

DERBYSHIRE COUNTY COUNCIL

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

PROPOSAL: Upgrading of the existing rail loadout area including the construction of a new screen house, new MOT store and new rail loadout with adjoining conveyor system

SITE: Dove Holes Quarry, Dale Road, Dove Holes, Smalldale, Buxton, SK17 8BH

APPLICANT: Cemex UK Operations Ltd

CODE NO: CM1/0523/6

FILE NO: 1.306.39

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) '*Extractive Industry: Quarries, open cast mining and peat extraction...*' 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 proposal is not located in a sensitive area but is 0.58 kilometres (km) south-west of the boundary of the Peak District National Park (PDNP), which is considered a sensitive area for the purposes of the EIA Regulations and is situated in a large quarry complex that is in the administrative boundaries for both Derbyshire County Council and the Peak District National Park Authority. There will be some inter-visibility between the PDNP and the development site (particularly when viewed from the north-east from Smalldale), although in considering its scale and nature, its proximity to other structures that are of a similar size and the fact that the structures would be seen against the backdrop of these structures as well as existing quarry faces, it is not considered that the proposal would be likely to affect the character of the PDNP so significantly as to warrant the production of an Environmental Statement solely on this ground.

The Bull Ring Henge, Oval Barrow and Bowl Barrow Scheduled Monument (SM) is 1.4km to the north-west of the proposed development. Due to the relative distance between the SM and intervening quarry plant and infrastructure, it is not considered that the proposal would result in adverse impacts to the setting of significance of the SM.

The Peak District Dales Special Area Conservation (SAC) (including the component Monks Dale Site of Special Scientific Interest (SSSI)) is located

2.8km to the east. The SAC, of interest for its mix of grasslands, alkaline fens, Tilio-Acerion woodlands, screes, rocky slopes and streams, has the potential to be adversely affected by quarry operations, including dewatering, dust, and emissions to air. In considering the distance between the SAC and the proposed development, the environmental controls already in place by virtue of the Environmental Permit and/or recently approved Environment Act 1995 Review of Mineral Permissions (RoMP) conditions and the fact that no additional dewatering would be required, it is not considered that the development would result in adverse impacts to the SAC such that an Environmental Statement would be required.

Duchy Quarry SSSI, a geological SSSI of interest for its early Carboniferous 'fossil' layers, is 0.42km to the south. It is not considered that the proposal would result in environment impacts that would significantly affect the reasons for its designation.

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) are 1,000 square metres (m²). The internal floorspace of the proposed development would be 1,092m². The applicable thresholds in respect of paragraph 2(a) would therefore be met.

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 2a it indicates that Environmental Impact Assessment is more likely to be required in respect of *'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 also provides further advice in respect of the "key issues to consider" against the above indicative criteria and threshold limits stating *'The likelihood of significant effects will tend to depend on the scale and duration of the 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 EIA, as follows:

Characteristics of development: The development proposal is for upgrades to the existing rail loadout area. As such its main characteristics would be:

- the construction of a new screen house and crush plant
- the construction of a new MOT store
- the construction of a new, additional rail loadout area
- construction of a new HGV load out facility
- the erection of new conveyors linking the MOT building with the rail loadout facility, screen house and HGV loadout facilities

Size: The combined internal footprint of the development would be 1,092m². The proposed new rail loadout facility would measure 10m x 61m and would have a height of 12m for much of its length. The central section (the hopper housing) would have a maximum height of 18m. The proposed MOT building would measure 42m x 26m and would have a ridge height of 16m for most of its length except for a short central section which would be 18m in height. Whilst large, the development is not considered substantial in size in the context of the existing quarry complex or adjacent existing quarry plant. No significant impacts associated with the scale of the development are identified.

Cumulation with other development: The development would be in an existing large quarry, close to other large industrial structures, plant and machinery in an area where there are already several overhead structures. The structures are of a scale and appearance in keeping with the surroundings and would not result in cumulative landscape/visual impacts. No significant cumulative impacts are identified.

Use of natural resources: The development would not involve the direct use of natural resources. It would be located on an existing platform in the quarry and would not necessitate the removal of further mineral to allow for its construction. The development would also use natural resources in the form of fuel during the construction, operational and decommissioning phases.

Production of waste: I do not consider that the development would result in significant impacts associated with the production of waste.

Pollution and nuisances: Noise, dust and visual intrusion are important considerations according to PPG. None of these are likely to be significant in the context of this development. Existing controls imposed by the RoMP conditions and the Environmental Permit would assist in minimising impacts associated with noise, dust and appropriate storage of pollutants.

Risk of accidents/disasters: The proposed development is not unusual and is in an area which is governed by strict health and safety rules outside planning. In view of the type and nature of the development, the risk of accident would be low.

Risks to human health: I do not consider that the proposals would give rise to significant risks to human health over and above existing operations at the site.

Location of development

Doveholes Quarry covers an area of approximately 213 hectares (ha) and is located east of the village of Doveholes which itself, is to the north-east of Buxton. The quarry includes a small area at its northern end which lies within the administrative boundaries of the Peak District National Park Authority. The quarry is surrounded to the north, east and west by a network of fields bounded by stone walls with isolated farm buildings within 200 metres (m) of the boundary. Adjacent to the fields to the north-west are some small disused quarries which have naturally regenerated. The nearest settlements are Smalldale, situated immediately to the south-east of the site and Dove Holes to the north-west.

There is a significant network of public rights of way in the immediate vicinity of the site. Peak Forest footpath numbers 43, 65 and 66 are all located to the west of the quarry, Peak Forest footpath numbers 39 and 42 are to the north, whilst Peak Forest footpaths 30 and 33 are to the east. There is one non-statutory natural heritage designation within the site and several other cultural and natural heritage designations nearby. Bee Low Quarry is a Regionally Important Geological Site (RIGS), of interest because of the quality of its exposed section of Bee Low Limestones. The northernmost section of the Peak District Dales SAC, a European designation, lies approximately 2.2km to the east. The quarry is close to several SSSI including Monk's Dale SSSI to the east, Duchy Quarry SSSI to the south. A number of local wildlife sites are also located in the vicinity of the quarry, none of which are in the operational area. There are also a number of heritage assets including the Peak Forest Old Dam, Sparrowpit and Bagshaw Conservation Areas as well as the Bull Ring Henge, Oval Barrow and Bowl Barrow SM.

The development would be located close to the existing processing plant area which, itself, is located at the southern end of the site. The development site is characterised by a levelled quarry floor, existing rail loading facilities and haul roads. The quarry complex is subject to a number of environmental controls relating to such impacts as noise, dust etc. and the development would also be subject to these.

Characteristics of the potential impact

Viewed against the PPG potential criteria and thresholds identified above, I do not consider that the effect of the proposed development would have the potential to introduce significant effects over and above those already experienced at Dove Holes Quarry. The site is subject to a number of controls including noise, dust, storage of fuels and surface water drainage that would be appropriate in this instance. Noise, dust and pollution to surface or ground

waters (including potential indirect impacts to the SAC/SSSI resulting from this) are not expected to generate significant effects. The development would be visible from the surrounding area including the PDNP but, in comparison to other structures in the immediate vicinity, is of a scale and type considered appropriate in this location and similar to existing structures within the processing plant area. The colour of the plant is also controllable via appropriate conditions.

Taking the above assessments into account, the potential significant effects as set out against the criteria (a) – (h) in paragraph 3 of Schedule 3 of the E.I.A Regulations, for the proposed development would be:

- a) *Magnitude and spatial extent of the impact* – the specific impacts associated with the development would be limited in extent.
- 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 above has noted that there are potential impacts and effects that could arise from the proposal. Neither the intensity, nor the complexity, of these impacts are considered to be so significant as to be unacceptable. What impacts there are could be suitably addressed through conditions.
- e) *Probability of the impact* – It has been demonstrated that impacts could arise. What impacts there are could be suitably addressed through conditions.
- f) *Duration, frequency and reversibility of the impact* – Dove Holes Quarry has planning permission which expires in February 2042, after which the site would be restored. It is assumed that the development would be in place until such time as the site is subject to full restoration in 2042. The reversibility of the impacts could be achieved through either not progressing with the application, or if considering the individual impacts such as noise, dust, traffic etc. as identified above then the control of such impacts through design and the imposition of the appropriate planning conditions. Monitoring of the effectiveness of such controls would be achieved through site visits undertaken by the Mineral Planning Authority. The identifiable impacts arising from the proposal could therefore be considered of a restricted nature in terms of generation period and 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 could be effectively mitigated through the imposition of conditions and appropriate monitoring.

In light of the above comments, I take the view that the proposed development would be 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 best be related to Schedule 2 Paragraph 2a (Quarries, open cast mining and peat extraction) (a). Set against the indicative thresholds and criteria advice the proposal, neither individually nor in combination with existing development, would breach the thresholds identified in the particular sections of the Regulations and PPG. The proposal should be seen in the context of an existing operation for the winning and working of mineral.

Based on the consideration of both the criteria within Schedule 3 of the Regulations for Schedule 2 Class 2(a) and guidance within Planning Practice Guidance it is considered that **EIA WOULD NOT BE REQUIRED.**

Signed.....

David Arnold: Assistant Director – Regulatory Services
Place

Date: 15 June 2023