way Improvement Plan** – ‘Although ROWIP3 focusses on the Public Rights of Way Network, we recognise that this is one element within the wider access network. In order to strategically manage and improve the whole network ROWIP3 will consider all routes and as such it covers PROW (footpaths, bridleways and byways), railway paths, permissive paths, promoted routes, cycle routes, Open Access or Coastal Access Land. Where the plan states “path” this is in its broadest sense and refers to all types referred to previously. There are a wide variety of users who are considered through the plan and these include walkers, cyclists, horse riders and off-road vehicle drivers. The ROWIP looks at how all the different elements can work together to fulfil access needs. This network will be referred to as the Access and Rights of Way network (AROW).’

- **‘The British Horse Society’s report Making Ways for Horses** – off-road Equestrian Access in England – Equestrian Access Forum August 2012, highlights the importance of horse riding for health and wellbeing. Access for horse riders, which inevitably involves crossing roads, is central to riding activities without which the level of participation is likely to decline which will have a negative impact on the local economy (Making Ways for Horses – offroad Equestrian Access in England – Equestrian Access Forum August 2012).

In order to maximise opportunities within Cheshire to help provide more off-road links for equestrians this development should support the automatic inclusion of horse riders on shared off-road routes, unless there are cogent reasons why this is not possible.

The key to a successful shared route is the design: for example, rather than positioning a cycle path down the centre of a route with verges either side, the cycle path should be positioned to one side and the two verges combined to provide a soft surface for walkers, runners and horses on the other. (This also addresses the issue of horse droppings which, as research has confirmed, represent no danger to health and disperse quickly, particularly on unsurfaced paths.)

Historically, pedestrians and cyclists have been considered as the main vulnerable road users. Equestrians are however increasingly recognised as being part of this group: during the Parliamentary Debate on Road Safety in November 2018 Jesse Norman, Under Secretary of State for Transport, stated that: **“We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders.”**

It is essential that in projects such as this, every opportunity is taken to benefit as many people as possible including those least active in the population (NHS, 2019). Therapeutic and physical benefits of horse riding and carriage driving have been proven for people with

disabilities (Favali and Milton, 2010). According to Church et al (2010) over 90% of equestrians are women and 37% of these are over 45 years of age and over a third would pursue no other physical activity. 'Horse riding induces physiologically positive effects such as muscle strength, balance...and psychologically positive changes' (Sung et al, 2015). In the current climate mental health is hugely important and horse riding and carriage driving play a large part in enhancing physical and psychological health therefore should be included in improving quality of life and wellbeing through an inclusive transport system accessible to all which emphasises sustainable and active travel.

Horse riding is a year-round activity which (along with associated activities such as mucking out and pasture maintenance) expends sufficient energy to be classed as moderate intensity exercise. The majority of those who ride regularly are women, and a significant proportion of riders are over 45. For some older or disabled people, being on horseback or in a horse-drawn carriage gives them access to the countryside and a freedom of movement that they would not otherwise be able to achieve. Most riders and carriage-drivers wish to take their horses out on bridleways and byways, away from motor traffic, for the physical and mental health benefits to animal and human, in exactly the same way as most walkers (with and without dogs) and cyclists. Many are unable to do so because the traffic on tarmac roads is too dangerous for such vulnerable road users, and there are generally so few traffic free routes available to equestrians. There are also considerable psychological and social benefits from equestrian activities, as the BHS is demonstrating through the Changing Lives through Horses initiative.

Equestrianism is a popular activity in this part of the UK, and one which contributes significantly to the local economy. The equestrian community in the area affected by the proposed multiuser trail has many difficulties in finding safe access within the area, as identified in the relevant policies. Many of these issues could be addressed and resolved through good planning of future routes. We hope therefore that the applicant will support this, and local equestrians affected by this development, and would be happy to support and facilitate consultation with the local equestrian community.

The majority of off-road routes could and should accommodate all non-motorised vulnerable road users— equestrians, cyclists, pedestrians and mobility buggy users—and therefore be truly (nonmechanically propelled) multi-user routes (Multi-user has no legal definition and is often confused in its meaning but generally means all users, not only pedestrians. The BHS takes it to mean all non-motorised users). The BHS works in partnership with other user groups, local and central government to make rights of way and other access areas useful and open to all, and our roads safer for all users. The length of the public right of way network currently amounts to 188,700km, consisting of 146,600km of footpaths, 32,400km of bridleways, 3,700km of byways and 6,000km of restricted byways. Horse riders therefore, currently only have access to 22% of public rights of way and horse-drawn vehicle drivers only 5%. Many rights of way are now disconnected from each other because the roads that should connect them are no longer safe for equestrians to use because of the speed and volume of motorised traffic on them, leaving many equestrians without a safe local route to use.

This scheme could make a significant contribution to the safe off road riding that is available to equestrians, who like cyclists and pedestrians are vulnerable road users, in many instances negating the need for equestrians to use heavily trafficked roads to access the equestrian public rights of way network and other areas with equestrian access without the necessity of utilising heavily trafficked road networks.

The Society welcomes the Government's policy, expressed by Richard Benyon in 2011, that **highway authorities and other providers should accommodate horse riders as well as cyclists and pedestrians on all off road routes** where it is practicable. Richard Benyon MP, Minister for Natural Environment and Fisheries wrote to Anne Main MP in June 2011 concerning Alban Way, questioning why horse riders are not permitted to use it. He urged all local authorities to allow horse riders to use cycle trails, routes and any other ways where it is in their power to do so, and to encourage that permission or dedication to happen where it is not in their power. In the Government's view, "Unless there are good and specific reasons not to expressly allow horse riders to use such routes, local authorities should take steps to accommodate them. Local authorities should be making the most of their off-road networks through integration of use. Multi user routes have been shown to be readily adopted and well appreciated by local people. Where they are done well they bolster community cohesion and create a better understanding between users."

Mr Benyon stated further that, "Horseriders are particularly vulnerable road users, and cycle routes can provide appropriate and important opportunities to avoid busy roads. There is potential for conflict in any situation where people share a public space, but the possibility of conflict is not reason enough to disregard ridden access; actual conflict could be resolved and any misplaced concerns reduced over time."

The BHS agrees with this point of view. Multi user paths represent best value for everyone, users and taxpayers. Research demonstrates that multi user paths present no unacceptable risk to users. Bridleways of all widths, gradients, sightlines and surfaces have been shared by walkers, horseriders and cyclists since 1968.

The BHS maintains that horseriders, walkers and cyclists can comfortably pass on a route that has a width of 3m and all can happily coexist on narrower routes with one party giving way to the other as appropriate. Many public bridleways and permissive routes are significantly narrower than 3m, yet reports of it being a problem are very rare; rather it can create a greater feeling of cooperation and tolerance between users. Circumstances vary and every route should be considered independently on its own merits and potential benefits for increasing safety by taking horse riders off roads. A less than ideal width may be acceptable where a narrow off-road route is safer than the alternative road. Passing places and frequent attention to vegetation or adjacent hazards to ensure the full width is available at all times may be adequate mitigation along with promotion of sharing and tolerance between all users.

Whilst the Society supports the national initiative to encourage more cycling and walking as part of Active Travel Plans, it is imperative that the applicant recognises that Active Travel also includes equestrians.

Central government support for including horses

The government's Cycling and Walking Investment Strategy Safety Review says: "1.2 But safety has particular importance for vulnerable road users, such as walkers, cyclists and horse riders. All road users have an equal right to use the road, and safety and the perception of safety are key factors in determining how far people use these modes of transport. The safer they feel, the more they will use these active modes of travel. The more people who use Active Travel, the fitter and healthier they will be, and the more their communities will benefit from lower congestion and better air quality, among a host of other benefits"(Jesse Norman, Minister for Transport)

<https://www.gov.uk/government/consultations/cyclingand-walking-investment-strategy-cwis-safetyreview>

Jesse Norman in House of Commons debate on Road Safety, 5 November 2018: “We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders” And final point by Jesse Norman in debate: “Horse riders are vulnerable road users—there is no doubt about that, and there never has been—and they have been included in the work we are doing.”

The ‘Walking and Cycling’ routes should conform to the governments Active Travel Strategy which states in section 6 of the Active Travel policy Active travel: increasing levels of walking and cycling in England - Transport Committee - House of Commons (parliament.uk) clearly including horse riding [along with skateboarding and roller skating] supported by the Ministerial Statement of Richard Benyon from 2011 stating cycleways should be multi use. Cycle infrastructure design (LTN 1/20) - GOV.UK (www.gov.uk) Page 37 deals with the WCHAR assessment which clearly stated that horse riders should be accommodated. Cycle Infrastructure Design specifies Walking, Cycling and Horse-Riding Assessment and Review (WCHAR). ‘4.5.10 DMRB also contains guidance on undertaking a Walking, Cycling & Horse-Riding Assessment and Review. Although this is applicable to trunk roads, it provides a good basis for assessing the needs of all users along and across interurban roads.’

The Health Benefits of Horse Riding in the UK.

(Data comes from research undertaken by the University of Brighton and Plumpton College on behalf of The British Horse Society)

- 68% of questionnaire respondents participated in horse riding and associated activities for 30 minutes or more at least three times a week. Sport England estimate that such a level of sporting activity will help an individual achieve or exceed the government’s recommended minimum level of physical activity.
- Women have been identified in government studies as a social group with relatively low levels of participation in physical activity. Some 93% of questionnaire respondents were women and 49% percent of female respondents were aged 45 or above. These are comparable figures to a major Sport England survey which found that 90 percent of those participating in equestrianism are women and 37 percent of the female participants in equestrianism are aged 45 or above. The gender and age profile of equestrianism is not matched by any other sport in the UK³⁵.
- Amongst the horse riders who took part in the survey, 39% had taken no other form of physical activity in the last four weeks. This highlights the importance of riding to these people, who might otherwise be sedentary.
- Horse riders with a long-standing illness or disability who took part in the survey are able to undertake horse riding and associated activities at the same self-reported level of frequency and physical intensity as those without such an illness or disability. For further information, please see: <https://www.bhs.org.uk/~media/documents/marketing/health-benefits-of-riding-in-the-ukfullreport.ashx?la=en>

Newly Constructed Paths

Any physical creation of new paths to achieve Active Travel objectives within the county is to be welcomed (provided that equestrians are included, as a minimum, on those outside of large town centres), as this will enhance the ability of the public to increase its access to safe off road routes for leisure and commuting. District Authorities should take a strategic approach to Active Travel proposals within their administrative boundary - giving

³⁵Sport England (2010) Active People Survey (2010/11).

consideration to potential links outside their boundaries that could contribute to a more integrated network and achieve maximum benefit for all users.

Use of Existing Public Rights of Way

The Society recognise that many of the proposed routes within this consultation are in urban areas. However, many horses are kept on the urban fringe, so it is important that equestrians are not excluded from routes that exit the urban areas into the surrounding environs. Active Travel routes should not, in any way, compromise the use of the public rights of way by making them less amenable to existing lawful users of the right of way. In particular:

- Where existing routes are considered as part of the plan, it is important that all user groups are consulted so that the impact on other lawful users can be assessed and, if necessary, alternative measures discussed. For each specific proposal which uses a public right of way or minor road, the width, the proposed surface and the impact of increased estimated numbers of cyclists must be considered in order to design a route suitable for all legal users in each specific location.
- Any newly constructed paths should be integrated/physically linked with the existing public rights of way network where possible and needed, clearly waymarked and recorded on either the definitive map or another publicly accessible map as appropriate.
 - Where proposed new, or improved routes have crossing points or junctions with the main highway network, appropriate signal-controlled (or even grade-separated) crossings should be provided suitable for all user groups.
- Consideration should be given to the use of 'Quiet Lanes'³⁶ where the speed of traffic is reduced.
- Where motorised traffic is to be prohibited on either a right of way or minor road to facilitate cycling and walking, it must be remembered that this is likely to also benefit equestrians. Signage and structures must not impede equestrians.

Other Considerations to Note

Commuting cycling is likely to take place at times other than when recreational use takes place. Thus, a path used for commuting may well be used for recreational travel especially if it provides a circular route by connecting to other paths.

Several categories of public rights of way (bridleways, restricted byways and byways) and minor public roads are already shared by cyclists and other user groups. Thus, as a general principle, we believe that, for maximum public benefit and fairness, the reciprocal approach should be implemented, i.e. that new cycle paths should be shared with other user groups unless there is a specific, unresolvable reason not to do so. Use of Traffic Regulation Orders to prohibit use of a public right of way by a specific user group for the benefit of cycling needs to be fully justified and take into account the rights of other lawful users. It should be noted that the Defra Statutory Guidance to local authorities on Rights of Way Improvement Plans, 2002, states in para. 2.2.21:

'There is potential for conflict on ways carrying higher rights between different classes and types of users. Wherever possible proposals for improving rights of way should not unduly benefit one class of user at the expense of another. Improvements that are intended to benefit cyclists, harness-horse drivers, horse riders or walkers should not unduly restrict lawful MPV use of public vehicular rights of way'.

³⁶ https://www.cpre.org.uk/wp-content/uploads/2019/11/quiet_lanes_1.pdf

Equestrian use must be considered when Active Travel routes are proposed in new developments, so that new links can be created to the countryside beyond. Where new bridges/underpasses are proposed these should be suitable for equestrian use.

Effect of excluding Equestrians from Active Travel Routes

If equestrians are not included as a user on active travel routes, the consequence is that equestrians are left on the carriageway with lorries and cars passing them on the outside and cyclists passing them on the inside, which is another accident waiting to happen. It is therefore important that this aspect is considered in the risk assessment for such routes.

Benefits of catering for horses

The British Equestrian Trade Association National Equestrian Survey (2019)³ indicated: • £4,174 is spent per horse which represents a significant contribution to the economy • The value of the equestrian sector is £4.7 billion per annum

General Statistics

- 847,000 horses in Britain
- 1.8 million regular riders of 3 million total
- Lack of access to horses and riding facilities is a barrier for 22% of lapsed riders returning.

The BHS supports Policy MW22(2), Policy MW23(2), MW24(2), and the inclusion of 4.29, 4.47, 8.13e. Wherever Public Rights of Way are mentioned the best value for money should be considered therefore protection of routes is imperative and the restoration and aftercare of sites should provide routes for the most users including equestrians.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Within 4.29 the wording 'Applicants should demonstrate the acceptability of the proposed development in relationship to traffic and transportation as well as any impacts on the public rights of way network and footpath network', as footpaths are part of the Rights of Way network the BHS recommends the following wording: 'Applicants should demonstrate the acceptability of the proposed development in relationship to traffic and transportation as well as any impacts on the public rights of way and multi-user path network.'

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 24.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Paragraph 4.33.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - "Through the provisions of Policy MW7 (Traffic and Transport) the Council will seek to maximise the use of sustainable forms of transport such as by rail/and or by low emission vehicles and through the provisions of Policy MW8 (Mineral Rail Handling Facilities) the Council will seek to facilitate rail transport where there are railways nearby with available capacity."

MPA Comment - It should be recognised that in achieving net zero, the industry is currently constrained by the availability of LEVs which have the ability to transport bulk materials. This will come in time and is being pursued and supported by the industry. However, as with private road vehicles, this cannot happen over night. Further, it is not simply about having "railways nearby with available capacity", it also requires appropriate infrastructure at both ends of the supply chain to load and off load materials. These comments are reflected in Para 4.67-4.70.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment - "Through the provisions of Policy MW7 (Traffic and Transport) the Council will ~~seek to maximise~~ **encourage** the use of sustainable forms of transport such as by rail/and or by low emission vehicles and through the provisions of Policy MW8 (Mineral Rail Handling Facilities) the Council will seek to facilitate rail transport where there are railways nearby with available capacity and appropriate infrastructure for the loading and off-loading of minerals."

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 49.

Consultee ID: 1333045.

Consultee Name and Organisation: Mr Keith Tallentire.

Document or Chapter or Paragraph number or policy number: Policy MW2 - Mineral Exploration.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: There is little doubt of the negative impact, reactivation would have on the human health and the amenities of the village. It would also impact on the environment (due to the proximity of housing and the dene), the air quality (due to blasting and fumes from vehicles (estimated at one every 30 seconds) and the traffic implications caused by so many HGVs.

The consultation provides the opportunity to influence future policy and try to reduce the negative impact on the village in the event of the quarry reopening. The report indicates the likelihood that extraction at Hawthorn Quarry will commence in the mid to long term and that it is "likely that 10.5 million tonnes of mineral is to be extracted in the life of the quarry" One can only imagine the negative of impact on Hawthorn current residents and children but also the next generation of 10.5 million tonnes of material being transported through the village in the future. It could also seriously impact on the viability of the Seaham Garden Village development.

The Policy as it is in relation to the reactivation of Hawthorn Quarry would also hinder the County Council's ability to meet the challenge of climate change and transition to a low carbon future. The Council could however strengthen the conditions in the consultation paper, using the policy for the basis of a decision (including Periodic Reviews) to reduce further the impact of mineral extraction on climate change.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Can I ask that you consider putting forward the following policy amendments: Policy MW2 - Mineral extraction

4.40 That prior to any permission up to date evidence is obtained regarding the extent and mineral resource. For example, I understand there is some doubt now over the extent of the high-grade product (which is based on old original data with the policy stating "of the 12.6 million tonnes of magnesium limestone 9.5 million is claimed as high grade") within Hawthorn Quarry and as such should have an influence on any decision. The policy should also be used as the basis for Periodic Review Applications.

I believe the above amendments protect people's health and well-being, the environment and would assist the County Council's ability to meet the challenge of climate change and transition to a low carbon future.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 3.

Consultee ID: 1332454.

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW2 - Mineral Exploration.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? It is not Legally Compliant. It is not Sound. It complies with the duty to cooperate.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not effective.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

The Policy makes no reference to restoration. Restoration is mentioned in the text at paragraph 4.41 and there is a separate Restoration Policy at Policy MW20. However, Policy MW20 relates to mineral **workings**, not exploration as in Policy MW2.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

It should be clarified that Policy MW20 includes mineral exploration under Policy MW2 as well as mineral working.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: To clarify any issues for the Examiner.

Comment ID: 33.

Agent ID: 1287688. **Consultee ID:** 1287689.

Consultee Name and Organisation: Northern Lithium. Nick Beale, Wardell Armstrong.

Document or Chapter or Paragraph number or policy number: Policy MW2 - Mineral Exploration.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Sound.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

I write on behalf of Northern Lithium Limited in relation to the current consultation on the publication draft plan for minerals and waste policies and allocations in County Durham. Northern Lithium Limited Northern Lithium Limited (Northern Lithium or NLi) is a private UK company based in Wolsingham, County Durham. It was established in 2017 to responsibly develop lithium extraction from saline brines opportunities, initially focussed on the Northern Pennine Orefield in County Durham, including significant areas of Weardale.

Having secured exclusive agreements with the owners of certain mineral rights there, NLi is currently the only company in County Durham (and one of only two nationally) to be actively drilling new boreholes for lithium in saline brines exploration. It drilled two exploratory boreholes in 2022 at Ludwell Farm, Eastgate, County Durham and has applied for planning permission for up to a further four nearby. NLi has also begun the evaluation of available processing technologies to select the most suitable to extract lithium from the brines discovered at a commercial scale.

NLi's exploration activities have been part-funded through a feasibility study grant from the Automotive Transformation Fund run by the Advanced Propulsion Centre. The initial target for NLi is to produce up to 10,000 tonnes of lithium carbonate equivalent (LCE) per annum, from saline brines in County Durham, for use in the manufacture of lithium-ion batteries for the UK electric vehicle (EV) sector. This will form a key domestic supply source to meet the forecast national demand of about 75,000 tonnes LCE per year by 2035.

The directors, founders and major shareholders of Northern Lithium, along with its principal consultants and advisers, are able to demonstrate and deliver substantial mining and mineral extraction industry expertise, sustainable project development experience, a strong knowledge of the local area and extensive fundraising capabilities.

Wardell Armstrong LLP is the principal adviser to NLi. It has been the lead adviser to the mining industry in the UK for over 185 years and provides significant expertise in the management of drilling programmes, statutory consent regime compliance, and environmental assessment of major planning schemes. The company also acts as Mineral Agent to the Crown, responsible for the oversight of a range of critical and vein minerals throughout the UK.

Policies MW2, MW3 and MW14

Northern Lithium supports the three key policies specifically relating to lithium exploration and production:

- Policy MW2 – Mineral exploration;
- Policy MW3 – Benefits of mineral extraction; and

- Policy MW14 – Vein minerals, metalliferous minerals, lithium and silica sand.

The overall approach to a planning policy for lithium extraction in County Durham is effectively supported in principle by these policies. The overall requirement for a staged approach to development (of exploration and appraisal prior to full extraction) is considered sound. The emphasis in the policies reflects the NPPF requirement to place great weight on the benefits of mineral extraction. NLi considers that the policies are positively prepared, justified, likely to be effective and consistent with national policy.

However, it is noted that the focus of the plan is for lithium to be associated with ‘traditional’ surface and deep mining of other metalliferous minerals, vein minerals and silica sand. Extraction of lithium from saline brines is a very different form of mineral extraction, not least that it has a considerably smaller footprint, comprising boreholes and related industrial buildings rather than excavation voids. In addition, extraction of lithium requires considerably different exploration phasing, with considerably more exploration, testing and monitoring of boreholes prior to the submission of any full application for processing. On these grounds there is a strong case to suggest that a separate policy for lithium would be appropriate which relates more specifically to the particular development needs of such production separate from those of more traditional mining or quarrying activities. Northern Lithium would welcome the opportunity to meet you to discuss this.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: Contribution to the examination in public. NLi would be a very willing contributor to any future examination in public. It is the only party currently actively drilling new lithium in brines exploration boreholes in County Durham, one of only two in the UK as a whole, and the only developer in County Durham currently following the sequential steps of exploration, appraisal and full planning submission set out in the proposed policies.

The knowledge base relating to lithium extraction from saline brines is fast developing and is being particularly advanced locally by the geotechnical and hydrogeological information obtained from NLi’s exploratory boreholes across the Northern Pennine Orefield, County Durham. This growing knowledge base, together with fast-advancing improvements in the commercial processing technology, is helping the industry to form a better understanding of its future scale and operational requirements. This will in turn inform the scale and extent of likely surface development features, such as processing plants, access tracks, and highways movements.

Set over this advancing knowledge base is equally fast-changing government policy on critical minerals, most recently with the publication of the policy paper “Resilience for the future: The UK’s critical mineral strategy” which sets out to expand and protect UK supplies of these minerals, including lithium.

By the time the County Durham Minerals and Waste Policies and Allocations Document is examined in public, it may be that the information gain from NLI’s exploration works, across the Northern Pennine Orefield, will have advanced to a point where it may be able to further assist the inspector in the assessment of the relevant policies. NLI would willingly contribute to this discussion at examination in public if the inspector considers it appropriate.

Comment ID: 69.

Agent ID: 1332925 **Consultee ID:** 1324517.

Consultee Name and Organisation: Church Commissioners for England. Lucy Stephenson, Savills.

Document or Chapter or Paragraph number or policy number: Policy MW2 – Mineral Exploration

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? SOUND (positively prepared, justified, likely to be effective and consistent with national policy).

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? In response to the Publication Draft County Durham Mineral and Waste Policies and Allocations Document (M&WDPD) which will, when adopted, form part of the statutory development plan for County Durham and will ultimately replace all remaining saved policies of the County Durham Minerals Local Plan (CDMLP) which was adopted in December 2000 and the County Durham Waste Local Plan (CDWLP) which was adopted in April 2005.

Church Commissioners for England - Church Commissioners are a charitable institution which administers the property assets of the Church of England. They manage a diversified portfolio of investments across a broad range of asset classes and subsequently support the Church of England' work and mission, facilitating its growth and contributing to the common good. Church Commissioners have significant minerals interests across County Durham and are actively working these assets. Within the county there is an active deep mine and a number of operational quarries producing approximately 1.6 million tonnes per annum of construction aggregate. Whilst the Church Commissioners have active interests in mineral assets within their ownership, they are also keenly aware of opportunities for the development of lithium and other critical minerals within County Durham that form part of their widespread minerals portfolio. As a significant owner of mineral assets across the County, the comments enclosed within these representations seek to ensure that the interests of the Church Commissioners are taken into account through the emerging County Durham Mineral and Waste Policies and Allocations Document.

Commentary on the County Durham Mineral and Waste Policies and Allocations Document

Comments enclosed are made in the context of the National Planning Policy Framework which requires Local Plans to be:

1 Positively Prepared - providing a strategy which, as a minimum seeks to meet the areas objectively assessed needs and is informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

2. Justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

3. Effective - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground,

4. Consistent with National Policy - enabling the developer of sustainable development in accordance with policies in the Framework.

These representations are submitted following a comprehensive review of the County Durham Mineral and Waste Policies and Allocations Document and supporting technical reports. In general, the Church Commissioners are supportive of the Policies and site allocations within the emerging Local Plan, which align with the requirements of the NPPF in that they are positively prepared, justified, likely to be effective and consistent with national policy.

Draft Policy MW2 relates to Mineral Exploration and supports mineral exploration to identify mineral resources where this meets the requirements of other policies within the Local Development Framework. This approach is supported, particularly in the context of critical minerals, including the current lithium explorations being undertaken in Weardale, for which a staged approach of exploration and appraisal prior to full extraction is necessary (as outlined within Draft Policy MW14). This approach to exploration will ensure that the sub-surface assets of the County can be fully understood prior to extraction, minimising the likelihood of any unnecessary impacts on residents of the County and the Local Environment.

Summary - This letter has been written in response to the County Durham Mineral And Waste Policies And Allocations Document - Publication Draft Plan and is intended to represent the interests of the Church Commissioners, who own a significant proportion of the sub-surface materials across the County. The Church Commissioners are largely supportive of the Draft Policies outlined within the Publication Draft Document, which are positively prepared, justified, effective and consistent with national policy. The Church Commissioners are particularly supportive of the positive approach taken by the County Council to the consideration of proposals relating to mineral exploration and new extraction opportunities within the County.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: The Church Commissioners welcome the opportunity to make representations to the Publication Draft Local Plan and will seek to be actively involved in the process moving forward, including at Examination in Public stage. We trust the comments enclosed within these representations can be taken into account and look forward to receiving future communication regarding the arrangements for Examination.

Comment ID: 25.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Paragraph 4.41.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - "However, where the proposed mineral exploration is not classed as 'permitted' and planning permission is sought"

MPA Comment - Reference is usually made to permitted development under the GPDO and as such it may be worth adding the word development for clarity.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment - "However, where the proposed mineral exploration is not classed as 'permitted development' and planning permission is sought"

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 37.

Agent ID: 1332925 **Consultee ID:** 1324517.

Consultee Name and Organisation: Church Commissioners for England. Lucy Stephenson, Savills.

Document or Chapter or Paragraph number or policy number: Policy MW3 – Benefits of Mineral Extraction.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Sound (positively prepared, justified, likely to be effective and consistent with national policy).

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

In response to the Publication Draft County Durham Mineral and Waste Policies and Allocations Document (M&WDPD) which will, when adopted, form part of the statutory development plan for County Durham and will ultimately replace all remaining saved policies of the County Durham Minerals Local Plan (CDMLP) which was adopted in December 2000 and the County Durham Waste Local Plan (CDWLP) which was adopted in April 2005.

Church Commissioners for England

Church Commissioners are a charitable institution which administers the property assets of the Church of England. They manage a diversified portfolio of investments across a broad range of asset classes and subsequently support the Church of England's work and mission, facilitating its growth and contributing to the common good.

Church Commissioners have significant minerals interests across County Durham and are actively working these assets. Within the county there is an active deep mine and a number of operational quarries producing approximately 1.6 million tonnes per annum of construction aggregate.

Whilst the Church Commissioners have active interests in mineral assets within their ownership, they are also keenly aware of opportunities for the development of lithium and other critical minerals within County Durham that form part of their widespread minerals portfolio.

As a significant owner of mineral assets across the County, the comments enclosed within these representations seek to ensure that the interests of the Church Commissioners are taken into account through the emerging County Durham Mineral and Waste Policies and Allocations Document.

Commentary on the County Durham Mineral and Waste Policies and Allocations Document

Comments enclosed are made in the context of the National Planning Policy Framework which requires Local Plans to be:

- Positively Prepared- providing a strategy which, as a minimum seeks to meet the areas objectively assessed needs and is informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

- Effective – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground,
- Consistent with National Policy – enabling the developer of sustainable development in accordance with policies in the Framework.

These representations are submitted following a comprehensive review of the County Durham Mineral and Waste Policies and Allocations Document and supporting technical reports.

In general, the Church Commissioners are supportive of the Policies and site allocations within the emerging Local Plan, which align with the requirements of the NPPF in that they are positively prepared, justified, likely to be effective and consistent with national policy.

Draft Policy MW3 is supported and reflects the relevant elements of the NPPF which places great weight on the benefits of minerals extraction. The current changing global circumstances are likely to increase demand on mineral resources in the UK, the potential benefits are therefore significant. We fully support the consideration of these potential benefits at planning application stage.

Summary

This letter has been written in response to the County Durham Mineral And Waste Policies And Allocations Document – Publication Draft Plan and is intended to represent the interests of the Church Commissioners, who own a significant proportion of the sub-surface materials across the County. The Church Commissioners are largely supportive of the Draft Policies outlined within the Publication Draft Document, which are positively prepared, justified, effective and consistent with national policy. The Church Commissioners are particularly supportive of the positive approach taken by the County Council to the consideration of proposals relating to mineral exploration and new extraction opportunities within the County.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: The Church Commissioners welcome the opportunity to make representations to the Publication Draft Local Plan and will seek to be actively involved in the process moving forward, including at Examination in Public stage. We trust the comments enclosed within these representations can be taken into account and look forward to receiving future communication regarding the arrangements for Examination.

Comment ID: 34.

Agent ID: 1287688. **Consultee ID:** 1287689.

Consultee Name and Organisation: Northern Lithium. Nick Beale, Wardell Armstrong.

Document or Chapter or Paragraph number or policy number: Policy MW3 - Benefits of Mineral Extraction.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Sound.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? I write on behalf of Northern Lithium Limited in relation to the current consultation on the publication draft plan for minerals and waste policies and allocations in County Durham. Northern Lithium Limited Northern Lithium Limited (Northern Lithium or NLi) is a private UK company based in Wolsingham, County Durham. It was established in 2017 to responsibly develop lithium extraction from saline brines opportunities, initially focussed on the Northern Pennine Orefield in County Durham, including significant areas of Weardale.

Having secured exclusive agreements with the owners of certain mineral rights there, NLi is currently the only company in County Durham (and one of only two nationally) to be actively drilling new boreholes for lithium in saline brines exploration. It drilled two exploratory boreholes in 2022 at Ludwell Farm, Eastgate, County Durham and has applied for planning permission for up to a further four nearby. NLi has also begun the evaluation of available processing technologies to select the most suitable to extract lithium from the brines discovered at a commercial scale.

NLi's exploration activities have been part-funded through a feasibility study grant from the Automotive Transformation Fund run by the Advanced Propulsion Centre. The initial target for NLi is to produce up to 10,000 tonnes of lithium carbonate equivalent (LCE) per annum, from saline brines in County Durham, for use in the manufacture of lithium-ion batteries for the UK electric vehicle (EV) sector. This will form a key domestic supply source to meet the forecast national demand of about 75,000 tonnes LCE per year by 2035.

The directors, founders and major shareholders of Northern Lithium, along with its principal consultants and advisers, are able to demonstrate and deliver substantial mining and mineral extraction industry expertise, sustainable project development experience, a strong knowledge of the local area and extensive fundraising capabilities.

Wardell Armstrong LLP is the principal adviser to NLi. It has been the lead adviser to the mining industry in the UK for over 185 years and provides significant expertise in the management of drilling programmes, statutory consent regime compliance, and environmental assessment of major planning schemes. The company also acts as Mineral Agent to the Crown, responsible for the oversight of a range of critical and vein minerals throughout the UK.

Policies MW2, MW3 and MW14

Northern Lithium supports the three key policies specifically relating to lithium exploration and production:

- Policy MW2 – Mineral exploration;
- Policy MW3 – Benefits of mineral extraction; and

- Policy MW14 – Vein minerals, metalliferous minerals, lithium and silica sand.

The overall approach to a planning policy for lithium extraction in County Durham is effectively supported in principle by these policies. The overall requirement for a staged approach to development (of exploration and appraisal prior to full extraction) is considered sound. The emphasis in the policies reflects the NPPF requirement to place great weight on the benefits of mineral extraction. NLi considers that the policies are positively prepared, justified, likely to be effective and consistent with national policy.

However, it is noted that the focus of the plan is for lithium to be associated with ‘traditional’ surface and deep mining of other metalliferous minerals, vein minerals and silica sand. Extraction of lithium from saline brines is a very different form of mineral extraction, not least that it has a considerably smaller footprint, comprising boreholes and related industrial buildings rather than excavation voids. In addition, extraction of lithium requires considerably different exploration phasing, with considerably more exploration, testing and monitoring of boreholes prior to the submission of any full application for processing. On these grounds there is a strong case to suggest that a separate policy for lithium would be appropriate which relates more specifically to the particular development needs of such production separate from those of more traditional mining or quarrying activities. Northern Lithium would welcome the opportunity to meet you to discuss this.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: Contribution to the examination in public. NLi would be a very willing contributor to any future examination in public. It is the only party currently actively drilling new lithium in brines exploration boreholes in County Durham, one of only two in the UK as a whole, and the only developer in County Durham currently following the sequential steps of exploration, appraisal and full planning submission set out in the proposed policies.

The knowledge base relating to lithium extraction from saline brines is fast developing and is being particularly advanced locally by the geotechnical and hydrogeological information obtained from NLi’s exploratory boreholes across the Northern Pennine Orefield, County Durham. This growing knowledge base, together with fast-advancing improvements in the commercial processing technology, is helping the industry to form a better understanding of its future scale and operational requirements. This will in turn inform the scale and extent of likely surface development features, such as processing plants, access tracks, and highways movements.

Set over this advancing knowledge base is equally fast-changing government policy on critical minerals, most recently with the publication of the policy paper “Resilience for the future: The UK’s critical mineral strategy” which sets out to expand and protect UK supplies of these minerals, including lithium.

By the time the County Durham Minerals and Waste Policies and Allocations Document is examined in public, it may be that the information gain from NLI’s exploration works, across the Northern Pennine Orefield, will have advanced to a point where it may be able to further assist the inspector in the assessment of the relevant policies. NLI would willingly contribute to this discussion at examination in public if the inspector considers it appropriate.

Comment ID: 50.

Consultee ID: 1333045.

Consultee Name and Organisation: Mr Keith Tallentire.

Document or Chapter or Paragraph number or policy number: Policy MW3 - Benefits of Mineral Extraction.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: There is little doubt of the negative impact, reactivation would have on the human health and the amenities of the village. It would also impact on the environment (due to the proximity of housing and the dene), the air quality (due to blasting and fumes from vehicles (estimated at one every 30 seconds) and the traffic implications caused by so many HGVs.

The consultation provides the opportunity to influence future policy and try to reduced the negative impact on the village in the event of the quarry reopening. The report indicates the likelihood that extraction at Hawthorn Quarry will commence in the mid to long term and that it is "likely that 10.5 million tonnes of mineral is to be extracted in the life of the quarry". One can only imagine the negative of impact on Hawthorn current residents and children but also the next generation of 10.5 million tonnes of material being transported through the village in the future. It could also seriously impact on the viability of the Seaham Garden Village development.

The Policy as it is in relation to the reactivation of Hawthorn Quarry would also hinder the County Council's ability to meet the challenge of climate change and transition to a low carbon future. The Council could however strengthen the conditions in the consultation paper, using the policy for the basis of a decision (including Periodic Reviews) to reduce further the impact of mineral extraction on climate change.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Can I ask that you consider putting forward the following policy amendments:

Policy MW3 - Economic benefit

4.45 That employment benefits be considered as "net" with potential associated job losses being taking into consideration. For example, from recollection job benefits for Hawthorn Quarry was cited in the 2018 application as only 5 positions were, this was probably less than those jobs which would be jobs lost in the leisure sector due to the impact of work recommencement. It would also be of benefit for the policy to set a benchmark of the scale of new jobs which would create a significant economic benefit. For example, a target of 75 new net jobs might be considered worth the negative impact.

Policy MW3 - Environmental benefits

The policy focuses on post extraction it does not consider the damage to the environment during extraction. Therefore, the policy should refuse permission within say 3 miles of a SSSI. This would protect sites closer to areas which are used by the public for exercise for example walkers, horse riders etc, where evidence suggests that these activities have a positive health outcome.

I believe the above amendments protect people's health and well-being, the environment and would assist the County Council's ability to meet the challenge of climate change and transition to a low carbon future.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 58.

Consultee ID: 1310803.

Consultee Name and Organisation: Charlotte Ditchburn, The British Horse Society.

Document or Chapter or Paragraph number or policy number: Paragraph 4.47.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? The BHS supports Policy MW22(2), Policy MW23(2), MW24(2), and the inclusion of 4.29, 4.47, 8.13e. Wherever Public Rights of Way are mentioned the best value for money should be considered therefore protection of routes is imperative and the restoration and aftercare of sites should provide routes for the most users including equestrians.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 14.

Consultee ID: 1332454.

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW4 – Noise.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Not legally compliant. Not Sound. Complies with the duty to cooperate.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not effective.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

We sought the comments of an acoustician who has done a lot of work on wind turbines in the UK and Australia - he is currently in Australia. It may be best if I copy the email correspondence we had

Les

Could you help me on a point that I am considering in the above proposed Plan.

Durham County Council have prepared the final draft of a plan for mineral workings and waste plants in the County. It is a subsidiary document to the County Durham Plan and I think it is generally a good document to help control mineral developments in the County (which are extensive).

I am looking at Policy MW4 (copied below) which addresses noise. Again, I think this is fine but

- 1) I don't like the reference to "unreasonable burdens" in point 1c, and
- 2) I am a little concerned that the Policy as a whole MAY not address low frequency sound or infrasound. Generally, for mineral workings, I doubt if this is a problem but something could arise from waste plants, especially waste which is converted to energy. These plants can (and do) operate through the night. We have one opposite us and, although it generally does not create a noise problem, about a month ago the noise from it at night did cause me some issues. I think that may have been because of wind direction at that time but it has made me slightly more aware of noise from it since.

Am I justified in thinking that this may be an issue or have I perhaps been over-sensitive? And is LFN etc a real problem from such plants (I think of machinery which may cause a hum during the night)

I am also a bit puzzled by point 2d of the Policy. Is 0dB LAeq 15mins correct? If so, what are the practical consequences of this?

Thanks if you are able to help

Richard

And the reply

Hi Richard

The "unreasonable burden" in section 1c has a maximum limit of 42 dBA which means that an unreasonable burden could occur below 42 dBA. The penalties to be applied for tonality and impulsiveness in 1d is not defined but one would expect a reliance on BS4142 for guidance would be appropriate.

The National Planning Policy Framework that drives all of these policies is very wishy-washy:

185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life(65);
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

(65) See Explanatory Note to the Noise Policy Statement for England (Department for Environment, Food & Rural Affairs, 2010).

This Framework is dated 2021 but refers back to older DEFRA guidance from 2010:

2.21 Extending these concepts for the purpose of this NPSE leads to the concept of a significant observed adverse effect level.

SOAEL – Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur.

2.22 It is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times. It is acknowledged that further research is required to increase our understanding of what may constitute a significant adverse impact on health and quality of life from noise. However, not having specific SOAEL values in the NPSE provides the necessary policy flexibility until further evidence and suitable guidance is available.

The first aim of the Noise Policy Statement for England

Avoid significant adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development.

2.23 The first aim of the NPSE states that significant adverse effects on health and quality of life should be avoided while also taking into account the guiding principles of sustainable development (paragraph 1.8).

The second aim of the Noise Policy Statement for England

Mitigate and minimise adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development.

2.24 The second aim of the NPSE refers to the situation where the impact lies somewhere between LOAEL and SOAEL. It requires that all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life while also taking into account the guiding principles of sustainable development (paragraph 1.8). This does not mean that such adverse effects cannot occur.

The third aim of the Noise Policy Statement for England

Where possible, contribute to the improvement of health and quality of life through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development.

2.25 This aim seeks, where possible, positively to improve health and quality of life through the pro-active management of noise while also taking into account the guiding principles of sustainable development (paragraph 1.8), recognising that there will be opportunities for such measures to be taken and that they will deliver potential benefits to society. The protection of quiet places and quiet times as well as the enhancement of the acoustic environment will assist with delivering this aim.

The concepts of SOAEL requires numbers for any permit condition that have to be clear and enforceable. Although the National Planning Policy Framework supersedes other waste and mineral extraction guidelines you still need some numbers for guidance in conditions of any permit for particular developments.

It looks like the MW4 Noise Policy is a poor copy from guidance in Scotland that has now been withdrawn, see para 28 onwards:

<https://www.gov.scot/publications/planning-advice-note-pan-50-annex-controlling-environmental-effects-surface/pages/1/>

MW4 has at least given some numeric noise limit guidance but point 2d is problematic. Some planning policies in Australia prevent "Background Creep" by requiring no increase in Background sound level but explain this to mean that the development must not emit LA90 sound levels at a location that is more than 10dB below Background sound levels. However, this 2d requirement is comparing LAeq with LA90 and LAeq will always be higher than LA90, even with no industry! So, 2d should be clarified.

The proposed conditions do include tonality and impulsiveness so the Council can impose more stringent noise conditions - but these can be set on a case by case basis.

In my experience of material extraction and processing operations and waste sites there are sound sources that can be classified as tonal or impulsive. For example, a D9 or D11 Cat dozer at a waste or mineral processing site can produce impulsive track noise when reversing. Diesel generators at a landfill site converting the methane to power can also produce low frequency tonal exhaust noise, as can vibrating screens for material grading and ventilation fans and water pumps that may operate all night. There are many cases in Australia where such impacts have disturbed nearby residents.

Policy MW4 does not specifically address ILFN and relies only on A-weighted sound levels. It may be prudent for MW4 to include reference to DEFRA NAN-R45 "Proposed criteria for the assessment of low frequency noise disturbance" to assess adverse low frequency noise impacts.

I hope this helps,

Les

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

We represent that consideration must be given to the fact that noise may be unreasonable, even if it does not cross the threshold mentioned in MW4.1c. Indeed, if this is a measured average over a 1 hour period, there may well be peaks which are unacceptably loud, especially at night.

In respect of Point 2.d, we represent that, as suggested by the acoustician, this lacks clarity and should be improved.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: While I accept, I am no acoustician, it could be helpful to explain concerns to the Examiner.

Comment ID: 4.

Consultee ID: 1332454.

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW5 Air Quality and Dust.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Not legally compliant. Not Sound. Complies with the duty to cooperate.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not effective.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: We find this Policy confusing as drafted.

The first part of this Policy appears to be OK. However, we question the part which reads "or which would result in adverse impacts on air quality, on an Air Quality Management Area within the County or as a result of dust emissions."

Does this refer only to air quality within an AQMA? Is the comma in this part of the policy a typographical error? Surely air quality should be protected whether the site lies within an AQMA or not, and this would appear to be the thrust of Policy 31 of the CDP.

The reference to "dust emissions" at the end appears to be a "tag on" and we are unsure exactly how it fits within the general ambit of this Policy. Also, does the Policy cover only dust emissions from within the site or as a result of dust coming from any access road as a result of such activity? We know of 1 situation where dust from the access road was not covered by the planning permission and, while the operator has subsequently sought to address this, we believe it is a matter that should be addressed at the planning application stage.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

If I understand this Policy correctly in relation to air quality, we wonder whether the following may improve it

"or which would result in adverse impacts on air quality (particularly in an Air Quality Management Area within the County)"

We also believe that the Policy should contain Point 1 (relating to air quality) and Point 2 (relating to dust)

Perhaps therefore the Policy could read

Policy MW5 - Air Quality and Dust

Proposals for mineral and waste development will only be permitted where it can be demonstrated that the proposed development will not have an unacceptable adverse impact either individually or cumulatively on the environment, local amenity or human health

1) through the emission of one or more air quality pollutants or which would result in adverse impacts on air quality (particularly in an Air Quality Management Area within the County) or

2) as a result of dust emissions, whether resulting from activities within the site or from traffic to and from it".

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: To help clarify any issues for the Examiner.

Comment ID: 67

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Paragraph 4.60.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). Sound (No)

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording: "If the proposed minerals and waste development is expected to produce fine particulates (PM10) dust, and these are likely to exceed air quality objectives for the area, additional measures may need to be put in place if the actual source of emission is within 1000m of any residential property or other sensitive land use."

MPA Comment: See comments made previously. The basis of the 1000m distance is unclear. We believe quoting such as distance without a sound evidence base is unhelpful and may be confusing and misused. We suggest the plan includes evidence to support the 1000m distance referred to or the sentence is deleted, as earlier policies refer to separation distances being site specific in accordance with the PPG.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested amendment: "~~If the proposed minerals and waste development is expected to produce fine particulates (PM10) dust, and these are likely to exceed air quality objectives for the area, additional measures may need to be put in place if the actual source of emission is within 1000m of any residential property or other sensitive land use.~~"

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 54.

Consultee ID: 1310803.

Consultee Name and Organisation: Charlotte Ditchburn, The British Horse Society.

Document or Chapter or Paragraph number or policy number: Policy MW7 - Traffic and Transport Criterion 3.a.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Sound No.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: The BHS objects to Policy MW7 3.a, this part of policy excludes equestrians as vulnerable road users, equestrians are being marginalised with walkers and cyclists being favoured. Equestrians are excluded, the arguments for inclusivity of walkers and cyclists can be extended to equestrians using the mechanism of the Equality Duty. This is a form of discrimination, and the Equality Act 2010 created a Public Sector Equality Duty for authorities to provide equal opportunities for all, which means that an authority needs a cogent reason for excluding equestrians.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: This policy should read: 'They provide safe and suitable access for all employees and visitors which optimises where practicable the use of public transport, non-motorised users; and' or 'They provide safe and suitable access for all employees and visitors which optimises where practicable the use of public transport, walking, cycling and horse riding; and'.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 5.

Consultee ID: 1332454.

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW7 - Traffic and Transport

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Sound. No.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? Legally Compliant No. Sound No.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not effective.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

While we welcome the provisions of this Policy, we represent that there are issues that it does not cover which should be important in the planning process. We consider that these are

1) the impact on amenity, particularly residential amenity. This would be consistent with Policy 31 of the CDP (Amenity and Pollution). Indeed, as mineral workings are likely to take place in the countryside, Policy 10 of the CDP, in particular Point r, is also relevant.

This may not be a significant issue where major roads are used but quarry access has not infrequently been along minor roads. Here, the impact of HGVs may have a significant adverse impact both on residential and general amenity and should be taken into account.

We accept of course that highway safety is important but we represent that amenity is also a matter of great importance and should be addressed in the planning process.

2) The nature and condition of any highway accessing the quarry. Again, this is unlikely to be an issue with major roads but where access is proposed along a minor road, it could lead to significant damage. This has happened in respect of at least one road in the County and we are aware of another recent planning application where it was likely to be an issue. Although point 4b of the Policy refers to highway improvements and maintenance, that does not address the issue of damage as a result of access along unsuitable roads per se.

3) Point 4c rightly requires steps to be taken to ensure mud and dirt are not brought onto the public highway. This however does not address mud and dirt on private access roads which may still cause dust problems, as we have mentioned in relation to Policy 5. Such access roads could be close to residential properties or public rights of way where dust issues could be a major cause of problems. Indeed, the Policy as worded appears to consider that such access roads may be a suitable means of ensuring mud and dirt is not taken onto the public highway, without considering the impact that may arise from mud and dirt on such access roads themselves.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: We represent that the Policy should contain provisions to reflect the above points.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: To help clarify any issues for the Examiner.

Comment ID: 27.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Paragraph 4.72.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - The wording of the paragraph uses both Traffic Assessment & Transport Assessment.

MPA Comment - We feel consistency is required and the latter term should be used.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment - Amend text to read "Transport Assessment".

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 51.

Consultee ID: 1333045.

Consultee Name and Organisation: Mr Keith Tallentire.

Document or Chapter or Paragraph number or policy number: MW7 and MW8.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: There is little doubt of the negative impact, reactivation would have on the human health and the amenities of the village. It would also impact on the environment (due to the proximity of housing and the dene), the air quality (due to blasting and fumes from vehicles (estimated at one every 30 seconds) and the traffic implications caused by so many HGVs.

The consultation provides the opportunity to influence future policy and try to reduced the negative impact on the village in the event of the quarry reopening. The report indicates the likelihood that extraction at Hawthorn Quarry will commence in the mid to long term and that it is "likely that 10.5 million tonnes of mineral is to be extracted in the life of the quarry". One can only imagine the negative of impact on Hawthorn current residents and children but also the next generation of 10.5 million tonnes of material being transported through the village in the future. It could also seriously impact on the viability of the Seaham Garden Village development.

The Policy as it is in relation to the reactivation of Hawthorn Quarry would also hinder the County Council's ability to meet the challenge of climate change and transition to a low carbon future. The Council could however strengthen the conditions in the consultation paper, using the policy for the basis of a decision (including Periodic Reviews) to reduce further the impact of mineral extraction on climate change.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Can I ask that you consider putting forward the following policy amendments:

Policy NW7 - Traffic & Transport & NW8 Rail Handling

The policy should be stronger on forcing transportation onto more greener routes such as rail or water. The policy could do this by stating that developments in close proximity of a current operational rail line (say 0.5km), and which have a previous history of moving mineral from the site by rail would be required to reinstate this mode of transportation. The policy should also lay stricter limits on the number of vehicle movements. It appears that currently this is determined by the total resource left in the quarry divided by days remaining in the permission and bears no relation to the road network capacity or local environment.

I believe the above amendments protect people's health and well-being, the environment and would assist the County Council's ability to meet the challenge of climate change and transition to a low carbon future.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 6.

Consultee ID: 1332454

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW11 Storage of Minerals.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Legally Compliant – No. Sound – No. Complies with the Duty to Cooperate – Yes.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not Effective.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: We welcome that permissions are reviewed from time to time. However, the Policy does not refer to Liaison Groups although these are mentioned at paragraphs 4.97 and 4.98.

We accept of course that Liaison Groups are not decision making bodies (as mentioned in Paragraph 4.97) but they are made up of people most likely to be affected by the operation of mineral workings or waste disposal plants. They will know the issues involved and the impacts on the local community.

We therefore represent that they should have some recognition in the Policy itself. While many of the issues discussed at a Liaison Committee may not have planning implications, where a particular planning matter is considered and the Liaison Committee makes a decision in respect of it, we represent that this should be a material consideration. We regret that we are aware of an instance where such a decision was made by a Liaison Committee but it was determined by the Council that this was not a material planning consideration. The weight to be given to such matters may well be a matter of judgement, but we represent that such issues should at least be taken into account as material considerations.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Point 2 of this Policy be amended by adding the words "(in particular any amenity issues agreed by a relevant Liaison Committee)"

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: To help clarify any issues for the examiner.

Comment ID: 7.

Consultee ID: 1332454

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW12

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Legally Compliant – No. Sound – No. Complies with the Duty to Cooperate – Yes.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? Legally Compliant – No. Sound – No. Complies with the Duty to Cooperate – Yes.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not Effective. It is not Consistent with national policy.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: While we accept the need to address this subject, the extraction of oil and gas is clearly a very controversial topic. At least as far as unconventional means for extraction are concerned, we understand that the moratorium is still in force. The issue clearly has implications for government policy in relation to "Net Zero".

As a result, we represent that the current government policy on this subject needs to be addressed when drafting this Policy as well as recognising that this may change.

While we note that the current consultation relating to potential amendments to the National Planning Policy Framework does not appear to propose any amendment to paragraph 215 of the 2021 version of the NPPF (other than renumber it 218), we still represent that this issue needs to be kept in mind when drafting this Policy.

We are also concerned that there is no reference to biodiversity in this Policy. We note that in Policy 14, reference is made to this. Oil and Gas could be found in similarly sensitive areas and therefore we represent that there should be a similar reference here.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: 1) The Policy should reflect Government Policy on oil and gas extraction, which may differ from the latest version of the NPPF. 2) The Policy should refer to Biodiversity in a similar way to Policy MW14.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: To help clarify any issues for the examiner.

Comment ID: 8.

Consultee ID: 1332454

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW13

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Legally Compliant – No. Sound – No. Complies with the Duty to Cooperate – Yes.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not Effective.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: We recognise the desire for oil and gas to be transported via pipelines. We note the provision in paragraph 5.16 that pipelines should be below ground. However, there is no reference to this in the Policy itself. As text is not policy, we represent that the Policy should reflect this.

For CPRE this would be a major issue if any gas or oil extraction is permitted. Pipelines are likely to be in sensitive areas and they should always be placed underground unless there is very good reason for them not to be. The Policy should make this clear, not just a reference tucked away in the text.

In addition, as with our representations in relation to Policy MW12, we represent that this policy should also refer to Biodiversity, as per Policy MW14.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: The Policy should make it clear that pipelines should be underground. It should also refer to Biodiversity in a similar way to the reference in Policy MW14.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: To help explain any issues for the Examiner.

Comment ID: 38.

Consultee ID: 1324517.

Consultee Name and Organisation: Church Commissioners for England.

Document or Chapter or Paragraph number or policy number: Policy MW14 Vein minerals, metalliferous minerals, lithium, and silica sand.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? In response to the Publication Draft County Durham Mineral and Waste Policies and Allocations Document (M&WDPD) which will, when adopted, form part of the statutory development plan for County Durham and will ultimately replace all remaining saved policies of the County Durham Minerals Local Plan (CDMLP) which was adopted in December 2000 and the County Durham Waste Local Plan (CDWLP) which was adopted in April 2005.

Church Commissioners for England

Church Commissioners are a charitable institution which administers the property assets of the Church of England. They manage a diversified portfolio of investments across a broad range of asset classes and subsequently support the Church of England's work and mission, facilitating its growth and contributing to the common good. Church Commissioners have significant minerals interests across County Durham and are actively working these assets. Within the county there is an active deep mine and a number of operational quarries producing approximately 1.6 million tonnes per annum of construction aggregate. Whilst the Church Commissioners have active interests in mineral assets within their ownership, they are also keenly aware of opportunities for the development of lithium and other critical minerals within County Durham that form part of their widespread minerals portfolio. As a significant owner of mineral assets across the County, the comments enclosed within these representations seek to ensure that the interests of the Church Commissioners are taken into account through the emerging County Durham Mineral and Waste Policies and Allocations Document.

Commentary on the County Durham Mineral and Waste Policies and Allocations Document

Comments enclosed are made in the context of the National Planning Policy Framework which requires Local Plans to be:

- Positively Prepared- providing a strategy which, as a minimum seeks to meet the areas objectively assessed needs and is informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
- Effective – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground,
- Consistent with National Policy – enabling the developer of sustainable development in accordance with policies in the Framework.

These representations are submitted following a comprehensive review of the County Durham Mineral and Waste Policies and Allocations Document and supporting technical

reports. In general, the Church Commissioners are supportive of the Policies and site allocations within the emerging Local Plan, which align with the requirements of the NPPF in that they are positively prepared, justified, likely to be effective and consistent with national policy.

Draft Policy MW14 refers specifically to the extraction of vein materials, metalliferous minerals and lithium. The policy and its supporting text outlines support for such proposals where the proposals do not have unacceptable adverse impacts on the environment, human health or the amenity of local communities, and where they align with the criteria set out within Draft Policy MW1. The Policy also outlines additional requirements for such applications and with regard to lithium extraction, requires a phased risk-based approach, which is also supported as justified and sound.

The supporting text for Draft Policy MW14 recognises the likely increased demand for lithium and the value of this resource, which is identified as a strategic metal by the UK. We support the County Council's approach to the consideration of applications relating to the extraction of lithium and other metalliferous minerals which will be effective in the context of increased national and global demand.

Summary

This letter has been written in response to the County Durham Mineral And Waste Policies And Allocations Document – Publication Draft Plan and is intended to represent the interests of the Church Commissioners, who own a significant proportion of the sub-surface materials across the County. The Church Commissioners are largely supportive of the Draft Policies outlined within the Publication Draft Document, which are positively prepared, justified, effective and consistent with national policy. The Church Commissioners are particularly supportive of the positive approach taken by the County Council to the consideration of proposals relating to mineral exploration and new extraction opportunities within the County.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: The Church Commissioners welcome the opportunity to make representations to the Publication Draft Local Plan and will seek to be actively involved in the process moving forward, including at Examination in Public stage.

We trust the comments enclosed within these representations can be taken into account and look forward to receiving future communication regarding the arrangements for Examination.

Comment ID: 35.

Consultee ID: 1287689

Consultee Name and Organisation: Northern Lithium.

Document or Chapter or Paragraph number or policy number: Policy MW14 Vein minerals, metalliferous minerals, lithium and silica sand.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Sound – Yes.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? I write on behalf of Northern Lithium Limited in relation to the current consultation on the publication draft plan for minerals and waste policies and allocations in County Durham. Northern Lithium Limited Northern Lithium Limited (Northern Lithium or NLi) is a private UK company based in Wolsingham, County Durham. It was established in 2017 to responsibly develop lithium extraction from saline brines opportunities, initially focussed on the Northern Pennine Orefield in County Durham, including significant areas of Weardale.

Having secured exclusive agreements with the owners of certain mineral rights there, NLi is currently the only company in County Durham (and one of only two nationally) to be actively drilling new boreholes for lithium in saline brines exploration. It drilled two exploratory boreholes in 2022 at Ludwell Farm, Eastgate, County Durham and has applied for planning permission for up to a further four nearby. NLi has also begun the evaluation of available processing technologies to select the most suitable to extract lithium from the brines discovered at a commercial scale.

NLi's exploration activities have been part-funded through a feasibility study grant from the Automotive Transformation Fund run by the Advanced Propulsion Centre. The initial target for NLi is to produce up to 10,000 tonnes of lithium carbonate equivalent (LCE) per annum, from saline brines in County Durham, for use in the manufacture of lithium-ion batteries for the UK electric vehicle (EV) sector. This will form a key domestic supply source to meet the forecast national demand of about 75,000 tonnes LCE per year by 2035.

The directors, founders and major shareholders of Northern Lithium, along with its principal consultants and advisers, are able to demonstrate and deliver substantial mining and mineral extraction industry expertise, sustainable project development experience, a strong knowledge of the local area and extensive fundraising capabilities.

Wardell Armstrong LLP is the principal adviser to NLi. It has been the lead adviser to the mining industry in the UK for over 185 years and provides significant expertise in the management of drilling programmes, statutory consent regime compliance, and environmental assessment of major planning schemes. The company also acts as Mineral Agent to the Crown, responsible for the oversight of a range of critical and vein minerals throughout the UK.

Policies MW2, MW3 and MW14

Northern Lithium supports the three key policies specifically relating to lithium exploration and production:

- Policy MW2 – Mineral exploration;
- Policy MW3 – Benefits of mineral extraction; and

- Policy MW14 – Vein minerals, metalliferous minerals, lithium and silica sand.

The overall approach to a planning policy for lithium extraction in County Durham is effectively supported in principle by these policies. The overall requirement for a staged approach to development (of exploration and appraisal prior to full extraction) is considered sound. The emphasis in the policies reflects the NPPF requirement to place great weight on the benefits of mineral extraction. NLi considers that the policies are positively prepared, justified, likely to be effective and consistent with national policy.

However, it is noted that the focus of the plan is for lithium to be associated with ‘traditional’ surface and deep mining of other metalliferous minerals, vein minerals and silica sand.

Extraction of lithium from saline brines is a very different form of mineral extraction, not least that it has a considerably smaller footprint, comprising boreholes and related industrial buildings rather than excavation voids. In addition, extraction of lithium requires considerably different exploration phasing, with considerably more exploration, testing and monitoring of boreholes prior to the submission of any full application for processing. On these grounds there is a strong case to suggest that a separate policy for lithium would be appropriate which relates more specifically to the particular development needs of such production separate from those of more traditional mining or quarrying activities. Northern Lithium would welcome the opportunity to meet you to discuss this.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: Contribution to the examination in public. NLi would be a very willing contributor to any future examination in public. It is the only party currently actively drilling new lithium in brines exploration boreholes in County Durham, one of only two in the UK as a whole, and the only developer in County Durham currently following the sequential steps of exploration, appraisal and full planning submission set out in the proposed policies.

The knowledge base relating to lithium extraction from saline brines is fast developing and is being particularly advanced locally by the geotechnical and hydrogeological information obtained from NLi’s exploratory boreholes across the Northern Pennine Orefield, County Durham. This growing knowledge base, together with fast-advancing improvements in the commercial processing technology, is helping the industry to form a better understanding of its future scale and operational requirements. This will in turn inform the scale and extent of likely surface development features, such as processing plants, access tracks, and highways movements.

Set over this advancing knowledge base is equally fast-changing government policy on critical minerals, most recently with the publication of the policy paper “Resilience for the future: The UK’s critical mineral strategy” which sets out to expand and protect UK supplies of these minerals, including lithium.

By the time the County Durham Minerals and Waste Policies and Allocations Document is examined in public, it may be that the information gain from NLI’s exploration works, across the Northern Pennine Orefield, will have advanced to a point where it may be able to further assist the inspector in the assessment of the relevant policies. NLI would willingly contribute to this discussion at examination in public if the inspector considers it appropriate.

Comment ID: 28.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Policy MW14.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - "a phased a risk-based approach will be required "MPA Comment - Typo

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested amendment – correction needed.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 9.

Consultee ID: 1332454

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW16.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Legally Compliant – No. Sound – No. Complies with the Duty to Cooperate – Yes.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not Effective.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: As we understand this Policy, it relates to ad hoc sites that a landowner may wish, for whatever reason, to change e.g. by landraise to stabilise a landform. If that is correct, then sites may crop up anywhere. We are aware of a recent application where permission was sought for such a site which was accessed by a very narrow road. There were no people living along the road but the potential damage that could have been caused to it was enormous.

We note that the Policy refers back to Policy MW1. However, there is no reference here to Policy MW7. We have made representations to that Policy about access to sites for mineral extraction and we represent that they are equally appropriate to this Policy.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Point 6 of this Policy should also refer to the nature and condition of the roads leading to the site.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: to help clarify any issues for the Examiner.

Comment ID: 10.

Consultee ID: 1332454

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW17.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Legally Compliant – No. Sound – No. Complies with the Duty to Cooperate – Yes.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not Effective.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Our only comment here is again to refer to the nature and condition of the highway giving access to the site, as per our representations in respect of Policy MW7 and MW16

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: There should be a reference to the nature and condition of the highway access to the site as mentioned above.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: To help clarify any issues for the Examiner.

Comment ID: 11.

Consultee ID: 1332454

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW16.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Legally Compliant – No. Sound – No. Complies with the Duty to Cooperate – Yes.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not Effective.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Our representations are the same as for Policy MW17.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: To help clarify any issues for the Examiner.

Comment ID: 12.

Consultee ID: 1332454

Consultee Name and Organisation: Richard Cowen Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW20.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Legally Compliant – No. Sound – No. Complies with the Duty to Cooperate – Yes.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not Effective. It is not Consistent with national policy.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Generally, we are satisfied that this Policy does seek to ensure land which has been worked for minerals will be restored to a satisfactory condition. A potential issue however relates to biodiversity net gain, in particular in relation to species. While CPRE is concerned about this issue generally, I also wish to rely on my expertise as a member of Durham Bird Club and RSPB, and as such am concerned that decision makers may be concentrating too much on habitats and not enough on species.

We appreciate that Biodiversity Net Gain is largely calculated by reference to the Biodiversity Metric Calculations which provides scores for various types of habitat. Strict compliance with this calculation method however does not address the situation where a species, perhaps a protected species, is displaced by the operation and the new habitat may be unsuitable for it, even if it has a "higher score" under the calculation.

This appears to be recognised by paragraph 2.20 of the Biodiversity Metric 3.1 User Guide. We also note that section 3 of the Environment Act 2021 relates to species and this issue is also a matter considered at the Montreal convention.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Point 4 of Policy MW20 should make it clear that restoration will include provision for any important species that may have been displaced, at any time, by any mineral workings by ensuring that suitable habitats are restored for such species.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: To help clarify any issues for the Examiner.

Comment ID: 59.

Consultee ID: 1310803.

Consultee Name and Organisation: Charlotte Ditchburn, The British Horse Society.

Document or Chapter or Paragraph number or policy number: Paragraph 8.13e.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? The BHS supports Policy MW22(2), Policy MW23(2), MW24(2), and the inclusion of 4.29, 4.47, 8.13e. Wherever Public Rights of Way are mentioned the best value for money should be considered therefore protection of routes is imperative and the restoration and aftercare of sites should provide routes for the most users including equestrians.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 26.

Consultee ID: 1256014.

Consultee Name and Organisation: Nick Horsley, Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Paragraph 9.10.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - "sites planning permission" MPA Comment - Typo.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment - "site's planning permission"

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 30.

Consultee ID: 1256014.

Consultee Name and Organisation: Nick Horsley, Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Table 1.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - "31.12/2035". MPA Comment – Typo.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment -"~~31~~/12/2035"

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 66.

Consultee ID: 1333065.

Consultee Name and Organisation: Vicky Robinson.

Document or Chapter or Paragraph number or policy number: Policy MW21 – Site specific allocations at Thrislington West Quarry.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Please see below comments and objections for the planning of expansion of Thrislington West Quarry. Three of the four entry and exit roads of West Cornforth are in bad state. Bumpy, pot holes and dirty. The road sweeper seems to have disappeared or they don't do it as regular as before. Many times, I have reported to the quarry that stone has been fallen onto the road, which can cause damage to cars. This has taken several hours/days to clean up. The amount of dust/dirt that is around these areas is unacceptable. You can clean your car and it's dirty within seconds when using one of the roads. The same goes for property windows. Also the paths around site areas of West Cornforth are unclean and full of stones from the quarry, which is unsafe for walking on. The village is not to be used for heavy lorries from the quarry and on many occasions, I have witnessed them travelling through the village. The above comments will increase dramatically if the proposal was to go ahead. What are they planning on putting in place to combat this?

And the main comments: With the proposal of expansion have any tests been done on:

- Air pollution, from the dust and heavy duty vehicles? What is current status of air pollution around the village and what will it go up to? What effects will this have on human health and nature?
- Will there be any deterioration to the water quality?
- Noise pollution? What is this going to be like for village?

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 61.

Consultee ID: 1333053.

Consultee Name and Organisation: Mr Niall Kelly, Breedon.

Document or Chapter or Paragraph number or policy number: MW22 Site Specific Allocation Northern Extension to Crime Rigg Quarry.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Sound – Yes.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? Thank you for consulting Breedon Trading Limited (Breedon) on the above document. Breedon previously submitted comments in May 2022 to the Minerals and Waste Policies and Allocations Document, regarding the existing quarry and inert landfill at Crime Rigg Quarry. The site is also subject to a planning application to extend the life of the quarry until 2030 (application references DM/22/03467/VOC and DM/22/03475/VOC).

Crime Rigg Quarry is an active magnesian limestone, permian sand, and clay extraction quarry, as well as inert landfill and mineral processing site. The total site area of the quarry is 43 hectares (ha), the layout of which is illustrated upon Drawing NT15001-004 Existing Site Layout.

Access to Crime Rigg Quarry is via a purpose-built haul road from the B1283. The track runs parallel (east) to the B1283 before reaching a ramp, lowering the ground level of the track to a tunnel below the B1283, allowing access to the northeast area of the quarry.

The majority of the landcover of Crime Rigg Quarry is currently comprised of exposed mineral and tracks used for the manoeuvring of vehicles throughout the site. A concrete plant and associated operations are located within the eastern area of the quarry, with a car parking area and welfare facilities located to the west of this. Mobile plant is used across the site. As a result of mineral extraction, a number of small waterbodies have formed, largely in the western area of the quarry.

The western corner of Crime Rigg Quarry has been restored, with further progressive restoration currently ongoing within the central western area. The inert landfill operation supports achieving the approved restoration profiles of the quarry upon completion of mineral extraction.

Breedon welcome policy MW22 which allocates the northern extension to Crime Rigg. Policy MW22 states:

Proposals for the winning and working of 910,000 tonnes of Basal Permian Sand and 1,775,000 tonnes of overlying Magnesian Limestone from the area of land shown on Policies Map Inset Map 2 – Northern Extension to Crime Rigg Quarry will be permitted subject to appropriate planning conditions/ planning obligations, where it is in accordance with other relevant policies of the County Durham Plan and the Minerals and Waste Policies and Allocations document and specifically:

- 1) *That the site allocation will be accessed through the existing quarry access throughout the life of the extension;*
- 2) *That the proposal includes any such advanced preparatory works as are deemed necessary by the Council including perimeter mounding/ bunding and tree planting along the boundaries of the site to safeguard the local landscape, environment and the*

amenities of the local area and minimise views into the site from sensitive receptors including public rights of way, and the strategic and local highway network;

- 3) *That the site allocation initially utilises the existing quarry's processing storage, plant and other infrastructure until the site allocation has been developed sufficiently to allow them to be satisfactorily relocated to the extension area;*
- 4) *That the planning application is accompanied by an acceptable scheme of phased working and high-quality restoration and aftercare which delivers a range of appropriate environmental enhancements, including but not limited to biodiversity net gain which enhances and improves linkages to adjacent and nearby designated sites, increasing the coherence of ecological networks whilst supporting the delivery of the Local Nature Recovery Strategy and maximises geodiversity benefits;*
- 5) *That no infilling with waste will be permitted in the northern extension area; and*
- 6) *It can be demonstrated that there will be no unacceptable adverse impacts on the environment, human health or the amenity of local communities.*

Paragraph 9.27 outlines that:

Through the provisions of Policy MW22, the plan allocates a 9.5-hectare site specific extension to the north of the B1283 road to enable the extraction of 910,000 tonnes of Basal Permian sand, together with an overlying quantity of 1,775,000 tonnes of magnesian limestone. Subject to planning permission being granted, it is anticipated that these reserves will be worked at a rate of 40,000 tonnes of sand and 100,000 tonnes of magnesian limestone per annum.

Breedon support the above allocation and at this stage have no further comments to make regarding Policy MW22.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 70

Consultee ID: 1333053.

Consultee Name and Organisation: Mr Niall Kelly, Breedon.

Document or Chapter or Paragraph number or policy number: MW23 Site Specific Allocation Inert Waste Disposal at Crime Rigg Quarry.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Sound – Yes.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? Thank you for consulting Breedon Trading Limited (Breedon) on the above document. Breedon previously submitted comments in May 2022 to the Minerals and Waste Policies and Allocations Document, regarding the existing quarry and inert landfill at Crime Rigg Quarry. The site is also subject to a planning application to extend the life of the quarry until 2030 (application references DM/22/03467/VOC and DM/22/03475/VOC).

Crime Rigg Quarry is an active magnesian limestone, permian sand, and clay extraction quarry, as well as inert landfill and mineral processing site. The total site area of the quarry is 43 hectares (ha), the layout of which is illustrated upon Drawing NT15001-004 Existing Site Layout.

Access to Crime Rigg Quarry is via a purpose-built haul road from the B1283. The track runs parallel (east) to the B1283 before reaching a ramp, lowering the ground level of the track to a tunnel below the B1283, allowing access to the northeast area of the quarry.

The majority of the landcover of Crime Rigg Quarry is currently comprised of exposed mineral and tracks used for the manoeuvring of vehicles throughout the site. A concrete plant and associated operations are located within the eastern area of the quarry, with a car parking area and welfare facilities located to the west of this. Mobile plant is used across the site. As a result of mineral extraction, a number of small waterbodies have formed, largely in the western area of the quarry.

The western corner of Crime Rigg Quarry has been restored, with further progressive restoration currently ongoing within the central western area. The inert landfill operation supports achieving the approved restoration profiles of the quarry upon completion of mineral extraction.

Our representations to the Local Plan consultation in May 2022, specifically related to the opportunity for Crime Rigg to be a strategic allocation for inert landfill.

In our initial representation we set out the case for 3 potential options for inert waste disposal with all 3 options being reflected in the proposed Policy MW23. The options presented in May 2022 are set out below again for clarity.

Option 1 – Rectify Current Restoration Profile

The approved restoration scheme for the site is for agriculture, woodland, grassland and recreation and creates a valley feature orientated west-east, with increasingly steep restored valley slopes towards the eastern side of the valley. The plan also includes the replacement of farm track from Durham Road to the north, to Hill House Lane to the south.

There are several practical issues with the approved restoration contours that could be improved by amendment – for example, reducing the gradients would enable better public

access. Most critically, the farm access is undeliverable as the approved contours do not allow for the creation of an appropriate landform to the south of the quarry (see Figure 1 below which is a snapshot of the approved restoration plan below, where the blue dashed line represents farm access track.

Figure 1 – Approved Restoration



The potential amendment of the restoration contours was considered at planning appeal in 2013 (APP/X1355/A/13/2195117) and the inspector did accept that a revision of the contours would be likely to improve stability and reduce soil erosion. Furthermore, the inspector noted that the approved contours would likely serve to hinder or restrict access to the site for those with mobility issues. Nonetheless, the appeal was dismissed as there was no need for the additional void space at that time.

An initial, indicative revised scheme has been designed that would go some way to addressing these issues. The proposal would result in an increase of approximately 434,000 cubic metres of capacity and would result in a very minor extension of the landfill towards the eastern quarry void.

This scheme is a minor variation and is considered to be immediately deliverable (subject to planning permission). There would be no significant amendment to the contours affecting the northern quarry face and there would, therefore, be no impacts on the integrity of Crime Rigg Quarry Site of Special Scientific Interest (SSSI) which is located within the site boundary.

Option 2 – Low Level Restoration within Eastern Void

A further option has been considered which includes a continuation of recovery and restoration operations into the eastern quarry void, which would provide a significant opportunity for biodiversity net gain and/or potentially provide significant benefits in compensating for the potential loss of agricultural land relating to the northern quarry

extension. The contours for this design would fall to the 'toe' of the northern quarry wall, protecting the integrity of the Site of Special Scientific Interest (SSSI). This would result in an increase in capacity in the region of 1,691,000 cubic metres, however, additional engineering works would reduce the net increase.

Option 3 – Restore to surrounding land levels

A preliminary estimate suggests that a complete restoration of the quarry void to surrounding land levels would result in an increase of approximately 3,526,000 cubic metres, minus additional engineering works. A summary of options is shown in table 1 below.

Option	Total Capacity m3	Approx Net Capacity m3 (Total Minus Cell Engineering)
Existing Contours	1,569,850 (EA End 2020)	1,269,850
1 (+434,000)	2,003,850	1,703,850
2 (+1,691,000)	3,260,850	2,810,850
3 (+3,526,000)	5,095,850	4,495,850

Breedon welcome the fact that all 3 options have been taken forward into Policy MW23, to provide flexibility. Policy MW23 states:

Proposals for the disposal of inert construction and demolition waste at Crime Rigg Quarry in the area of land shown on Policies Map Inset Map 3 will be permitted subject to appropriate planning conditions/ planning obligations, where it is in accordance with other relevant policies of the County Durham Plan and the Minerals and Waste Policies and Allocations document and specifically:

- 1. That the site allocation will be accessed through the existing Crime Rigg Quarry access north of the B1283 throughout the period that the site is used for inert waste disposal until an alternative access is required to complete inert disposal operations;*
- 2. That the planning application includes any further preparatory works as are deemed necessary by the Council including any additional perimeter mounding/ bunding and tree planting along the boundaries of the site to safeguard the local landscape, environment and amenities of the local area whilst also minimising views into the site from sensitive receptors including public rights of way, and the strategic and local highway network;*
- 3. That the site utilises the existing site plant and other infrastructure until the northern extension to Crime Rigg Quarry has been developed sufficiently to be relocated to the extension area;*
- 4. That it can be demonstrated that the proposal will: a. Not have an adverse impact on the Crime Rigg Quarry Site of Special Scientific Interest (SSSI), or b. It can be demonstrated that the benefits of the proposal clearly outweigh both the impacts upon the SSSI and any broader impacts of the national network of SSSIs, or c. It can be demonstrated that the allocation for the Northern Extension to Crime Rigg Quarry can become the replacement SSSI whilst at the same time demonstrating that comparable special interest features will be exposed during the transition period.*
- 5. That the planning application is accompanied by an acceptable scheme of phased disposal and high-quality restoration and aftercare which delivers a range of appropriate environmental enhancements including but not limited to landscape enhancement, provides biodiversity net gain which enhances and improves ecological linkages to adjacent and*

nearby designated sites and supports the coherence of ecological networks whilst also supporting the delivery of the Local Nature Recovery Strategy; and

6. It can be demonstrated that there will be no unacceptable adverse impacts on the environment, human health or the amenity of local communities.

Paragraph 9.33 of the publication draft states:

The site allocation extends to an area of 11 hectares and is the eastern part of the current operational quarry made up of an open void with perimeter soil mounding and structure planting. Potentially the site allocation would enable approximately 200,000 tonnes (133,000 cubic metres) of inert waste to be imported per annum which is commensurate with the existing scale of inert waste disposal. Depending on the acceptability of the proposed final restoration landform, either a low-level restoration scheme or a high-level restoration scheme through the restoration of the existing quarry void to surrounding land levels, it is understood that the site allocation could provide between indicatively 1.541 million and 3.226 million cubic metres of inert void space. It is anticipated that if restored to a lower level the site allocation could accommodate 2.311 million tonnes over a period of approximately 11.5 years or if restored to a high-level, 4.839 million tonnes over a period of approximately 24 years.

Crime Rigg, therefore, provides a valuable resource with a range of options that could be explored appropriately throughout the life of the plan period and Breedon are willing to work with Durham County Council to develop an optimum solution for the infill of the site.

Need

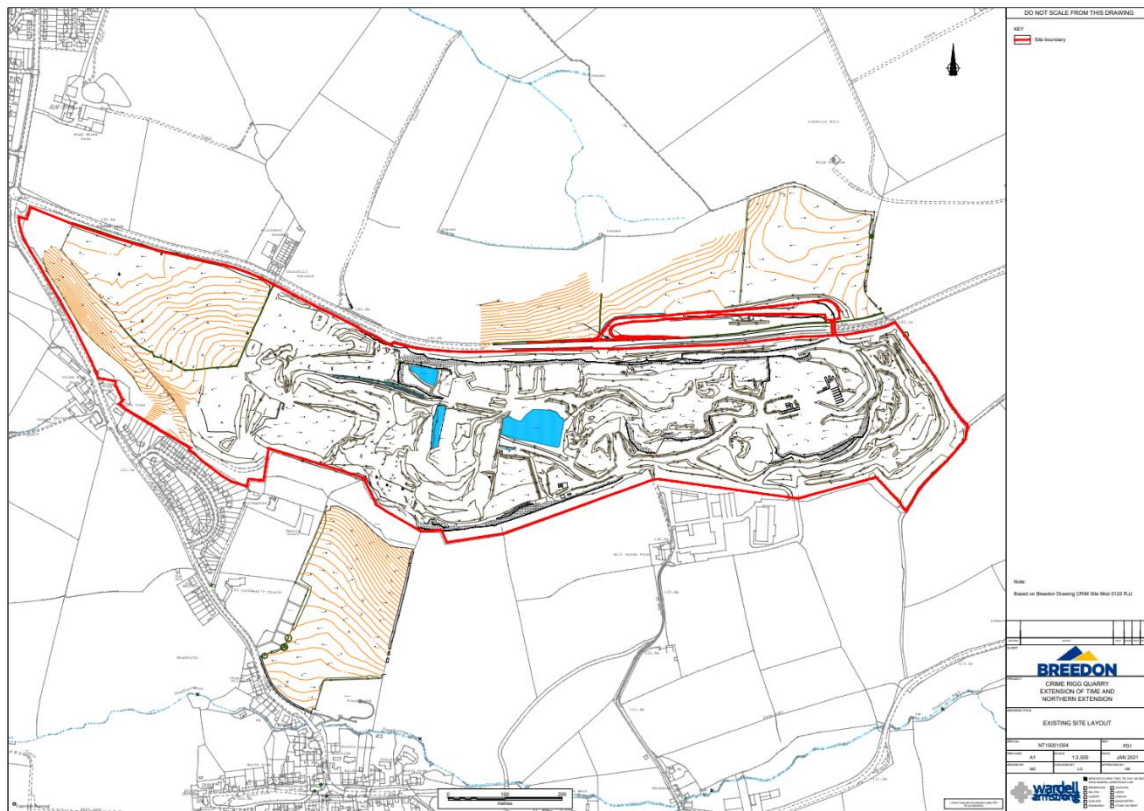
Following the submission of our previous representations, the Environment Agency (EA) dataset 'Remaining Landfill Capacity' has been updated to provide remaining capacity to the end of 2021. This suggests that the 4 active inert sites in County Durham have a remaining capacity of 7.2 million cubic metres, down from 7.6 million at the end of 2020 and a significant reduction from the 11.1 cubic metres within the Anthesis 'Addendum to 2012 study: Waste Arisings and Waste Management Capacity Model' (2018).

Original Permit Reference	Operator Name	Facility Name	Facility Address	EA Area	Former Planning Region	Former Planning Sub Region	Local Authority	Site Type	Remaining Capacity end 2021 (cubic metres)
66206.00	W & M Thompson (Quarries) Ltd	Bishop Middleham Quarry 2	Bishop Middleham Quarry 2, Bishop Middleham, County Durham, DL17 9EB,	Northumb erland Durham and Tees	North East	COUNTY DURHAM (UA)	Durham	L05: Inert Landfill	4386205.00
101357.00	Tarmac Trading Limited	Hollings Hill Quarry Landfill	Shotley Low Quarter, Newlands, Ebchester, Consett, County Durham, DH8 9JQ,	Northumb erland Durham and Tees	North East	NORTHUMBERLAND (UA)	Durham	L05: Inert Landfill	28749.00
210006.00	Breedon Northern Limited	Crime Rigg Quarry Landfill	Crime Rigg Quarry Landfill, Shadforth, Durham, County Durham, DH6 1LE,	Northumb erland Durham and Tees	North East	COUNTY DURHAM (UA)	Durham	L05: Inert Landfill	1540108.00
210077.00	Tarmac Trading Limited	Old Quarrington Quarry Landfill	Old Quarrington Quarry, Bowburn, County Durham, DH6 5NN,	Northumb erland Durham and Tees	North East	COUNTY DURHAM (UA)	Durham	L05: Inert Landfill	1332064.00

Further inert sites in the former North East planning region grouping add another 912k cubic metres of void, again down from the 1.07 million cubic metres at the end of 2020. The 2021 Waste Data Interrogator suggests that 821k tonnes of inert wastes were accepted at sites in County Durham in 2021 (Aycliffe Bishop, Middleham, Crime Rigg, Joint Stocks, Kilmondwood and Old Quarrington). This is a significant increase from the 623.3 thousand tonnes per annum forecast in the Anthesis 'Addendum to 2012 study: Waste Arisings and Waste Management Capacity Model' (2018) and further highlights the need for additional void in the plan period.

We would again emphasise that the potential capacities set out within this document are only indicative and would require significant design development to provide greater certainty. We would be happy to meet with you to discuss this further or provide greater clarity.

CRIME RIGG QUARRY: EXISTING SITE LAYOUT (DRG NO NT15001/004)



Comment ID: 55.

Consultee ID: 1310803.

Consultee Name and Organisation: Charlotte Ditchburn, The British Horse Society.

Document or Chapter or Paragraph number or policy number: Policy MW23(2).

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? The BHS supports Policy MW22(2), Policy MW23(2), MW24(2), and the inclusion of 4.29, 4.47, 8.13e. Wherever Public Rights of Way are mentioned the best value for money should be considered therefore protection of routes is imperative and the restoration and aftercare of sites should provide routes for the most users including equestrians.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 13.

Consultee ID: 1332454.

Consultee Name and Organisation: Richard Cowen, Council Protection of Rural England (CPRE).

Document or Chapter or Paragraph number or policy number: Policy MW24

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Legally Compliant – No. Sound – No. Complies with the Duty to Cooperate – Yes.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not Effective. It is not Consistent with national policy.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: We understand that this is a new allocation in this latest draft of the Plan. While I am considering it from a CPRE point of view, I should also mention that I live by this quarry, regularly walk the paths by Cold Knuckles and regularly attend the Liaison Committee.

As we understand it, this proposal is made to enable the operators to sell more of the limestone that would otherwise be used to restore the landscape. Inert waste would therefore be used to replace the limestone that is sold.

The text states that, under the current permission, restoration should be completed by July 2026. There is no indication in the Plan as to when restoration may be complete under the new proposals.

While we do not object to the principle of this proposed Policy, we make the following representations

1) the expected restoration period should be stated. This is an exposed face in a prominent position, visible from the northbound carriageway of the A1(M). It is not reasonable to expect an indefinite period of restoration works

2) While we accept that this proposal does not fall within Policy 50 of the County Durham Plan relating to new works on prominent escarpment slopes, this is such a site and the Policy should expect that restoration will respect the topography of the area and restore it to contours similar to those that originally existed. Point 4 does refer to high quality restoration, but we represent that this should be specified.

3) We note the requirements in relation to Biodiversity Net Gain and the reference to ecological networks. Paragraph 9.39c states a full ecological survey will be required. We represent that this must reflect all the wildlife that has been found on this site before the current works were started. This included Long-eared, Barn and Little Owl, Peregrine and Kestrel (I personally have records over the years for these species). In making restoration, we represent that these species need to be addressed with a view to providing suitable habitat for them. We represent that this would be consistent with the proposed Nature Recovery Strategy, Section 3 of the Environment Act 2021 and indeed the decisions taken at the recent Montreal Conference.

4) It must be clarified that the proposed materials for restoration will not have a detrimental impact on the restoration for biodiversity purposes. Building waste is clearly different from limestone waste and could affect any trees or scrub planted over it. While at meetings we have been assured that this will not be the case, we represent that this should still be addressed in the Policy and any planning application.

5) Paragraph 9.39f (and the letter to residents) refers to new bridleways. The proposed Policy however makes no reference to this. There has been a history relating to Public Rights of Way at this site which has extended over a number of years and we represent that the Policy should clearly state what is proposed in respect of "new bridleway"

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: To help clarify any issues for the Examiner.

Comment ID: 53.

Consultee ID: 1333050.

Consultee Name and Organisation: Mr John Little.

Document or Chapter or Paragraph number or policy number: Cold Knuckles Waste Disposal.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? While we do not have any specific concerns with disposing of more inert waste in Cold Knuckles Quarry we are concerned by any changes that extend the life of the quarry. This is not because of the quarry operation per-say but due to the replacement bridleway/cycle path currently offered which is quite unsuitable for its intended purpose containing a very steep gradient and having a loose surface resulting in a dangerous and uncyclable route. The surface is currently washed out (as it is most winters) resulting in deep water channels which further increase the dangers this poses to cyclists.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 64.

Consultee ID: 1332752.

Consultee Name and Organisation: Avril Boulton.

Document or Chapter or Paragraph number or policy number: Policy MW24 - Site Specific Allocation Inert Waste Disposal at Cold Knuckle Quarry.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Sound – No.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Hello I am writing to say how impossible it is to complete the form on the Consultation Portal. You are asking for justification from 'joe public' about questions we are not qualified to answer. It is for DCC to answer and correctly inform you and us of the decisions.

What I would like to ask as a householder who has lived on the heights for over 15 years, we could see the whole of Burnhope Mast with 5 lights, now we can only see 3 lights. The stock piles of stone is growing higher and higher, six meters is the limit and it keeps going higher. When is this likely to be put right and give us back our view to the north.

What time do you officially start work? It has been before 7am and very noisy with the breakers. I would be grateful if you could let me know what is happening.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 56.

Consultee ID: 1310803.

Consultee Name and Organisation: Charlotte Ditchburn, The British Horse Society.

Document or Chapter or Paragraph number or policy number: MW24(2).

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why? The BHS supports Policy MW22(2), Policy MW23(2), MW24(2), and the inclusion of 4.29, 4.47, 8.13e. Wherever Public Rights of Way are mentioned the best value for money should be considered therefore protection of routes is imperative and the restoration and aftercare of sites should provide routes for the most users including equestrians.

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 31.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley, Mineral Products Association.

Document or Chapter or Paragraph number or policy number: 10.4.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - "The Joint LAA is updated annually". MPA Comment - This has not been the case for 2021, although it is not clear why.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment -Amend text accordingly.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 32.

Consultee ID: 1256014.

Consultee Name and Organisation: Mr Nick Horsley, Mineral Products Association.

Document or Chapter or Paragraph number or policy number: Table 10.1.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Current Wording - "Trigger". MPA Comment - The number 5 planning applications over a 5 year period appears to be rather random. The text should be clear as to why this figure has been chosen.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible: Suggested Amendment - Provide a clear explanation.

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 62.

Consultee ID: 1333053.

Consultee Name and Organisation: Mr Niall Kelly, Breedon.

Document or Chapter or Paragraph number or policy number: Chapter 9 Potential Non-Strategic Minerals and Waste Allocations.

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate?

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply).

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate: Breedon is disappointed that Durham has determined that the proposed eastern extension to Raisby Quarry is not required over the period to 2035 and should not be allocated within the Minerals and Waste Policies and Allocation document.

The 'Conclusions' section of the Updated Assessment of Minerals and Waste Sites (2022) sets out the uncertainty relating to the National Grid Infrastructure within the approved extraction area. In the event that the infrastructure is not relocated a large volume of mineral reserve would be sterilised, and it would be necessary to pursue a planning application for the extension of Raisby Quarry within the current plan period to 2035.

Policy 49 of the County Durham Plan (2020) states "throughout the Plan period a steady and adequate supply of primary aggregates will be maintained. This will be achieved by:

a. ensuring that sufficient permitted reserves will remain available over the Plan period to enable the extraction of 53.2 million tonnes of crushed rock aggregate (comprising magnesian limestone, carboniferous limestone and dolerite) at a rate of 2.8 million tonnes per annum..."

The Joint Local Aggregate Assessment for County Durham, Northumberland and Tyne & Wear (April 2022) highlights that 2,613,000 tonnes of crushed rock was sold from quarries in County Durham in 2020 (the most recent year published) and that the ten year average sales were 2,629,000. The estimated productive capacity for Raisby published at page 37 is 850,000 tonnes per annum, making the site the most productive Magnesian Limestone quarry in Durham by a considerable volume and representing approximately 30% of the steady and adequate supply required by policy 49 of the County Durham Plan.

The Updated Assessment of Minerals and Waste Sites (2022) notes that the extent of permitted reserves and adequacy of the landbank have contributed to the decision, however, there is no evidence to suggest that other sites in the landbank would fill such a significant gap in productive capacity. Particularly when the same assessment recognises the strategic importance of Raisby Quarry ("The Council has explained to National Grid the importance of the permitted reserves and crushed rock sales from Raisby Quarry") and noted that the extension is logical and suitable.

“Subject to need at a future date and environmental acceptability, it is considered that an eastern extension would be logical and should be considered for allocation within future iterations of the development plan in County Durham”.

Breedon, therefore, request that the Raisby Eastern Extension is allocated within the new minerals local plan to provide flexibility within the plan in case the pylons cannot be relocated and as a result, there is a need to seek a further planning permission at Raisby to ensure steady and adequate supply. This would be in accordance paragraph 22 of the NPPF which states: Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure.

Allocating the Raisby extension would comply with the above requirement as it will secure a supply of mineral beyond the 15-year period but also provide flexibility to account for the very real possibility that the pylons may not be relocated. Any policy allocating the extension can be worded in a way to take account of the existing pylons and ensure that at this stage any extension should only come forward should the pylons not be relocated at this stage.

The allocation will also ensure that the Council can meet society’s needs and ensure a steady and adequate supply of both energy and non-energy minerals, as highlighted in strategic objective 20 of the adopted County Durham Plan (2020) and furthermore meet the aims of non strategic objective NSO6: Meeting our future needs - Ensuring that the steady and adequate supply of minerals can be maintained.

The proposed allocation would also comply with Policy 51 of the adopted County Durham Local Plan as it would ensure continuity of supply.

We would therefore request that the Raisby allocation is further considered for allocation to provide certainty over steady and adequate supply and ensure the plan has been positively prepared in accordance with the NPPF. It is considered that a policy can be worded appropriately to ensure that the allocation only comes forward in the event of the pylons not being relocated in a timely manner.

We would be happy to meet with Durham County Council to discuss this further.

I trust all of the above is acceptable, please feel free to contact me if you have any questions or queries.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision): Yes.

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary:

Comment ID: 39.

Consultee ID: 1268636.

Consultee Name and Organisation: Kearton Farms Limited.

Document or Chapter or Paragraph number or policy number:

Q1. Do you consider that the M&WDPD is Legally Compliant, Sound and complies with the Duty to Cooperate? Sound – No.

Q2. If you consider that this paragraph or policy is Legally Compliant, Sound or Complies with the Duty to Cooperate please use this box to explain why?

Q3. If you consider that this paragraph or policy is NOT Sound? (Please tick all the boxes that apply). It is not Positively Prepared. It is not Justified.

Q4. If you consider this paragraph or policy is NOT Legally Compliant or Sound, please use this box to explain why. You can also use this box to explain why you consider that the M&WDPD does not comply with the Duty to Cooperate:

1.1 In relation to the County Durham Minerals and Waste Policies and Allocations Document Publication Draft Plan November 2022 (Publication Plan) our client, Kearton Farms Limited (Kearton) instructed their planning consultant, Dickinson Planning Limited (DPL), to submit representations promoting a Site Specific Allocation of an additional field covering approximately 5 hectares (Additional Land), which is estimated to contain approximately 1.6 million tonnes of carboniferous limestone, to the south east of the Hulands Quarry Extension Preferred Areas (Preferred Area) as allocated in the County Durham Plan (2020) ("County Durham Plan") under Policy 58 Preferred Areas for Future Carboniferous Limestone Extraction and as shown edged red on the annotated extract of the Policies Map sheet 53 (copy extract at Appendix 1). In this respect, we refer below to the County Durham Plan and A66 North Trans-Pennine Project in the support of the proposed allocation of Additional Land.

1.2 In the absence of the Publication Plan including a Site Specific Allocation(s) to make provision for a further 2.93 million tonnes of carboniferous limestone to meet the County Durham Plan target of 14.1 million, as referred to in the latest Joint Local Aggregates Assessment for Country Durham, Northumberland and Tyne & Wear (April 2022) (Local Aggregates Assessment), which included sales and reserves data for 2019 and 2020, then it is considered that the Publication Plan fails to meet the tests of soundness in terms of being positively prepared and/or justified.

Q5. What change(s) or modifications do you consider necessary to make the paragraph or policy Legally Compliant and Sound? It will be helpful if you could put forward your suggested revised wording for any policy or text. Please be as precise as possible:

1.3 The inclusion of the Additional Field as a Site Specific Allocation in the Publication Plan would contribute an additional 1.6 million tonnes of carboniferous limestone towards meeting the 2.93 million tonnes identified in the latest Local Aggregates Assessment to meet the County Durham Plan target of 14.1 million tonnes in order to meet the identified and longer terms need for this mineral.

The County Durham Plan and A66 Northern Trans-Pennine Project

1.4 The County Durham Plan provides the policy framework for the County up to 2035. Policy 49 Primary Aggregates Provision confirms that throughout the Plan period to 2035 a steady and adequate supply of aggregates will be maintained and this will be achieved by, amongst other things, criterion a) ensuring that sufficient permitted reserves will remain available over the Plan period to enable the extraction of 53.2 million tonnes of crushed rock aggregate (including carboniferous limestone) and criterion b) seeking to permit the extraction of an additional 14.3 million tonnes of carboniferous limestone, which subject to acceptable planning applications will supplement existing permitted reserves. We comment later in the section on the contribution that the Additional Land, adjacent to the Hulands Quarry Extension Preferred Area, would make towards the steady and adequate supply of carboniferous limestone during the period covered by the County Durham Plan and in the longer term.

1.5 The County Durham Plan Policy 50 Locational Approach to the Future Supply of Primary Aggregates advises that, as far as practical, the main focus of aggregate working over the Plan period should fall outside of and not adversely affect various designated sites including the North Pennines Area of Outstanding Natural Beauty (AONB), the county's Parks and Gardens of Special Historic Interest, Historic Battlefield, Conservation Areas and Scheduled Monuments. In addition, due to the protection afforded to them new aggregate working will be strongly resisted in locations which either contain or could adversely affect internationally and nationally designated sites and irreplaceable habitats. Criterion b) of Policy 50 confirms that in considering any proposals for non-strategic carboniferous limestone sites in the Minerals & Waste Policies and Allocations document and planning applications, proposals for new working to meet identified need should normally be located outside of and should not adversely impact upon the North Pennines AONB and internationally and nationally designated sites. The proposed Additional Land to the south east of the Hulands Quarry Extension Preferred Area is not located within and would not adversely affect the North Pennines AONB nor internationally and nationally designated sites.

1.6 The County Durham Plan Policy 51 Meeting Future Aggregate Requirements confirms that over the Plan period the majority of the future needs for both crushed rock aggregate and sand and gravel aggregate working will be met through the working of existing permitted reserves and sites allocated as strategic sites within the Plan or, if needed, through the working of non-strategic sites allocated in the Minerals and Waste Policies Allocations Document. These representations support the inclusion of Additional Land to the south east of the Hulands Quarry Extension Preferred Area as allocated in the County Durham Plan.

1.7 The Publication Plan at paragraph 5.504 notes that the latest Local Aggregates Assessment states that: "The latest Local Aggregate Assessment advised that provision remains for a further 2.93 million tonnes of carboniferous limestone to be made to meet the County Durham Plan target of 14.1 million tonnes. However, subject to planning permission being granted to an environmentally acceptable extension on land to the east of Hulands Quarry, it is considered that there would be productive capacity to supply at least 800,000 tonnes of carboniferous limestone per annum, thereby helping to ensure a steady and adequate supply of this mineral over the plan period to 2035 and beyond."

1.8 In this respect, Kearton would request the allocation of the Additional Field, which contains an estimated 1.6 million tonnes of workable carboniferous limestone, to the south east of the Hulands Quarry Extension Preferred Area, as allocated in the County Durham Plan under Policy 58, for some 8.2 million tonnes of carboniferous limestone. In this respect, the inclusion of the Additional Field as a Site Specific Allocation in the Publication Plan would contribute an additional 1.6 million tonnes of carboniferous limestone towards meeting

the 2.93 million tonnes identified in the latest Local Aggregates Assessment to meet the County Durham Plan target of 14.1 million tonnes in order to meet the identified and longer terms need for this mineral.

1.9 It is noted that Highways England also submitted an application for a Development Consent Order for the A66 Northern Trans-Pennine Project during 2022 which, subject to securing approval along with associated funding, is projected to commence around 2024. It is understood that the proposed upgrade to the A66 by National Highways would require approximately three million tonnes of aggregate and one million tonnes of asphalt and assuming that a large proportion of this mineral were to be supplied by Kilmondwood Quarry and Hulands Quarry, which are situated adjacent to this strategic road, between 2024 to 2029 or thereabouts (i.e. say 800,000 tonnes per annum over 5 years), along with maintaining output to other markets, then this would materially deplete permitted reserves at Kilmondwood Quarry and at Hulands Quarry subject to approval of an extension scheme. In addition, Kearnton who operates Kilmondwood Quarry anticipates that the permitted reserves at this site would be worked well ahead of the currently permitted period for the cessation of mineral extraction in 2042 and indeed during the last period November 2021 to October 2022 over 470,000 tonnes of mineral was dispatched off-site to market, which is in excess of the latest Local Aggregates Assessment assumed average output of 300,000 tonnes per annum.

1.10 Taking the above matters into account, it is considered that the proposed inclusion of the Additional Land to provide an estimated 1.6 million tonnes of workable carboniferous limestone to the south east of the Huland Quarry Extension Preferred Area would enable the appropriate 'rounding off' of this extension area from an operational perspective, along with contributing towards meeting the 2.93 million tonnes provision of this mineral which remains to be met to meet the County Durham Plan target of 14.1 million tonnes, as referred to in the latest Local Aggregates Assessment.

2. Representations in Support of Additional Land to the Hulands Quarry Extension Preferred Area

2.1 Further details are provided below regarding the proposed Additional Land to the south east of the Hulands Quarry Preferred Area, as allocated in the County Durham Plan.

2.2 Hulands Quarry is located to the north of the A66(T) and south of the A67, approximately 1.4 kilometres west of the centre of Boldron, 2 kilometres east of Bowes and 4 kilometres south west of Barnard Castle, in County Durham.

2.3 Hulands Quarry, which is operated by Aggregate Industries UK Ltd ("Aggregate Industries"), is an established carboniferous limestone quarry covering approximately 52.9 hectares of land, the extent of which is shown on the annotated Country Durham Policies Map 53, as enclosed at Appendix 1. Hulands Quarry produces coated roadstone, single sized and blended aggregates, agricultural lime and rock armour. Durham County Council granted planning permission dated 18 May 2009 (Durham County Council ref. CMA/6/36) for Hulands Quarry to consolidate the previous extant planning permissions and for an eastern extension, with mineral extraction due to cease no later than 15 years from the date of commencement, which gives an end date of 14 September 2024. This planning permission also required that restoration would be completed within 18 months of the cessation of mineral extraction, that is by 14 March 2026 unless otherwise agreed.

2.4 Some 2.2 hectares of land within Hulands Quarry has the benefit of planning permission (Durham County Council ref. DM/14/00465/WAS) dated 2 July 2014 for the recycling of up to 75,000 tonnes per annum of road planings and road base, with such activities due to end

upon the cessation of quarrying or no later than 14 September 2024, whichever is the sooner. 2.5 Kearton submitted a planning application (Durham County Council ref.DM/22/01533/FPA) for an extension to Hulands Quarry in May 2022 covering some 46.5 hectares of land for the extraction of 14.3 million tonnes of carboniferous limestone. The extension scheme included the Hulands Quarry Extension Preferred Area covering approximately 20 hectares of land, as allocated in the County Durham Plan for an estimated 8.2 million tonnes of mineral, and an additional 26.5 hectares of land to the north and east for an additional 6 million tonnes of mineral.

2.6 Further to post planning application discussions with Durham County Council, Kearton is reviewing the merits of revising the submitted planning application to provide for an extension to Hulands Quarry to include the Preferred Area (8.2 million tonnes) and Additional Land (1.6 million tonnes) for the extraction of an estimated 9.8 million tonnes of carboniferous limestone.

2.7 At this stage it is envisaged that the extension scheme to Hulands Quarry would be worked from the east face of the existing quarry, commencing during Q3/Q4 2024 and advance in an eastwards direction in a phased manner, with each phase working from north to south.

2.8 Stripped soil and overburden material to progressively extend the existing Hulands Quarry Raised Northern Landform eastwards along the north side of the Preferred Area. Stripped soil would also be used to progressively form screening mounds along the majority of the southern and eastern sides of the Preferred Area and Additional Land, subject to maintaining an appropriate stand-off from necessary rights of way diversions and retaining a strip of the existing plantation woodland adjacent to part of The Street and A66(T) to the south. The screening mounds would be progressively subject to grass seeding, along with some tree and shrub planting using native broadleaf species. Consideration would be given to the retention of some of these screening mounds and notably the one adjacent to the A66(T) as permanent features to be retained as part of the restoration scheme.

2.9 The extension scheme would be worked using conventional quarrying techniques. Present working at Hulands Quarry includes the use of a 360° excavator, which feeds the blast pile into two mobile crushers and once the limestone is crushed this is carried to the processing plant via a field conveyor system. Where appropriate a dump truck(s) would be used to transport crushed limestone to the processing plant. Hulands Quarry would continue to produce coated roadstone, single sized and blended aggregates, agricultural lime and rock armour.

2.10 Processed aggregates would be loaded into HGVs that would be sheeted prior to despatch off [1]site from the existing Hulands Quarry site access points to the A66(T) and A67 and then onward to market.

2.11 It is envisaged that hours of working for the extension scheme would be continue in line with those currently approved for Hulands Quarry. This would include aggregate production (mineral extraction and processing, soil stripping and removal of overburden) from 0700 to 1900 hours Monday to Friday and 0700 to 1300 hours on Saturday, coated roadstone production 24 hours per day Monday to Sunday, along with haulage to and from the site (save for movements associated with coated roadstone production) from 0600 to 2100 hours Monday to Friday and 0600 to 1700 hours on Saturday. Maintenance of vehicles and plant (save for maintenance associated with coated roadstone production) would be from 0600 to 2100 hours Monday to Friday and 0600 to 1700 hours on Saturday. No such activities would

be carried out on site beyond the operational hours referred to above and also not on a Bank or Public Holiday.

2.12 It is anticipated that the restoration of the extension site would be designed to complement the approved restoration scheme for Hulands Quarry, with a view to achieving a sustainable afteruse with associated biodiversity and landscape enhancements. It is envisaged that this would include calcareous grassland, some open water and wetland areas, along with agricultural use. Parts of the quarry floor would be covered with a variable depth of limestone fines to facilitate the natural development of a limestone/calcareous flora community. Restoration blasting would be used to create some localised areas of buttresses, crags and screes. The Northern Raised Landform would include areas for agricultural use. It is anticipated that the restoration proposals would be completed within 18 months of the cessation of minerals extraction on the extension site.

2.13 It is proposed to continue to implement the various environmental controls and mitigation measures that are currently employed at Hulands Quarry during minerals extraction and restoration operations for the extension scheme. It is anticipated that planning conditions, similar to those on the current planning permissions for Hulands Quarry, would be included on any planning permission for an extension scheme. Such planning conditions would provide environmental controls in relation to various matters including the approved method of working and restoring the Site, noise and vibration limits, dust mitigation measures and the hours for site operations.

2.14 Hulands Quarry is subject to various other regulatory controls, such as an Environmental Permits for the processing of mineral and discharge of water from the site. It is anticipated that such environmental controls would be maintained for the duration of the extension scheme.

2.15 It is noted that the long term management of Hulands Quarry, once restored, is subject to an Agreement under Section 39 of the Wildlife and Countryside Act 1981 and it is anticipated that a similar agreement would be sought by Durham County Council for the extension site.

2.16 The extension scheme, which includes the Preferred Area and Additional Land is expected to provide economic, environmental and social benefits, including:

- i. the supply of approximately 9.8 million tonnes of carboniferous limestone (8.2 million tonnes from the Preferred Area and 1.6 million tonnes from the Additional Land);
- ii. the maintenance of approximately 18 direct jobs on site, along with work for approximately 57 hauliers some 10 skilled local contractors who rely on Hulands Quarry to varying degrees, for the duration of the extension scheme;
- iii. the restoration proposals would include ecological, landscape and recreational enhancements, including tree and shrub planting, calcareous grassland and flora community on the quarry floor and localised crags, buttresses and screes, some open water and wetland areas, along with agricultural use on the Northern Raised Landform and enhanced rights of way network; and
- iv. the long term management of Hulands Quarry and extension site, once restored, in accordance with an Agreement under Section 39 of the Wildlife and Countryside Act 1981.

Environmental/Amenity Considerations:

2.17 The extension scheme, which includes the Preferred Area and Additional Land, would be carefully designed, as part of the iterative environmental impact assessment process, in

order to mitigate the environmental effects of the proposals including in the following measures:

Landscape and Visual Impact

- i. Hulands Quarry and the extension site, including the Preferred Area and Additional Land, are located within an Area of High Landscape Value and Minerals and Waste Safeguarding Zone, as shown on the County Durham Plan Policies Map. The extension scheme is also over 1.5 kilometres distant from the nearest part of the North Pennines Area of Outstanding Natural Beauty to the south, beyond the intervening ridgeline at the head of Kilmond Scars and Greta Valley to the south.
- ii. North Side farm house and buildings are located within the Preferred Area and Lamb Hill farm house and buildings are located to the east of Additional Land. Both of these properties are under the control of Kearton. Lamb Hill farm house and buildings would be demolished as part of the extension scheme. There are isolated and small groups of houses and farm buildings in the wider locality, with Boldron village to the east beyond intervening agricultural land.
- iii. The A66(T) is located to the south of the extension site and the A67 to the north beyond intervening agricultural land. Definitive rights of way extend through part of the Preferred Area and Additional Land would be diverted around parts of the periphery of the extension scheme to link with the wider rights of way network.
- iv. The extension scheme would include landscape and visual impact mitigation measures. It is proposed to work the extension site in a phased manner progressively in an eastwards directions, with each phase working from south the north. Peripheral screening mounds would be created along the majority of the south and east boundaries and a Northern Raised Landform would be formed to the north side of the extension site, in a similar manner to that existing to the north of Hulands Quarry. These peripheral screening mounds would be grass seeded at the first available opportunity and consideration would be given to southern mound being a permanent feature with some tree planting.
- v. The restoration scheme would include exposed quarry faces, along with some areas of restoration blasting to leave some faces closer in character to natural crags, along with some buttresses and scree slopes. The worked quarry floor would include areas of exposed limestone and other materials for natural regeneration to calcareous and neutral grassland, along with open water and wetland features. The Northern Raised Landform would be available for agricultural use and the southern mound could include some native woodland planting.

Biodiversity (including designations and protected species)

- vi. The extension site is not subject to any national or local ecological designation. It is not anticipated that the extension scheme would adversely affect any such designated ecological sites in the wider locality, with Kilmond Scar SSSI to the south of the A66(T) and Kilmondwood Quarry to the south, nor the Special Area of Conservation over 3 kilometres to the west.
- vii. The extension site primarily comprises agricultural fields, used for cattle grazing, with some tree and shrub areas principally within the Preferred Area, along with field hedgerows with some trees and an open water/wetland area. The ecological mitigation measures would be informed by an Extended Phase 1 Habitat Survey and additional flora and fauna surveys where necessary.

viii. The extension scheme would be worked in a phased manner and peripheral screening mounds grass seeded and some woodland planting along the southern mound.

ix. The restoration scheme would offer opportunities for ecological enhancement, including the natural regeneration of the exposed limestone faces and quarry floor, along with the open water and wetland areas;

Geo-diversity

x. Part of the extension site have been subject to previous mineral extraction and in part backfilled. In addition, a former mineral railway cutting is located within part of the Preferred Area. The extension scheme would largely work through such areas. However, the restoration scheme would provide an opportunity to leave exposed quarry faces, along with some localised blasting to create scar features, buttresses and some areas of scree, along with areas of exposed quarry floor.

Cultural heritage (including archaeology, listed buildings, conservation areas etc)

xi. A Historic Environment Desk-Based Assessment has been prepared for the Preferred Area, Additional Land, along with a further area to the east (Lanpro, December 2020). The assessment refers to information sources for designated heritage assets with 5 kilometres and non-designated heritage assets. An extension scheme could result in a very low level of harm to the significance of two Grade II listed buildings (Blades Field Farm and West North Field Farm) brought about through the loss of historic landscape features within their setting.

xii. The available archaeological records, combined with analysis of historical mapping, a geophysical survey and the results of previous archaeological investigations in the surrounding area, suggest that there is low potential for the survival of prehistoric or Roman period remains in the study site. It is possible that buried remains relating to medieval or post-medieval agriculture could also survive, but these would be of negligible significance.

Townscape

xiii. It is considered that the extension scheme would not adversely affect the townscape of Boldron to the east, Bowes to the west or Barnard Castle to the north east given the distance to such settlements along with the screening afforded by intervening topography and vegetation.

Recreational areas and public rights of way

xiv. As noted above, the definitive rights of way which extend across parts of the extension site would be stopped up and diverted around the outer edge of the parts of the extension scheme to link up with the wider network. It is proposed that these diverted rights of way routes would be retained upon the restoration of the extension scheme and the potential for an enhanced recreational route(s) through part of the restored site would be considered.

Air Quality and dust, blasting and noise

Air Quality and dust

xv. The extension scheme would be designed and operated to minimise dust emissions in accordance with best practice guidance, where applicable, and a Dust Action Plan. This would include dust suppression equipment on all fixed plant and machinery, a speed limit of 15 mph on internal haul roads, the use of a water bower for areas such as haul roads, stockpiles on mineral, areas of overburden that are not vegetated and so forth. A weather station would also be available on site to record weather conditions. Dust would be monitored on site and proactive measures taken in order to minimise dust emissions during site operations.

Noise

xvi. The extension scheme would be designed and operated in accordance with a Noise Action Plan and in order seek to ensure that quarrying and processing operations are carried out to meet the relevant national planning practice guidance noise limits. For temporary operations would be up to 70 dB(A) LAeq 1hr (free field) for periods up to 8 weeks per year and a maximum of 55 dB(A) LAeq 1hr (free field) for normal operations, with the aim that the limit would not exceed the background level by more than 10dB(A), when measured at noise sensitive properties. In addition, for coated roadstone operations during the evening (1900 – 2200) limits should not exceed background level by 10dB(A) and during the night should not exceed 42dB(A) LAeq1h (free field) at noise sensitive properties.

Blasting

xvii. It is anticipated that blasting would be carried out in-line with the currently approved practices on site, including an approved blast monitoring scheme, and planning conditions, which include the control of the number of blasts to no more than twice per day, blasts only taking place between 10.00 to 12.00 and 14.00 to 16.00 hours Monday to Friday and compliance with the blast vibration limits at the nearest residential properties.

Natural resources including agricultural land/soils and water resources including water quality and flood risk

Agricultural land/soils

xviii. A soil resource and land quality survey has been undertaken for the Preferred Area, Additional Land and further area to the east, which concludes that the land has mainly loamy topsoils and upper subsoils, over heavy dense layers and the agricultural land quality is limited to subgrade 3b by adverse climatic and wetness. xix. Topsoil and subsoil would be progressively stripped from each phase to be worked on the extension site and used to form peripheral screening mounds to the south and east of the site, along with the part(s) of the Northern Raised Landform. Any surplus soils would be either placed directly to bed for restoration purposes and/or stored in temporary mounds on the quarry floor for subsequent use as part of the restoration scheme. It is not proposed to export stripped topsoil and subsoil from the extension site.

Hydrology and Hydrogeology

xx. A hydrological (including flood risk) and hydrogeological assessment would be progressed for the extension scheme.

xxi. It is understood that 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. It is anticipated that northern part of the extension scheme could include mineral extraction below the water table, in a similar manner to that at Hulands Quarry, but this designed to not actively dewater large volumes of groundwater and an appropriate stand-off would be maintained to avoid any adverse drawdown of the water table in relation to Thorsgill Beck to the north of the extension site.

xxii. It is anticipated that any water collected in the base of the quarried area in the extension site would be managed in a similar manner to that existing at Hulands Quarry, whereby it is collected in a sump in the base of the quarry and transferred to settlement lagoons, prior to discharge to Thorsgill Beck, in accordance with the operator's existing consent to discharge, and this would assist in regulating the flow in this watercourse at certain times of year.

xxiii. Discharge from the extension scheme would be designed to ensure that this does not exceed greenfield runoff rates, plus an allowance for climate change. In addition, cut off drains would be used along the outer edge of the Northern Raised Landform to prevent suspended solids from entering Thorsgill Beck to the north.

xxiv. Consideration would be given to any third party abstractors of groundwater in the locality of the extension site in order to seek to ensure that the proposals do not adversely affect their water supply and mitigation measures would be proposed where necessary.

2.18 The extension scheme would be worked taking into account climate change, with mitigation measures implemented where appropriate. The extension scheme would be operated and restored in order to ensure that surface water discharge does not cause flooding downstream and indeed, would include settlement ponds during working and open water areas upon restoration that could regulate the rate of discharge in accordance with the current discharge consent requirements, but also assist in maintaining the rate of flow in this watercourse at certain times of year.

2.19 Plant used on site will be fitted with efficient exhaust systems in order to regulate exhaust emissions to the atmosphere.

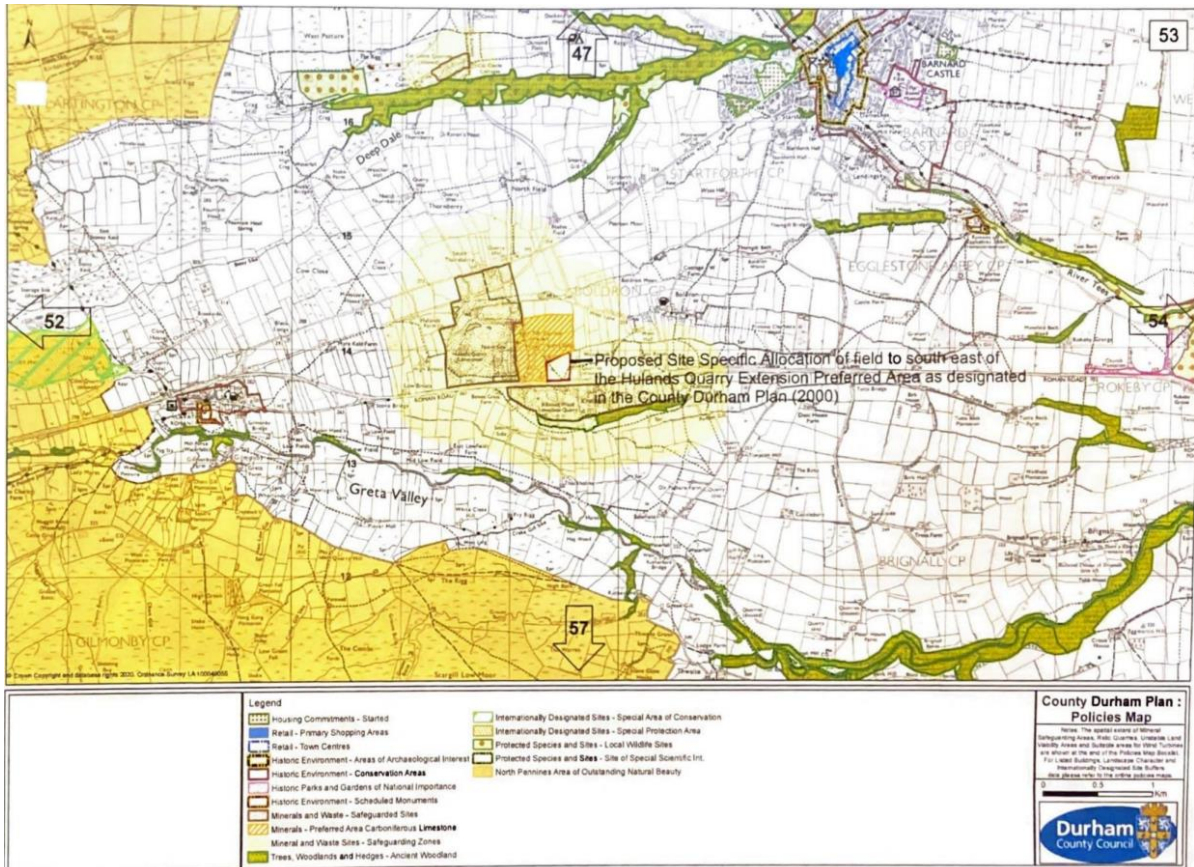
3. Conclusion

3.1 In relation to the County Durham Minerals and Waste Policies and Allocations Document Publication Plan our client, Kearon, would request the inclusion of the Additional Field, as shown edged red on the Plan at Appendix 1, as a Site Specific Allocation in the Publication Plan would contribute an additional 1.6 million tonnes of carboniferous limestone towards meeting the 2.93 million tonnes identified in the latest Local Aggregates Assessment to meet the County Durham Plan target of 14.1 million tonnes in order to meet the identified and longer term need for this mineral.

3.2 It is considered that an extension scheme to Hulands Quarry, including the Preferred Area and Additional Land, could be worked in an environmentally acceptable manner and there would be environmental, economic and social benefits arising from such a scheme.

3.3 In the absence of the Publication Plan including a Site Specific Allocation(s) to make provision for a further 2.93 million tonnes of carboniferous limestone to meet the County Durham Plan target of 14.1 million, as referred to in the latest Local Aggregates Assessment, then it is considered that the Publication Plan fails to meet the tests of soundness in terms of being positively prepared and/or justified.

Appendix 1 Annotated Policies Map 53 from the County Durham Plan



Q6. If your comment is seeking a change or modification to the M&WDPD, do you wish to participate in the Examination? (Please note that the Planning Inspector will make the final decision):

Q7. If you wish to participate in the Examination, please outline why you consider this is necessary: