

DERBYSHIRE COUNTY COUNCIL

SCREENING OPINION UNDER REGULATION 8 OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (the 'EIA Regulations')

PROPOSAL: The erection of a new clinker storage shelter at Tunstead Quarry, Waterswallows, Wormhill, Buxton, SK17 8TG

APPLICANT: Tarmac

CODE NO: PD17/1/96

FILE NO: 1.36.95

Is the proposal in Schedule 1?

No.

Is the proposal in Schedule 2?

Yes. Development of the description under consideration here would fall under paragraph 2(a) Quarries, open cast mining and peat extraction (unless included in schedule 1) as listed in column 1 of the table in Schedule 2.

The need for EIA must be further considered.

Is the proposal in, or likely to affect the character of, a sensitive area?

The site is not located within a sensitive area but is within 0.6 kilometres (km) of the Peak District National Park (PDNP) boundary. The Peak District National Park is considered as a sensitive area for the purposes of the EIA Regulations.

The proposed development consists of the erection of a structure to store clinker stock. This structure would be located to the east of the western quarry face. The structure measures 7.89m in height, the quarry floor at this location is approximately 265m AOD, the western quarry face is approximately 310m AOD. Consequently, no views of the proposed development would be visible from outside the quarry boundary.

Considering the scale of the proposed development in the context of the existing plant and wider quarry, the development would not cause a significant change to the site. The lack of direct views of the development, omission of new fixed external lighting and intention to colour the storage shelter grey to meet the colour requirements for new plant at Tunstead would all reduce the visual impacts of the proposed development and mitigate against potential harm.

As such, I consider that the proposed development would not affect the character of a sensitive area.

Does it meet criteria in Column 2 of Schedule 2?

Yes. The applicable thresholds/criteria set out in Column 2 of Schedule 2 that trigger the need to consider whether an EIA is required in respect of paragraph 2(a) is “*All development except the construction of buildings or other ancillary structures where the new floorspace does not exceed 1000 square metres*” The floorspace of the proposed clinker storage structure would be 1993.6 square metres. The applicable thresholds in respect of paragraph 2(a) would therefore be exceeded.

The need for EIA must be further considered.

Are there likely to be significant environmental effects?

Planning Practice Guidance (PPG) sets out indicative criteria and threshold limits, where development is more likely to be EIA development. In relation to development that falls within Schedule 2 Section 2(a) it indicates that an Environmental Impact Assessment is more likely to be required for “*All new open cast mines and underground mines. Clay, sand and gravel workings, quarries covering more than 15 hectares or involve the extraction of more than 30,000 tonnes of mineral per year*”. PPG provides further advice in respect of the ‘key issues to consider’ against the above indicative criteria and threshold limits which in this instance are the “*scale and duration of works and the likely consequent impact of noise, dust, discharges to water and visual intrusion*”.

These potential impacts will be considered further in the report.

Discussion

Schedule 3 of the Regulations sets out criteria that should be used to help identify whether a Schedule 2 development is likely to have significant environmental effects and therefore require an EIA, as follows:

Characteristics of development: The current proposal would see the erection of a new clinker storage structure within an operational quarry. As such the main characteristics would be:

Size: The new floorspace created would be 1993.6m², which when viewed in context with other structures within the wider quarry complex would be minimal. The proposed developments tallest point would measure 7.89m, again this would not be significant when viewed against the height of existing plant whose main structures are up to 80m in height.

Cumulation with other development: The development is associated with the existing operations within the wider Tunstead Quarry complex, the structure is intended to shelter additional stock of clinker with the aim to keep this stock dry. I do not consider that there would be significant adverse environmental impacts as a result of cumulation with other development.

The use of natural resources: The development would require the use of natural resources in the form of fuel to transport the equipment to site and during the construction period.

The production of Waste: The development is unlikely to produce significant waste, some small amounts of waste may arise as a result of groundworks.

Pollution and nuisances: Noise, emissions to air, dust and visual intrusion are important considerations according to Planning Practice Guidance (PPG). In relation to the construction and use of the clinker storage structure proposed these nuisances are likely to be limited to visual impacts. The development may also create dust arising and potentially cause pollution to surface water if incorrectly stored. However, the approved ROMP has conditions to effectively control both these potential impacts.

The risk of major accidents and/or disasters relevant to the development concerned: The proposed development is not unusual in a quarry environment. Safety considerations will be taken into account during the construction and operational periods and within the wider quarry complex generally. It is considered that the risk of accidents during construction and operational phases would be low.

The risks to human health: The proposal to erect a clinker storage shelter at Tunstead Quarry is unlikely to present any significant risk to human health.

Location of development

The proposed clinker storage shelter is located centrally in the wider quarry complex, to the west of the main cement plant structure and to the east of the western quarry face.

The quarry complex is located approximately 2.6km east of Buxton and is effectively made up of two separate quarries, Tunstead (which lies wholly within the administrative boundary of Derbyshire County Council) and Old Moor Quarry (the majority of which is within the Peak District National Park). Small villages (Tunstead, Wormhill, Blackwell, King Sterndale, Cowdale, Peak Dale and Small Dale) are within 1.5 – 3.5 km, and isolated farmhouses, the nearest being about 1km from the proposed clinker storage structure. The quarry has good access to the strategic road network. A railway line with associated loading facilities for the transport of mineral from the site runs along the length of Great Rocks Dale.

Ground levels within the quarry range from 250m Above Ordnance Datum (AOD) at the lowest level, to 265m AOD, which the proposed clinker storage structure would stand. Natural ground within the quarry rim to the south, west and north of the quarry is gently undulating and ranges in elevation from around 300m AOD at the south-western boundary to 325m AOD at the north-

western boundary. With the exception of some minor lateral extension to the south and south-west, the quarry has reached its permitted boundaries.

The boundary of the Peak District National Park runs on a rough north-south alignment to the east of Great Rocks Dale (approximately 0.6km east of the proposed development). The Peak District Dales Special Area Conservation (SAC) is an internationally important dale system which lies close to the quarry to the south and south-west, and also includes dales further afield to the east and south-east. The SAC comprises of a number of Sites of Special Scientific Interest (SSSI), which are nationally important in their own right. These include the Wye Valley SSSI, which is located approximately 500m to the south of the quarry at the nearest point, and Topley Pike and Deep Dale SSSI, which lie to the south of Wye Valley SSSI. Monks Dale SSSI, which lies approximately 3km to the east of the site, is also part of the Peak District Dales SAC, as is Cressbrook Dale SSSI, which lies approximately 7km to the east of the site. A number of Local Wildlife Sites (LWS) are also located in the vicinity of the quarry, together with several areas of ancient woodland, although none are located within the operational quarry area, Four Scheduled Ancient Monuments are close by at Barrows on Bole Hill, Windlow Bowl Barrow and Standing Cross, Cowlow Bowl and Barrow and Bowl.

Types and characteristics of the potential impact

Viewed against the PPG criteria and thresholds identified above, I do not consider that the proposed clinker storage structure would give rise to significant adverse environmental effects associated with emissions to air, dust or noise, water discharge or pollution of ground water sources. The proposal could however have the potential to introduce landscape and visual impacts, alongside those already experienced.

The erection of the clinker storage structure may ordinarily result in landscape and visual impacts. However, in the context of the wider quarry complex, it is not considered that such impacts would be significant. The proposed development would take place to the east of the western quarry face, the storage structure would measure 7.89m in height and would sit on a ground level of approximately 265m AOD, the western quarry face ground level measures approximately 310m AOD. As such, it is not considered that the additional structure would be directly visible from the surrounding area. Consequently, it is not considered significant visual impacts would arise from the development.

Taking the above assessment into account, the potential significant effects as set out against the criteria (a) – (h) in paragraph 3 of Schedule 3 of the EIA regulations, for the proposed development would be:

- a) *Magnitude and spatial extent of the impact:* The specific impact of the proposal is limited in extent; the development would be contained within the footprint of an existing quarry and could be controlled through suitable planning conditions and the requirements of Part 17B of the GPDO once the storage building is no longer required.
- b) *Nature of the impact:* As discussed above
- c) *Transboundary nature of the impact:* It is not considered that transboundary impacts would be relevant in this case.
- d) *Intensity and complexity of the impact:* The assessment has been considered above there are potential impacts and effects from the development that have been identified. Neither the intensity nor the complexity is considered to be unacceptable.
- e) *Probability of the impact:* External views of the clinker storage structure are unlikely and, when viewed in context with the wider quarry site, the impacts are unlikely to be significant.
- f) *Duration, frequency and reversibility of the impact:* The construction phase of the development would be temporary. The proposed clinker storage structure is simple and easily removed from site in the event that it was no longer required. The existing planning permissions for mineral development at Tunstead Quarry have an end date of February 2042 after which the entire site (including the proposed clinker storage structure) would be cleared and subject to full restoration. The identifiable impacts arising from the proposal as set out earlier could be considered of a restricted nature in terms of timescale and are likely reversible through appropriate mitigation measures.
- g) *Cumulation of impact:* As discussed above.
- h) *Possibility of effectively reducing the impact:* As discussed above, impacts associated with the proposal would be effectively mitigated through existing planning conditions.

In light of the above, I take the view that the proposed development is unlikely to introduce such environmental issues, arising individually or cumulatively, or of a magnitude, complexity or extent to be considered significant in relation to the EIA regulations.

Conclusion

This proposal exhibits characteristics that would be best related to Schedule 2 Section 2 (a) Extractive Industry (Quarries, open cast mining and peat extraction, unless included in schedule 1).

Set against the indicative thresholds and criteria advice, the proposal triggers the need to consider the need for an EIA as the proposed floorspace exceeds 1000m². Based on the consideration of both the criteria within Schedule 3 of the regulations for Schedule 2 Section 2 (a) and guidance within the National Planning Practice Guidance it is considered that **THE DEVELOPMENT IS NOT EIA DEVELOPMENT AND AN ENVIRONMENTAL STATEMENT WOULD NOT BE REQUIRED.**

Signed:

David Arnold – Assistant Director, Regulatory Services, Place

Date: 9 January 2023