

# ELDON PARISH COUNCIL

26<sup>th</sup> JANUARY 2016

## **Eldon Brickworks – Proposed change of use to Materials Recycling Facility and Re-use of Materials Storage Area**

### **Report of Clerk**

#### **1. INTRODUCTION**

The Parish Council has been consulted by Durham County Council on two planning applications for a change of use of Eldon Brickworks to a materials recycling facility (Application DM/15/03748/WAS) and re-use of existing associated materials storage areas (Application No. DM/15/03747/WAS) submitted by Viridis Environmental Solutions Ltd. The County Council has previously been advised that the Parish Council's response would not be able to be submitted until after its meeting on 26<sup>th</sup> January.

#### **2. BACKGROUND**

The Eldon Brickworks site last operated by Wienerberger has a long history. Bricks were made on the site as far back as the nineteenth century and the site has been subject to a number of planning applications in the past, some of which are still current. The site has large areas of un-worked materials for which permission exists and adjoining areas which have been identified as potential future strategic reserves. Planning Approval for 11.4ha of the current site has been granted until 2040 to extend the quarry for the extraction of brick shale and coal.

In recent years production of bricks at the site has ceased and the brick-making facility has effectively been "mothballed." During operation of the site by Wienerberger there were liaison arrangements in place between the Parish Council and the site operator whereby any local concerns could be raised.

The current applications seek to re-use the brickworks site (primarily the buildings and associated materials storage areas) for a materials recycling facility. Members will recall that in 2015, the applicants invited the Parish Council to visit the brickworks site and hear an outline of the proposals for re-use of the site.

#### **3. THE PLANNING APPLICATIONS**

Two planning applications have been received by Durham County Council from Viridis Environmental Solutions Ltd., a local company with registered offices in Hartlepool, as follows:

- (a) **Change of use of Eldon Brickworks to a materials recycling facility** (Application DM/15/03748/WAS) and
- (b) **Re-use of existing associated materials storage areas** (Application No. DM/15/03747/WAS)

Details of the applications and supporting documents can be viewed on the County Council's website using the following links:

#### **Change of use of Eldon Brickworks to a materials recycling facility**

*<https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NYQKM8GD0BJ00>*

## Re-use of existing associated materials storage areas

<https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NYQK6UGD0BJ00>

The following information is derived from the non-technical summary and/or the planning application submitted by Viridis in connection with the MRF:

### 4. MRF APPLICATION

The applicant states that the proposed MRF development will re-use and adapt the currently abandoned Brickworks buildings and derelict Quarry with the creation of approximately 50 jobs. The current applications relate to the development of a Materials Recovery Facility (MRF) to recycle recoverable commodities and produce Refuse Derived Fuel (RDF) and Solid Recovered Fuel (SRF) for use as alternative fuel sources with a throughput of up to 300,000 tons of materials for recovery per year; and inert material storage. The waste stream is projected to be 100,000 tonnes municipal, 100,000 tonnes construction, demolition/excavation and and 100,000 tonnes commercial per year. No hazardous wastes are to be imported.

The MRF will be able to process up to 100 tonnes per hour of incoming Municipal Solid Waste (MSW), but the current business model is based upon a 50% capacity. The MRF will recover metals, plastics, papers, etc. with the residual waste being converted to Refuse Derived Fuel (RDF) and Solid Recovered Fuel (SRF).

The Company will also look to process wood products to produce wood pellets for biomass fuel for both on and offsite use. Treatment of green waste will also be a key element, with green waste being composted and blended with soils to produce improved soil products and also compost. This will be for both on and off-site use. The site will require to be registered and monitored by the Environment Agency (EA) as an Environment Agency Permit will be required.

Viridis will take over the current surface and mineral rights currently granted to Wienerberger by Eldon Estates allowing for the extraction and supply of brickshale to the UK market in general, and Wienerberger's other brick manufacturing operations, including those within the County.

The applications are expected to generate a slight increase in traffic from the site's former use. Current permissions allow a total of 38 in 38 out per day which equates to 4 in 4 out (8 total per hour). The current applications would see an increase to 5 in and 5 out per hour (10 total per hour). Normal traffic hours will be as the Approved Planning Permissions set out in CMA/7/63 of 7.00 a.m. to 7.00 p.m. Monday to Friday and 7.00 a.m. to 1.00 p.m. on Saturday. No traffic operations, including the maintenance of vehicles and plant or working, shall take place outside of these hours or at any time on Sundays, Bank or other Public Holidays. The applicant states that all loaded HGVs will be required to be fully enclosed or fully covered with sheeting.

Traffic in and out will be via the C34 and C35 roads to the A689; the unclassified roads from Old Eldon south to Shildon and North via Eldon Hope shall not be used. This advisory route is set out in Planning Permission CMA/7/63. HGV traffic will be instructed to proceed eastwards from the Quarry along C34 and C35 where they can turn North or South. Return vehicles will be instructed to use the reverse of this route. All HGVs will be required to obey a 30mph speed limit through Old Eldon even though the official limit is 60mph. Drivers not obeying these rules will be reported to their respective Employers and future occurrences will see the particular driver barred from access to the site.

The applicant has indicated that it is their intention to initially implement the use of Solar PV (photovoltaics) to provide a level of renewable energy using the large rooftop footprint of the existing buildings. Further on-site renewable energy generation in the form of biomass gasification is also proposed and part of the MRF process will involve the production of wood pellets which will provide feedstock for the gasification process.

The applicant states that the potential for noise impact at existing noise sensitive properties and properties within the development from the additional traffic associated with the reclamation will be agreed with Durham County Council. The main noise source in the vicinity of the site is expected to be road traffic associated from nearby main road. The applicant further indicates that vehicles operating within the Quarry will be screened within the natural topography and noise bunds can be created if necessary with inert material on site, vehicles will be of the latest specification to reduce noise. All relevant noise sources would be considered in the noise assessment. An onsite attended noise monitoring survey would be undertaken and the noise monitoring results would be used to determine the need for any further noise mitigation in order to achieve appropriate internal and external levels.

Drainage issues are also addressed in the application. The applicant does not believe there are any major drainage issues, but works will be carried out to ensure that surface water/run-off and existing reed beds are dealt with/maintained within the site.

## **5. INITIAL FEEDBACK TO MRF APPLICATION**

The County Council's planning applications website (weblink above) contains approximately 56 documents linked to the MRF application, some of which are consultee responses. In terms of the responses, some of the key comments are as follows:

- Environment Agency – No objections, but operational use of the site will require an Environmental Permit
- DCC (Highways) – No objections, no significant increase in external vehicular movements expected, but suggests cutting back vegetation to improve visibility onto main road
- DCC (Noise Action Team) – Insufficient information in application to determine environmental impact of proposal. Suggests noise impact assessment is required and if necessary a scheme of mitigation is implemented; odour management and pest control management plans should be produced; details of lighting and impact assessments for nearby properties should be produced
- DCC (Contaminated Land) – No adverse comments
- Northumbrian Water – No comments at this stage
- Coal Authority – No need for a risk assessment

## **6. RE-USE OF ASSOCIATED MATERIALS STORAGE AREAS**

In relation to the proposed re-use of associated materials storage areas as set out in the second application the applicant states that the area proposed for Inert Materials Storage (IMS) has been used historically for the storage of inert brickshales and crushed brick rubble since the 1980's. The Viridis application is to continue this practice by importing inert materials for storage pending quarry restoration and it intends to acquire the relevant permit for this part of the operation under the Environmental Permitting (England and Wales) Regulations.

The applicant estimates the maximum stockpile volume on the proposed storage area to be around 300k cubic metres and states that historic surveys and photographic evidence show that Wienerberger stored an estimated 200-300k tonnes, with permission for stockpiles of up to 6.0m in height.

Stockpile heights will be agreed with the Council. However, the applicant believes that a stockpile height of up to 5.0m is appropriate as it considers the site to be well screened from all areas. A 3.0m height will be adhered to whilst sufficient surface area remains. A monitoring regime will be implemented to assess any issues such as visual impacts, stability and dust.

Based upon the proposed input rate the applicant anticipates vehicle movements of no more than 2 in 2 out per hour (4 movements) to access the IMS.

The IMS will operate outside of peak hours and no double handling will occur. Operations will be restricted to Monday-Friday between the hours of 10:00 and 16:00.

The MRF and IMS are two completely separate operations; no waste designated for the MRF will be set down on the Inert Materials Storage area and vice versa. Vehicles will be directed to the appropriate acceptance area by the weighbridge operator following inspection of the relevant paperwork, where a further inspection will be carried prior to unloading.

Only those materials classified as inert shall be accepted onto the IMS. The Environment Agency (EA) defines Inert Waste as “waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health”. Inert Materials which will be accepted on site (following pre-screening) will consist of:

- Topsoils
- Subsoils
- Clay
- Stone
- Concrete and bricks

There is currently a shortfall of approximately 500k cubic metres of inert materials existing on site to restore the quarry to the agreed restoration scheme and it is proposed that the quarry shall be restored progressively under agreement with Wienerberger using only suitable soils that are recovered from the inert materials storage area. The applicant states

that there is a general shortfall in suitable inert materials within the UK for restoration of old mineral workings and they will be extracting at a higher rate than they can restore. In the event that the quarry restoration was delayed or did not proceed, then the demand for any inert materials stockpiled on the IMS would be significant, providing a disposal route should this be necessary.

## **7. INITIAL FEEDBACK TO IMS APPLICATION**

- DCC (Highways) – No objection
- DCC (Rights of Way) – No paths affected.

## **8. CONSULTATION IN ELDON**

Neighbour consultation letters advising of the MRF application were sent out by DCC to some (but not all) properties in Eldon in December 2015 and again (to an increased number of properties), following representations from some local residents in January.

A meeting to discuss this matter with a local resident concerned about neighbour notification and other issues was attended by County Council officers earlier in January at which the

Parish Council was represented, when some other concerns about specific issues linked to the applications were also submitted, including noise, odours, dust, water run-off, traffic movements, hazardous materials and vermin/pests. The outcome was that the applicants, who were subsequently advised of the concerns by DCC, then indicated that a public drop-in session to answer any local concerns and questions would be held at Eldon Community Centre on Wednesday 20<sup>th</sup> January 2016 between 1.00 p.m. and 6.30 p.m. This was attended by over 30 local residents throughout the day.

It is anticipated that the planning applications will not be considered by the County Council's relevant Planning Committee until March at the earliest.

## **9. RECOMMENDATION**

Members are asked to consider the above information, together with any other feedback from local residents, and formulate a response to the Durham County Council consultation on both planning applications.

Tom Bolton  
Clerk