

1 Response Paper – Policy DM4: Mineral Development Incorporating Secondary Processing Plant (Policy DM4: Secondary Processing Plant)

Purpose of Policy DM4

- 1.1 As with primary processing plant, secondary processing plant can also enable a higher value use of aggregates and increase the range of products that can be sold from a site, which itself can make the site more economically viable to work. Again however, the importation of non-indigenous material to an operating site can increase vehicle movements and extend the overall life of a quarry such that an industrial process becomes established in what was previously an entirely rural location. As such, there is also a need to regulate this activity through an appropriate planning policy

Summary of Position Prior to March 2021 Regulation 18 (Reg 18) Consultation

- Policy DM4 is considered to be compliant with the NPPF and PPG and therefore it is assessed that no aspect of this policy needs to be modified for reasons of compliance with national policy.
- The title of the policy has been amended to ‘Mineral development incorporating secondary processing plant’ as the policy relates to both secondary processing plant and the wider development to which it relates.
- A further amendment seeks to add the requirement that restoration of the mineral site should not be compromised in addition to the existing need to not delay restoration through operation of secondary processing plant.

Impact of Revisions to NPPF 2021

- 1.2 The revisions to the February 2019 NPPF which resulted in the latest iteration published in July 2021 are not considered to impact on the issues raised in this report.

Summary of Issues Raised through March 2021 Reg 18 Consultation

- 1.3 No specific objections were raised in relation to this policy. Support was given to the proposal to amend the policy title to allow for the consideration of the wider aspects of development required to support minerals operations and not just the plant/machinery itself. Further support was given to the newly proposed Paragraph 5.59 of the MLP which sets out the fact that secondary processing plant does not need separate planning permission where it is covered by the General Permitted Development Order. It was considered that this gives clarity regarding the provision of secondary plant on existing sites, where it may support or enhance minerals working operations, and further allows the co-location of workings and processing to reduce impact on the surrounding rural amenity.

- 1.4 There was however one representation which raises a point which the MWPA clarifies below.

Addressing Issues Arising Out of March 2021 Reg 18 Consultation

- 1.5 This section acts to address the issues raised through the March 2021 Regulation 18 Consultation in relation to this policy, as set out above, and subsequently details any changes in approach made through their consideration. These changes of approach will be incorporated within The Draft Essex Minerals Local Plan 2025-2040 Regulation 18 document which will again be subjected to a Regulation 18 public consultation.

A single issue was raised through the consultation in relation to Policy DM4, and this is discussed below.

Any secondary processing should be contained within the boundary of the mineral site

Through the consultation it was stated that it is absolutely right that secondary processing and /or treatment of minerals will only be permitted at mineral sites as mineral working should result in no adverse effects to the local environment and or the safety, efficiency and capacity of the road network. It was considered that the environment around the site should be protected and materials should only be brought from outside the area to be processed if it benefits all, but for a limited time only. It was further noted that it is important to ensure the careful use of land and avoid destruction of the landscape.

The MWPA notes that these are sound principles, and as set out in Policy DM4, the minerals for secondary processing and/or treatment shall be sourced from within the boundary of the mineral working within which the plant is located unless it is demonstrated that there are exceptional circumstances or overriding benefits from sourcing materials from elsewhere to supplement indigenous supply, subject to no unacceptable adverse impacts. In all cases permission will only be granted for a temporary duration so as not to delay or compromise restoration of the site. Mineral may be required to undergo secondary processing in order to enable it to be used for specific projects.

A processing plant may be granted with conditions stating that no material will be imported to the site or that all aggregates available for exportation/sale shall originate only from the workings on the granted site itself. An applicant would need to apply to remove or vary those conditions and present the justification for doing so.

Conclusion

The majority of responses received in relation to this application were in support and no specific objections were received. As such, it is assessed that no further amendments are required to this policy beyond those already considered under the Regulation 18 consultation in March – April 2021.

Table 1: March 2021 Regulation 18 Consultation Responses to Aims, Strategic Objectives and Spatial Priorities

Organisation	Responding on behalf of	Q1. Do you agree or disagree with the rationale behind the amendments proposed in this section of the emerging Minerals Local Plan? (see Rationale Report)	Responses received	Minerals and Waste Planning Authority Response
Runwell Parish Council (631132323)	Runwell Parish Council	Agree	N/a	N/A
W H Collier Limited (769297167/ 942768790)		Agree		N/A
David L Walker Ltd (559449615)	Brice Aggregates	Agree		N/A
Blackwater Aggregates (623162177)		Agree		N/A
CEMEX (982058282)		Agree		N/A
Gent Fairhead Aggregates (871678397)		Agree		N/A
Resident		Agree		N/A

(850344129)				
Strutt & Parker (891506607)	G&B Finch	Agree (but wish to clarify)		N/A
Coggeshall Parish Council (598729813)	Coggeshall parish council	Disagree (please clarify)	This Contradicts MLAP etc etc which trumps which? What pace of review is appropriate and responsible as climate change targets are brought forward – 5 years seems too distant. IMR1 There are no targets in table 7 page 135	Noted
RPS (707875084)	Indaver	No comment		N/A
Thurrock Borough Council (97704900)	Thurrock borough Council	No comment	No additional comment.	Noted
Suffolk County Council (549043477)		No comment	No comment.	Noted
GeoEssex (538324742)		No comment	no comment	Noted
CPRE Essex (665562826)		No comment		N/A
Kelvedon & Feering Heritage Society (677892382)		No comment		N/A

Organisation	Responding on behalf of	2.Do you agree or disagree with the proposed amendments as set out in this section of the emerging Minerals Local Plan?	Responses received	Minerals and Waste Planning Authority Response
Runwell Parish Council (631132323)	Runwell Parish Council	Agree	N/a	N/A
W H Collier Limited (769297167/ 942768790)		Agree		N/A
David L Walker Ltd (559449615)	Brice Aggregates	Agree		N/A
Blackwater Aggregates (623162177)		Agree		N/A
CEMEX (982058282)		Agree		N/A
Gent Fairhead Aggregates (871678397)		Agree		N/A
Resident (850344129)		Agree		N/A
Strutt & Parker (891506607)	G&B Finch	Agree (but wish to clarify)	Amendments to this policy, including the change in title to; 'Mineral development	Noted

			<p>incorporating secondary processing plant' is supported, to allow consideration of the wider aspects of development required to support minerals operations, not just the plant/machinery itself.</p> <p>Furthermore, the new paragraph referenced at paragraph 4.442 of the Rationale Report, setting out the fact that secondary processing plant does not need separate planning permission where it is covered by the General Permitted Development Order, is also supported. This gives clarity regarding the provision of secondary plant on existing sites, where it may support or enhance minerals working operations, and further allows the co-location of workings and processing to reduce impact on the surrounding rural amenity.</p>	
Coggeshall Parish Council (598729813)	Coggeshall parish council	Agree (but wish to clarify)	It is absolutely right that secondary processing and /or treatment of minerals will only be permitted at mineral sites. No adverse effects to the local environment and or the safety efficiency and capacity of the road network. It is obvious for this to be the case to protect the	The MWPA notes that these are sound principles, and as set out in Policy DM4, the minerals for secondary processing and/or treatment shall be sourced from within the boundary of the mineral working within which the plant is located unless it is

			<p>environment around the site and for no damage to be done and only can materials be brought from outside the area to be processed here if it benefits all but for a limited time only. This does suggest how careful the use of the land is and with no destruction of the landscape.</p>	<p>demonstrated that there are exceptional circumstances or overriding benefits from sourcing materials from elsewhere to supplement indigenous supply, subject to no unacceptable adverse impacts. In all cases permission will only be granted for a temporary duration so as not to delay or compromise restoration of the site. Mineral may be required to undergo secondary processing in order to enable it to be used for specific projects.</p> <p>A processing plant may be granted with conditions stating that no material will be imported to the site or that all aggregates available for exportation/sale shall originate only from the workings on the granted site itself. An applicant would need to apply to remove or vary those conditions and present the justification for doing so.</p>
RPS (707875084)	Indaver	No comment		N/A

Thurrock Borough Council (97704900)	Thurrock borough Council	No comment	No additional comment.	Noted
Suffolk County Council (549043477)		No comment	No comment.	Noted
GeoEssex (538324742)		No comment	no comment	Noted
CPRE Essex (665562826)		No comment		N/A