

1 Response Paper – Policy P1: Preferred Sites for Sand and Gravel Extraction (Policy P1: Preferred and Reserve Sites for Sand and Gravel Extraction)

Purpose of Policy P1

- 1.1 This policy sets out the approach to Preferred and Reserve Site allocations within the MLP. It acts to establish the principle of granting permission to extract at Preferred and Reserve Sites as allocated in Table 5 of the currently adopted MLP and shown on the Policies Map, subject to the application satisfying the requirements of the wider Development Plan, including the site-specific requirements set out in Appendix One of the MLP. Additionally, the policy sets out that for extraction to be permitted at Reserve Sites, it must be demonstrated that the landbank has fallen below seven years.

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

- Policy P1 is in conformity with the objectives of the NPPF/ PPG. Policy P1 provides certainty to both industry stakeholders and communities with regards to where development is likely to be permitted. The grounds upon which a proposal is to be tested is a clearly articulated fundamental tenant of the planning system, and Policy P1 seeks to provide that clarity so is therefore generally compliant with national policy.
- The delineation between Preferred and Reserve Sites creates operational issues. The permitting of Reserve Sites requires a consideration of the landbank, and yet Planning Practice Guidance states that ‘There is no maximum landbank level and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank’ (Reference ID: 27-084-20140306). It also technically makes it more difficult for a Reserve Site to get planning permission than a non-allocated site as the policy explicitly states that applications will not be supported on Reserve sites if the landbank is above seven years. This is not the case for non-allocated sites which would be assessed under Policy S6 irrespective of the existing level of the landbank. However, irrespective of those considerations, the forecasted need for sand and gravel demonstrates that both Reserve site allocations will be required to be worked during the Plan period which is considered to justify their re-designation to Preferred Sites.
- Before submitting the revised Minerals Local Plan to the Secretary of State, there will be a requirement to confirm the delivery of those allocations which have yet to come forward.

Impact of Revisions to NPPF 2021

- 1.2 The role of Policy P1 is to ensure a Plan-led approach to mineral development by designating Preferred Sites where mineral development would be supported

in principle ahead of allocations in non-allocated areas. This concept was not impacted by revisions to the NPPF.

Summary of Issues Raised through March 2021 Reg 18 Consultation

- Support was received for the proposed amendments where they related to the requirement for mineral development at Bradwell Quarry to remain compliant with an agreed Masterplan which recognises that it is vital that the future operations of the Rivenhall IWMF are not compromised by the activities at the neighbouring quarry. Support was also received with regards to the perceived intention to re-word the approach to Reserve Sites such that these can come forward whether or not the land bank is below seven years. This is noted, but it is clarified that the MWPA considers it appropriate to redesignate Reserve Sites to Preferred Sites due to the evidenced need for their contribution to the sand and gravel landbank before the plan expires in 2029. As such, it is more accurate to state that Reserve Sites are being re-designated to Preferred Sites, and the Reserve Site designation removed from the Plan. Following the decision to re-base the Plan to 2040, the Reserve Site designation would be removed as part of devising a new schedule of Preferred Sites.
- Through the consultation, a number of objections, clarifications and other proposed amendments were suggested through the raising of the following issues:
 - The need to carry out an additional Call for Sites
 - Concerns relating to a concentration of sites in a single area
 - Factors to be considered ahead of allocating a particular site
 - Updating the status of site allocations within the Minerals Local Plan
 - The intention to re-designate Reserve Site to Preferred Sites
 - Concerns relating to the potential impacts of mineral working on local amenity and communities
 - Issues relating to the Reserve Sites at Bradwell Quarry (Sites A6 and A7)
 - Issues relating to a proposed flood scheme near Coggeshall
 - Issues relating to mineral development in Colchester
 - The potential to impose a HGV Levy on mineral traffic

It is noted that these issues do not strictly relate to Policy P1, which essentially solely acts to create a Plan-led system by giving in-principle support to those sites allocated for mineral development in the Plan. However, for completeness, the issues raised in representations that were submitted in relation to this policy are addressed here.

Addressing Issues Arising Out of March 2021 Reg 18 Consultation

- 1.3 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.

- 1.4 There now follows a discussion of each of the main issues raised during the March – April 2021 Reg18 Consultation in relation to this Plan section:

The need to carry out an additional Call for Sites

- 1.5 Through the Regulation 18 Consultation 2021, a respondent stated that, contrary to the position of the MWPA, a Call for Sites was necessary as there is insufficient reserve planned for, or flexibility built into, the Plan to secure ongoing supply.
- 1.6 It was further noted that the Regulation 18 2021 Rationale document and Sustainability Appraisal is clear that there has been no further assessment of the sites proposed within the Plan since its Examination and subsequent adoption, and that the majority of sites within the Plan already benefit from planning permission. It was held that as we are now at the midpoint of the Plan period, and Reserve Sites are having to come forward to negate a lack of landbank and deliver a steady and adequate supply, this is a very clear indication of the need for additional reserves.
- 1.7 It was then concluded that by not undertaking a Call for Sites exercise, the MWPA cannot be certain if there are additional sites that could deliver sand and gravel provision that score highly against the necessary sustainability objectives. This does not provide certainty to operators or local residents and requires all new applications to be tested on an ad hoc basis. The strategy is therefore not justified and is unsound.
- 1.8 The MWPA has since acknowledged that there is a requirement to carry out a Call for Sites as part of this Review. Following an assessment of the representations received through the Regulation 18 Consultation 2021 that were related to sand and gravel supply, and a consideration of the latest data, the plan making approach was revised to include a Call for Sites as part of the Review.
- 1.9 Additional sites were always understood as being required to ensure that a sufficient supply of sand and gravel could be maintained to the end of the Plan period in 2029, as total allocations were made sufficient to meet the plan provision figure to the end of the plan period but with less than the seven years of material remaining that is required by the NPPF. It was originally concluded that a Call for Sites could have followed on from the current Review. Following an assessment of responses to this consultation and other information, including the Tests of Soundness, it was considered appropriate to hold a Call for Sites, which was duly carried out. Submitted sites are currently being assessed and will be submitted to public consultation. Since then, the decision has been made to extend the Plan to 2040 and make new site allocations on that basis. This necessitates a further Call for Sites.

- 1.10 Site allocations adopted through the MLP in 2014 were made on the basis of those allocations being able to come forward during the then plan period (ie 2029). The MWPA had previously confirmed with site operators that they intend to deliver those sites that are in the current MLP that are still to be bought forward, and intends to do so again as part of the second Call for Sites exercise. Allocations in the adopted MLP that have yet to come forward will be put through the same site assessment exercise as all new sites received through the two Call for Sites exercises that are supporting the MLP Review to assess their continued appropriateness.

Issues relating to a concentration of sites in a single area

Responses to the March 2021 Regulation 18 Consultation 2021 raised concerns with regards to what was considered to be an over-concentration of sites in Braintree District and more specifically the Coggeshall/ Bradwell area. However, minerals can only be worked where they are found and the MWPA can only consider and subsequently allocate sites for mineral extraction that are submitted to it by interested landowners or site promoters operating on their behalf, to provide some certainty of delivery. The main sand and gravel belt in Essex runs from the north east to the south west of the county so the Braintree District overlies significant sand and gravel deposits.

- 1.11 A representation stated that there is a lot of sand and gravel below the land of Essex but because there is a large demand for sand and gravel there is great reliance on landowners and mineral industry to come forward with site proposals to be considered. It was contended that the amount of sites available exceed those that are needed, and that 'apparently' there is a robust site selection process to choose the most sustainable sites. It was noted that Policy P1 allocates Sites A3 – A7, Bradwell to Rivenhall. It was stated that this whole area is under threat as the Bradwell site has extended along the River Blackwater valley towards and above Coggeshall. It was stressed that each quarry must be decided upon carefully.
- 1.12 The MPWA notes that sites currently allocated in the MLP were selected following the application of a site selection methodology in 2012, the results of which were subjected to public consultation and independently assessed by a Planning Inspector ahead of adoption. Allocations are then drawn on a policy map, and applications determined based on their conformity with the policies in the Development Plan and Preferred Site allocation boundaries.
- 1.13 The working of a quarry, particularly those of a larger size, is then generally undertaken on a phased basis, with extraction undertaken in one area as other areas are restored, put into aftercare and then into an after-use in accordance with an agreed Masterplan. Extensions are typically only permitted where working has ceased at the parent site such that the rate of working remains relatively constant over time. For example, this is the case at Bradwell Quarry, which currently comprises of Sites A3 – A7. It is not the case that where there are a number of allocations in a single area, that these are worked concurrently, and therefore it is not the case that there is a large concentration of active

quarries in proximity to Coggeshall. The rate of working has remained relatively constant over recent times, though it is accepted that the locality has experienced a programme of mineral working over time. Policy DM1 – Development Management Criteria includes the need to consider any cumulative impact of quarry working, including with non-mineral development.

Factors to be considered ahead of allocating a site

- 1.14 A response was made in relation to advocating the allocation of a site on the basis of its suggested accordance with the latest climate policy at the national level. With respect to this particular site, this was submitted for consideration as a potential allocation for future sand and gravel extraction as part of the March 2022 Call for Sites exercise. The site will therefore be assessed under the site selection methodology that all sites received through the March 2022 Call for Sites exercise were subjected to, and the outcome of that assessment will be published alongside the second Regulation 18 in 2023 where the Plan end date will be extended to 2040.
- 1.15 At this stage it can be said that the allocation of any single mineral site is contingent on the need for the mineral, their contribution to a wider supply strategy, the ability to mitigate against unacceptable potential impacts during site working, and the relative degree of severity of any potentially negative residual impacts across a wide range of planning criteria that may remain following extraction. Results will be set out within a Site Selection Methodology document accompanying the second Regulation 18 consultation, where each site considered for allocation will be assessed. Climatic impacts are only one consideration, and, given the scale of operations at a single mineral site, potentially not as locally significant as other potential amenity impacts.

Updating the status of site allocations within the Minerals Local Plan

- 1.16 Through the Regulation 18 Consultation 2021 it was stated that by simply copying and pasting the list of Preferred Sites originally adopted under the emerging plan, a clear picture of where sand and gravel extraction will be for the remainder of the plan period was not clear. It was considered that the sites identified in Table 5 of the MLP need to be subject to a review that indicates where these sites have already been granted consent; where they have been worked and whether they were in the process of restoration or had been restored. It was suggested that either Table 5 or Appendix One could be updated to provide greater transparency and a clearer picture of where preferred sites will be developed for the remainder of the plan period.
- 1.17 In relation to these points, the MWPA considers that the Authority Monitoring Report provides the best mechanism for updating progress with individual sites, as this document can be updated on an annual basis. A note to this effect will be placed in the future Plan. In any event, the decision to re-base the MLP to 2040 means that Table 5, or its equivalent, will be updated to remove those allocations that have since come forward as a planning application.

The intention to re-designate Reserve Sites to Preferred Sites

- 1.18 The current plan approach as set out in Policy P1 is that, in the case of Reserve Sites for sand and gravel extraction, whilst the principle of extraction has been accepted, the release of minerals from Reserve Sites is subject to the landbank falling below seven years.
- 1.19 As previously highlighted above, through the Regulation 18 Consultation 2021, support was given to the perception that proposed re-wording had the effect of supporting, in principle, Reserve Sites coming forward whether or not the land bank had fallen below seven years. The MWPA notes this support but it is clarified that the MWPA considers it appropriate to redesignate Reserve Sites to Preferred Sites due to the evidenced need for their requirement to contribute to the sand and gravel landbank before the plan expires in 2029. As such, it is more accurate to state that Reserve Sites are being re-designated to Preferred Sites, and the Reserve Site designation removed from the Plan, rather than a re-wording of the Plan approach to Reserve Sites. It is not proposed to add further Reserve Sites to the Plan. Following the decision to re-base the Plan to 2040, the Reserve Site designation would be removed as part of devising a new schedule of Preferred Sites.

Concerns relating to the potential impacts of mineral working on local amenity and communities

- 1.20 A number of representations were received which raised concern with regards to the potential impact of mineral working on local amenity and communities. These representations raised issues and then queried whether the Plan response was either appropriate, being followed, or was delivering its stated desired outcomes in those areas. Issues were raised generally and in conjunction with specific sites.
- 1.21 Due to the significant range of issues raised, and the detail set out in these representations, it would be difficult to summarise each of these individual issues in the main body of this report. The reader is therefore directed to Table 1 where full responses are given to all of the individual comments raised under Policy P1. The main body of this report will instead summarise the themes raised more generally.
- 1.22 Representations were received from residents who identified themselves as living in proximity to sites currently allocated in the MLP but not currently operating. Concerns were raised with regards to noise, dust and any pollution that may arise from the works and requested that associated traffic be kept to a minimum and managed in a way that does not impact on their quality of life, property or local landscape.
- 1.23 The MWPA notes that by virtue of their allocation in the MLP, allocated sites have been assessed as being suitable for mineral extraction in principle. However, whilst allocation through the adoption of the MLP sets the principle of acceptability of mineral extraction at the site, it is only through more detailed

assessment at the planning application stage where applications are considered, and the allocation of a site in the MLP is no guarantee that planning permission would be granted.

- 1.24 An application is assessed against its conformity with the policies in the Development Plan. For example, Policy DM1 – Development Management Criteria, which seeks to mitigate against impact during mineral working, and Policy S12 – Mineral Site Restoration and After-use which ensures that planning applications demonstrate that the land is capable of being restored at the earliest opportunity to an acceptable environmental condition to support beneficial after-uses. In both instances, this includes land use matters which would be determined by the MWPA, and environmental matters regulated by the Environment Agency, which are separately licenced. Impacts are looked at on both an individual and cumulative basis. Conditions are placed on planning permissions to ensure that policies remain complied with and are written in a manner that is measurable such that they meet the relevant tests for conditions, including that they are enforceable. The MWPA operates an enforcement service that can respond to any issues raised by local communities. Monitoring of mineral development is regularly undertaken and failure to comply with permissions can result in enforcement action being taken against the operator or landowner, which could potentially include the forced cessation of working and remedial measure.
- 1.25 Another response was received which highlighted the negative climatic impacts of mineral development. It was stated that if the cement industry were a country, it would be the third largest emitter of CO₂ in the world, behind China and the US. The cement industry was stated as contributing more CO₂ than aviation fuel and is not far behind the global agriculture business.
- 1.26 It was further considered that the UK needs to rethink its strategy of sand and gravel extraction and cement production and needs to build more with wood, such as cross laminated timber, and less with concrete. Growing trees sucks carbon dioxide out of the atmosphere, locks that CO₂ in the timber, and releases oxygen which is of benefit to the environment. A further representation hoped that in the future, more climate friendly alternatives can be found to the extraction of sand and gravel although it was recognised that for the moment extraction of these materials is necessary.
- 1.27 The MWPA does not dispute that the minerals industry is an overall emitter of carbon, and the Government's Net Zero Strategy: Build Back Greener recognises the impact that construction has on the environment and is seeking means to regulate this activity. Approaches include decarbonising the supply chain and considering the full life cycle of new buildings to reduce waste associated with demolition. With regards to the strategy of sand and gravel provision, the role of the MLP is to make sustainable provision for a steady and adequate supply of minerals, and this amount is determined by the market through its sales. The MLP does however have a stated aim of seeking to 'reduce reliance on primary mineral resources', which the MWPA is able to do by making alternative recycled materials more readily available and

economically attractive by promoting a network of aggregate recycling facilities and subsequently safeguarding them (Policy S5, Policy S8/ emerging Policy S9), such that the 'demand' for new extraction is reduced through the provision of economically viable recycled alternatives. Proposals to recycle building materials on suitable sites and to encourage reductions in the use of minerals were supported through the consultation.

- 1.28 It is also noted that Policy S3: Climate Change includes a number of proposed amendments which seek to better realise the potential climatic benefits from site restoration and after-use schemes, including those set out in relevant Local Plans and Green Infrastructure Strategies, for biodiversity and habitat creation, flood resilience, countryside enhancement, green and blue infrastructure and the provision of living carbon sinks. It is also proposed to be stated that the Mineral Planning Authority will support minerals development which increases the resilience of communities and infrastructure to climate change impacts and require minerals development to consider the use of decentralised, low and zero carbon energy technologies generation, where feasible and viable, in order to reduce the consumption of energy and natural resources.
- 1.29 That said, and as set out in NPPF Paragraph 209, it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. The MLP cannot artificially suppress mineral demand by not making sufficient provision for the demand or banning the use of certain minerals in construction or requiring the use of certain technologies. Such interventions would be required to be mandated by Central Government.
- 1.30 On a similar theme, it was questioned why the Plan states some of its main aims as being to reduce the use of mineral resources and follow national waste policy and legislation in order to reduce, reuse and recycle, and yet extends quarries 'uncontrollably' along the south side of Coggeshall. It was noted that the Plan states that on a national and local level the aim is to ensure that as much demolition, construction, and excavation waste is reused and recycled, meaning that less primary material is required and therefore inert waste will be reduced. It was noted that the Plan also talks about how much waste at present goes to landfill and how this is aimed to be reduced. It was questioned how can this be proved and that due to the amount of new building of houses and roads predominantly in the Essex area, the demand for more and more sand and gravel negates any attempt to reduce the increased demand on the amount of quarrying being done.
- 1.31 The MWPA notes that the production of recycled and secondary aggregates, and the amount of aggregate going to landfill, is recorded through the Environment Agency's Waste Data Interrogator. The production, and future sale, of recycled and secondary aggregates are commercial activities upon which the MWPA can exert no control. The amount of recycled and secondary aggregate produced is then presumably sold, and this tonnage can be compared to the amount of primary material sold to understand any changes in proportion. It is however known that data collation is patchy, and as such there is an ongoing project being undertaken nationally by each regional Waste

Technical Advisory Body to derive a more robust methodology to calculate aggregate recycling capacity and production. It is also stated by the Mineral Products Association regularly that the use of recycled aggregate is already maximised and there is little in the way of potential to significantly increase its use such that it can substitute for an increasing proportion of primary aggregate.

- 1.32 The MWPA can however promote the use of recycled aggregates by having permissive policies which support the development of aggregate recycling sites, as well as policies that support the circular economy and the sustainable procurement of minerals. However, it remains the case that the MWPA does not develop the recycling facilities itself. These are provided on a commercial basis by the mineral industry
- 1.33 The MWPA can only reduce the extraction of mineral resources by making recycled alternatives to primary extraction more accessible. As Essex has no marine aggregate landing wharves, the MWPA cannot explore the potential to proactively increase mineral from the marine environment beyond ensuring the safeguarding of its existing network of rail-based transshipment sites. NPPF Paragraph 213 sets out a requirement for Essex County Council as MWPA to 'plan for a steady and adequate supply of aggregates'. This is determined by a methodology also set out in NPPF Paragraph 213. Minerals can only be worked where they are found, and the MWPA can only consider and subsequently allocate sites for mineral extraction that are submitted to it by interested landowners or site promoters operating on their behalf, to provide some certainty of delivery. The main sand and gravel belt in Essex runs from the north east to the south west of the county so the Braintree District overlies significant sand and gravel deposits.
- 1.34 It is not the case that mineral working is extending uncontrollably. Sites currently allocated in the MLP were selected following the application of a site selection methodology in 2012, the results of which were independently assessed by a Planning Inspector ahead of adoption. Allocations are then drawn on a policy map, and applications determined based on their conformity with the Development Plan and its policies, including with Preferred Site allocation boundaries.
- 1.35 With regards to mineral development at Bradwell Quarry in Coggeshall, this is part of a multi-phased development. Sites A3 – A7 were allocated through the MLP and as of August 2022, have the following status:
- 1.36 A3 – completed and in restoration – the site was part restored then activities moved towards storing 1.3 million cubic metres of overburden derived from implementation of the Integrated Waste Management Facility. Work is almost completed, and the site should be restored this year.
- 1.37 A4 – As above.
- 1.38 A5 – Is currently being worked, operations are ongoing in phase 4 of 4, with restoration being undertaken in Phases 1 and 2.
- 1.39 A6 – No application received.

- 1.40 A7 – Permission granted.
- 1.41 Through the Regulation 18 Consultation 2021, reference was made to the Plan setting out that the extraction of sand and gravel can have impacts on surroundings and local communities, such as through dust and noise emissions, and vehicle movements. It was noted that the Plan states that activities like sand and gravel extraction should avoid being developed near hospitals, clinics, retirement homes, residential areas, schools, offices, horticultural production, food retailing and certain industries like high tech, painting, furnishing and food processing. Reference was then made to Coggeshall, where it was stated that many of those named activities take place.
- 1.42 It was further noted that Policy S10 states that any applications must have given appropriate consideration towards public health, wellbeing, safety, amenities, quality of life of nearby communities, the natural and built environment. Policy S10 further requires that the developers should show that they have tried to improve the environment and delivered a net gain to biodiversity as an outcome of the final restoration. However, it was then stated in the representation that from start to finish, to fully restore a quarry environment could be up to 30 to 40 years, and during that time, the local population suffer, the environment suffers, the water quality, storage and drainage suffer and so too does the farmland and local working lives. It was stated that Coggeshall is only 3 miles away from the Bradwell Quarry that has been working for the last 20 years at least, and that due to the dangerous mode of work and work environment, nobody can look around to assess what has been restored back to the original landscape or improved upon, for example through a country park or established woodland. It was stated that none of this is evident. As such, it was concluded that to allow a quarry to open up closer to Coggeshall does not fill one with anything but dread. It was noted that buffers could be created between the residential areas and the quarry site at least 100 metres away, but that this will create a visual eyesore and could create a problem when it comes to drainage.
- 1.43 The MWPA notes that the capacity of a local area to accommodate minerals development is heavily dependent on the proximity of existing development, the type of operations proposed, how they are planned for and mitigated, and the programme of implementation and monitoring. These issues are best addressed on a site-by-site basis under Development Management policies. Any impacts, including visual and drainage, will be assessed through bespoke studies at an individual site level.
- 1.44 Where reference is made in the above representation with regards to the avoidance of minerals development near sensitive development, an appropriate distance needs to be assessed on a case-by-case basis but, and without prejudice, these distances are typically measured in the low hundreds of metres and not miles. The MWPA currently designates land within 250m of permitted, allocated and existing mineral developments as a Minerals Consultation Area within which it must be formally consulted on any non-mineral development to ensure there are no impacts on either the new or existing development. Where it is mineral development being proposed, a number of bespoke studies are

required to address the potential for any impact on existing development, as part of the planning application. This includes land use matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency, which are separately licenced. This is required to demonstrate conformity with Policy DM1 – Development Management Criteria.

- 1.45 For example, and as set out within the Guidance on the Assessment of Mineral Dust Impacts for Planning, 2016, published by the Institute of Air Quality Management, approximately 95% of dust particles from mineral workings have a relatively high mass and generally deposit within 100m of the point of release, with the remainder being deposited within 200 – 500m of source. Further, mineral sites will have controls which act to additionally minimise dust emissions.
- 1.46 It is noted that vehicle movements associated with mineral development can have wider impacts on the local road network that go beyond a few 100m, and where the movement of minerals are to be by road, planning applications would be required to demonstrate that HGV movements shall not generate unacceptable impacts on highways safety and capacity. Supporting text to Policy S11 at Paragraph 3.198 (3.182) also notes that consideration should be given to the need to manage the movement of traffic to the most appropriate routes and the mechanism available to achieve this, including legal agreements and in consultation with the Highway Authority. However, it must be noted that HGVs are entitled to use the road network as much as any other taxed vehicle, and that therefore the MWPA are generally limited to impacts on the road network in the immediate vicinity of the quarry, including access.
- 1.47 As proposed to be set out in Paragraph 5.4 (5.16) of the MLP, proposals for minerals development that generate significant amounts of movement will be required to be supported by a transport assessment of potential impacts. This should include the movement of minerals within and outside the site, emissions control, energy efficiency and local amenity including impacts on highways safety and congestion. A transport assessment may need to include an assessment of potential air quality impacts to avoid adverse effects on the integrity of Habitats Sites. Where necessary the provision of a Site Transport Plan setting out the developers' mechanisms to control traffic movements within the locality will be encouraged. A Site Transport Plan deals with issues including routeing, hours of movement and considerate driving. This will help minimise the environmental impacts of transporting minerals. A Transport Assessment will be required to demonstrate a consideration of road users, including cyclists, horse riders and pedestrians.
- 1.48 With regards to monitoring progress with restoration schemes, there are safety issues associated with public access to active quarries and in any event, this is a commercial activity being undertaken on private land. Where public access was previously granted before mineral working was taking place, planning applications are required to include temporary alternative routes that closely match the originals.

- 1.49 Planning applications for mineral extraction must be submitted with a restoration scheme which conforms with MLP Policy S12 – Mineral Site Restoration and After-Use. As such, timescales and the type of restoration associated with any quarry are publicly accessible. Progress against restoration schemes, including form and time frames, is monitored by planning officers through site visits and failure to adhere to a restoration scheme could result in enforcement action being taken against the operator. Whilst it is noted that bunding can create unnatural landscape features, opportunities are required to be explored to create more natural screens, and earth mounds/ bunds that are created to form acoustic and visual barriers will typically be flattened and re-contoured as part of a restoration scheme. Such earthworks can be removed and used to part re-fill the gap left by the extracted mineral.
- 1.50 Through the consultation, it was raised that the health and well-being of the local population, and the use of the local environment, are important considerations that need to be satisfactorily addressed. It was noted that the link to open air is increasingly being understood as being important to both our physical and mental health. It was noted that health issues can be both direct and indirect, but if they can be related to mineral development in the local area, then the expansion of the quarry should not go ahead. Reference was also made to changing lifestyles as a consequence of the Covid pandemic, and the potential loss of Public Rights of Way. It was considered that it was time to reassess building demands. Office blocks and shopping centres were thought to be less important, and its housing that is needed. As such, it was stated that there should be a moving away from the trend of only expanding out into the countryside, and instead vacant buildings within the towns and cities could change their function. It was suggested that there should be a reclaiming of land and its resources and rebuilding on brownfield sites to preserve the countryside and its resources for later use if necessary.
- 1.51 The MWPA notes that the provision of housing, offices and commercial units, both in terms of numbers and location, is the responsibility of local district, borough and city council. Whilst a statutory consultee in the development of local plans which determine the scale and location of housing and commercial development, the MWPA is not the determining authority in these cases, nor is it able to allocate land for housing development or repurpose existing buildings.
- 1.52 Potential impacts to human health and well-being relating to the working of minerals would be addressed under Policy DM1 – Development Management Criteria. This includes land use matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency, which are separately licenced. A Health Impact Assessment is one approach that can be utilised to address the requirements of Policy DM1. The MWPA further notes that if the impacts on human health are not capable of being sufficiently mitigated at the planning application stage, then planning permission or an Environmental Permit for mineral development activities would not be granted.
- 1.53 With regards to Public Rights of Way, Paragraph 5.35 (5.48) of the MLP states that ‘Minerals development can affect Public Rights of Way, open spaces and

informal outdoor recreational land. Public access to such routes and areas may be restricted for health and safety reasons and to prevent criminal damage. Where rights of way are affected, arrangements for their temporary or permanent diversion must be put in place as part of proposals. This will apply to definitive routes used by cyclists, horse riders and walkers that either cross or are close to a site. Restoration of mineral workings may provide an opportunity to provide new or enhanced rights of way and outdoor recreational uses.'

- 1.54 Issues were also raised with regards to visual and landscape impact, with mineral development and extraction having the potential to result in significant changes to the landscape, which can be dangerous, during quarrying and following restoration. It was noted that Paragraph 5.26 (5.39) of the MLP emphasises how particular attention must be drawn to how to protect the visual view of the landscape, besides restoration of it, throughout its use. It was questioned how earth mounds can become integrated back into the final landscape as well as whether land would be capable of sustaining an arable economy following extraction.
- 1.55 The MWPA notes that a restoration scheme must form part of a permission to extract, and this will ensure that land that is intended for public access is safe to do so. This includes reclaiming silt lagoons if they are not otherwise proposed to be turned into permanent water features to satisfy biodiversity net gain requirements. As previously stated, earth mounds/ bunds that are created to form acoustic and visual barriers will typically be flattened and re-contoured as part of a restoration scheme. Such earthworks can be removed and used to part re-fill the gap left by the extracted mineral.
- 1.56 Paragraph: 040 Reference ID: 27-040-20140306 of Planning Practice Guidance requires information that sets out 'how the topsoil/ subsoil/ overburden/ soil making materials are to be handled whilst extraction is taking place'. Mineral development is conditioned to protect the best and most versatile agricultural soils. When soils are carefully excavated and stored, their quality can be preserved. For example, soils can be required to be stored in the same order of layers in which they were extracted, seeded to ensure that the soil remains bound together, not worked or removed under certain weather conditions and not compressed by heavy machinery. They would also typically be required to be stored on land with good drainage to ensure that they do not become waterlogged. More information can be found in 'Safeguarding our Soils: A Strategy for England' 2009 published by Defra.
- 1.57 Soil resource plans can be submitted which ensure that, once soils are returned to the void left by mineral extraction, that the entire soil profile is left in a condition to promote sufficient aeration, drainage and root growth, and any storage of soil is minimised as part of a phased approach to site restoration. This requires knowing the type of soil present at a site, different techniques for removing and storing topsoil and subsoil, its storage and longer-term after care. This includes avoiding the soil becoming water-logged and overly compacted. After-care is understood as sometimes requiring a number of years.

- 1.58 The final proposed after-use of a mineral site is also expected to be set out as part of a restoration programme. Paragraph: 040 Reference ID: 27-040-20140306 of Planning Practice Guidance also notes that 'Where working is proposed on the best and most versatile agricultural land the outline strategy should show, where practicable, how the methods used in the restoration and aftercare enable the land to retain its longer-term capability, though the proposed after-use need not always be for agriculture.' As such, whilst the MWPA can ensure that land is capable of being restored to a best and most versatile agricultural capability, and that soil quality is preserved, the MWPA cannot require that land is actually returned to agriculture in the longer term. The after-use of the land is ultimately a decision for the landowner, subject to any planning permission being required.
- 1.59 Further safety concerns were raised through the Regulation 18 Consultation 2021 relating to the fact that the structure of the quarry must be secure. It was noted that Paragraph 5.38 (5.51) states that the quarry sides must be stable and not subside either on or off the site. Housing and surrounding areas must be protected from land slippage. Where the quarry site adjoins roads, bridges or energy transmission routes appropriate land margins must be provided.
- 1.60 The MWPA notes that stand-off distances to ensure no impacts on amenity and infrastructure will be clearly set out as part of the granting of planning permission. Methods of working the site to ensure its safety and stability will also be secured as part of the granting planning permission.
- 1.61 Through the Regulation 18 Consultation 2021, concerns were raised with regards to the impact on biodiversity, including the loss of ecosystems, habitats and food-chains. Reference was made with regards to the time these can take to re-establish themselves, if they can at all.
- 1.62 The MWPA recognises that new habitats and species will take a period of time to establish or re-establish themselves, but mineral extraction is a temporary development that, by its nature, can only take place in more rural locations. Even before the requirement for all development to now ensure a 10% net gain in biodiversity, mineral development often increases the overall biodiversity of former extraction sites through high-quality restoration. In Essex alone, nearly 200ha of additional priority habitat creation has been committed to in permitted planning applications since the MLP was adopted in 2014.
- 1.63 Where habitats are considered to be of such significance that they are nationally designated, mineral extraction, at least in Essex, is unlikely to be permitted within them. The Habitats Regulation Assessment accompanying the MLP Review assesses all potential new allocations for any potential impact on nationally significant habitat sites, including those habitats outside of the boundary of proposed mineral sites, and sets out any mitigation measures that would be required should mineral working still be capable of proceeding in principle ahead of more detailed assessment at the planning application stage.
- 1.64 Alongside habitats, impacts on protected species are also required to be mitigated. This can include the required translocation of certain species, such

as Great Crested Newts, and the creation of an alternative habitat outside the extraction site. Another example are badgers and their setts, upon which any impact requires a licence from Natural England.

- 1.65 A further question was raised with regards to heritage assets, which must be protected, and it was stated that any applicant considering quarrying must look into local heritage and it must be given priority consideration.
- 1.66 The MWPA notes that archaeological investigation by way of trial trenching will be required in areas that are considered to have historical value. Paragraph 194 of the NPPF requires that 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' Importance...Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'
- 1.67 This requirement is transposed into the MLP. Policy DM1 – Development Management Criteria states that 'Proposals for minerals development will be permitted subject to it being demonstrated that the development would not have an unacceptable impact, including cumulative impact with other developments, upon... 13. The historic environment including heritage and archaeological assets.
- 1.68 Paragraph 5.34 (5.47) of the MLP provides more detail, setting out that 'To safeguard presently unknown remains, an archaeological assessment should be carried out by the developer if an area is likely to be of high archaeological potential (as implied by the Historic Environment Record). The assessment must be carried out before a planning application is submitted as this will help determine the suitability of the proposal, appropriate methods of working and suitable conditions if planning permission is granted.

Issues relating to the Reserve Sites at Bradwell Quarry (Sites A6 and A7)

- 1.69 A number of representations were made specifically with regards to Sites A6 and A7 at Bradwell Quarry. Concerns were raised with regards to local impacts and there was opposition to any further extension of the quarry, and especially Site A7, which was believed to have the capacity to be the most damaging on the setting of Coggeshall, both during operation and following remedial works. This is because it was considered that remediation can never give back the same landscape.
- 1.70 The MWPA notes that Sites A6 and A7 were allocated as Reserve Sites through the adoption of the MLP in 2014. As such, they were assessed as being suitable for mineral extraction in principle. Site A7 has since been granted permission for mineral extraction under ESS/12/20/BTE following the submission of a planning application. It was further proposed to re-allocate Site A6 as a Preferred Site, as there is an evidenced need for the mineral over the

Plan period, the principle of extraction has already been established through previous Hearings, and no information has been submitted which would question its deliverability. With the subsequent decision to re-base the Plan to 2040, all existing allocations in the MLP 2014 that have not come forward will be re-assessed under the new site selection methodology and an assessment made of their continued appropriateness.

- 1.71 Whilst allocation through the adoption of the MLP sets the principle of acceptability of mineral extraction at the site, it is only through more detailed assessment at the planning application stage where applications are considered, and the allocation of a site in the MLP is no guarantee that planning permission would be granted. An application is assessed against its conformity with the policies in the Development Plan. For example, Policy DM1 – Development Management Criteria seeks to mitigate against impact during mineral working and Policy S12 – Mineral Site Restoration and After-use ensures that planning applications demonstrate that the land is capable of being restored at the earliest opportunity to an acceptable environmental condition to support beneficial after-uses. Conditions are placed on planning permissions to ensure that policies remain complied with, and these are enforceable. The MWPA includes an enforcement service who can respond to any issues raised by local communities.
- 1.72 A further representation recognised that Site A7 has received a resolution to grant permission and would wish to encourage measures to protect wildlife to be strictly applied and enforced. The restoration of extraction sites to habitats which support wildlife is supported. The attention of the Minerals Authority was also drawn to the fact that Cuthedge Lane is well used for recreational purposes by residents and would wish this to be taken into account when considering future proposals or planning conditions.
- 1.73 It was also noted that Site A6 contains the last remaining World War II buildings from the airfield and are valued for this historical interest. Though the buildings themselves are in need of attention, it is requested that they are retained for this historical interest and ideally considered as part of the restoration of the site and form part of any masterplan for the area.
- 1.74 The MWPA notes Condition 34 associated with Application Reference ESS/12/20/BTE, which permits sand and gravel extraction at Site A7, states that ‘No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) for Site A7 has been submitted to and approved in writing by the Mineral Planning Authority.’ The role of the CEMP is to make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity.
- 1.75 Similarly, Condition 36 of the same application states that ‘Prior to commencement of development a Biodiversity Enhancement Strategy for the pond identified as pond "PY" on drawing 1281/2/2 – entitled Habitat Map within

Chapter 7 of the Environmental Statement dated January 2020 shall be submitted to and approved in writing by the Mineral Planning Authority'

- 1.76 Further, Bradwell Quarry is identified to provide 50ha of Priority Habitats across all its allocations in the MLP. The area to be committed including that for Site A7 amounts to 42.05ha to be delivered, the remaining to be provided as part of Site A6. It is noted areas of species-rich grassland are to be provided, but it should also be noted these need to be in place for a number of years before they become established.
- 1.77 It is additionally required that details of the habitats to be created shall be submitted to and approved in advance by the Mineral Planning Authority. Additional conditions and provisions are made to secure public access with respect to minimising adverse impact on Public Rights of Way and a new permissive bridleway provides an enhancement to the network for a period of 25 years.
- 1.78 Should an application be made on Site A6, the impact on heritage assets would be required to be taken into account in accordance with relevant policies in the Development Plan.

Issues relating to a proposed flood scheme near Coggeshall

- 1.79 A number of representations to the Regulation 18 Consultation 2021 raised the issue of a proposed flood scheme that would be delivered through further extraction at Bradwell Quarry. It was noted that extraction would be anticipated to amount to the extraction of large amounts of sand and gravel. It was requested that the sum of extraction is included in the overall extraction figures as a whole that address the extractive needs for the area and is not taken as a separate or additional figure. A further representation stated that allocating Site A7 sets a dangerous precedent because it is not contiguous with the existing quarry works and will provide a gateway to the Coggeshall quarry/flood alleviation scheme which is three times as large as A7.
- 1.80 Another representation opposed the construction of a dam across the River Blackwater to help prevent flooding along this section of river extending from the West of Coggeshall to Kelvedon and Feering, Essex. The representation raised issues relating to an over-concentration of extraction in a single area and that many aspects of the scheme did not appear to correlate with policies and supporting text within the Plan. A further representation stated that there may be some justification for a flood plain/barrier for the town, but questioned the logic of saving 'the odd house' from environmental dangers by causing other environmental disasters in its stead. It was again stated that there are other ways to alleviate flooding and that such a large plot so close to a beautiful town is naturally being contested.

The MWPA notes that the referenced flood alleviation scheme is a venture between a private company and the Environment Agency which would involve the establishment of an extension at Bradwell Quarry to facilitate the creation of flood defences. Whilst the MWPA notes the comments received, at the point of the Regulation 18 Consultation in

2021, this was not a site that was being proposed for allocation through the MLP Review. However, land pertaining to the same area was submitted through the Call for Sites exercise in March 2022 as a candidate site for future sand and gravel extraction. The site will therefore be assessed under the site selection methodology that all sites received through the March 2022 Call for Sites exercise will be subjected to, and the outcome of that assessment will form part of a second Regulation 18 consultation in 2023 where the Plan end date will be extended to 2040. It is further noted that the evidence supporting this submission states that a 'planning application for the flood alleviation scheme will come forward during 2022'. This would pre-date the adoption of any new Preferred Site allocations through the MLP Review and the site would therefore be considered to be a proposal on a non-Preferred Site, irrespective of the outcome under the site assessment.

Any application submitted to work a site that is not allocated as a Preferred Site in the MLP will be assessed against the relevant policy framework in the adopted MLP, particularly Policy S6, at the point of any application being submitted. The issues raised in the responses to the Regulation 18 Consultation 2021 would be required to be considered, particularly under Policy DM1. A specific public consultation exercise on any future application would subsequently form part of the determination process for that application, irrespective of whether it was a Preferred Site or not. As of August 2022 an application has yet to be submitted and therefore there is no application before the MWPA to determine. Should permission be granted, the quantity of mineral to be extracted would be added to the permitted reserve for the County and not taken as a separate or additional figure.

- 1.81 Another representation went into further detail with regards to this scheme. It was stated that the plans for a flood prevention scheme to protect Coggeshall from their 1 in 100 years chance of a flood being by way of a dam which will ruin the flood plain along the River Blackwater from the western end of Coggeshall beyond the football club to the South East of the river beyond the Abbey, was a disproportionate and inappropriate approach.
- 1.82 It was considered better to work with nature rather than be left with an ugly, unnatural structure which will collectively have a major effect on Coggeshall, as well as the quarry. It was stated that this plan would result in the carving up of a beautiful piece of countryside for the sand and gravel industry. This could all affect water quality as the water will drain and percolate through the quarry and into and through the groundwater, hence polluting the river. It was considered far better to proceed naturally by tree planting and creating attenuation ponds along the River Blackwater and or including beavers in the upper river channels.
- 1.83 Reference was made to Essex's new "Climate Act Committee" which had agreed about the benefits of natural solutions for water management. Large areas of natural greenery can act as an infrastructure, where water will slowly percolate into the groundwater, acting as a natural sieve, improving water quality and protecting the flood plain from erosion. The use of the land then becomes sustainable and will last forever.

- 1.84 The MPWA notes that information published by the Environment Agency states that the flood resilience scheme is designed to accommodate a flood event of the severity of one which may be expected once in every 100 years, not that flooding will only be experienced once in every 100 years. In information supporting the scheme, the Environment Agency notes that Coggeshall, Feering and Kelvedon suffered from significant flooding three times in the 13-year period between 2001 and 2014. It is not the case that this area is expected to flood only once every 100 years.
- 1.85 Online information supporting the proposal states that in 2006, the Environment Agency commissioned a study to explore whether a flood resilience scheme would be viable for the villages of Coggeshall, Feering and Kelvedon. The study demonstrated that the cost-benefit ratio for this area was low, resulting in options being too expensive to fund through the Flood Defence Grant in Aid scheme. The sale of sand and gravel that would be extracted through the provision of flood resilience measures is suggested as a means of securing the capital through which the works could be funded.
- 1.86 With regards to environmental impacts, as the scheme is in partnership with the Environment Agency, it is considered, without prejudice, that these would need to be closely examined at the point of any planning application. The MWPA additionally notes that the mitigation of any potential site-specific adverse impacts of a proposed development would be addressed through the planning application process, including those impacts which are cumulative. This includes land use matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency, which are separately licenced. Further, conditions attached to the granting of planning permission would be expected to be complied with. Failure to adhere to these conditions would result in enforcement action against the operator.
- 1.87 Nonetheless, as of August 2022, an application has yet to be submitted and therefore there is no application before the MWPA to determine. Therefore, no commentary can be provided on the planning merits, or otherwise, of the application, and no implicit support should be inferred in relation to any future proposed scheme based on the above commentary. This commentary acts to address the issues raised through representation. Where the MWPA draws attention to information placed in the public domain in support of the application, this does not confer support for that information.
- 1.88 The references to the Climate Action Committee are noted. In their 'Net-Zero: Making Essex Carbon Neutral' report, it is stated that 'For the 75,000 properties in Essex still at risk of flooding, we will develop schemes to increase their flood resilience by 2050 and aim for three-quarters of the schemes developed to include integrated water management and natural flood management techniques.' This recognises that on a site-by-site basis, other forms of flood resilience may need to be explored.

Issues relating to mineral development in Colchester

- 1.89 A representation to the Regulation 18 Consultation 2021 stated that with the consistent requirement for Colchester and neighbouring boroughs to deliver high targets for housing, they were grateful that they were able to rely on local extraction of the essential sand and gravel. It was however stated that with the Fingringhoe site now closed, it was regrettable that the long-standing transport of local sand and gravel by sea going vessel was over. Confirmation was sought that any references to the use of this method are not relying on this particular source.
- 1.90 The MWPA notes that with regards to Fingringhoe Quarry, there were restrictions on its operation which prohibited the movement of sand and gravel extracted at the site by any means other than barge. It is therefore unlikely that significant amounts of sand extracted from Fingringhoe Quarry were subsequently utilised within the administrative area of Colchester. The local road network also does not allow for importation into the site to continue the use of the quay for exporting non-indigenous material.
- 1.91 The same representation further understood that the Marks Tey rail loading facility is still in operation to enable locally extracted minerals from the Hanson quarry at Birch to be transported by this method. The MWPA confirms that the mineral development at Marks Tey remains safeguarded as a rail-based transshipment site.
- 1.92 The representation continued by highlighting regret that this leaves all shipments of extracted minerals from the Colchester Quarry to be transported by road. It was noted that it is acknowledged in the MLP Review that the natural route to the A12 from the Colchester Quarry is via Tollgate and the Eight Ash Green junction, which is an area that is under considerable and increasing pressure from the residents and retail visitors to the Stanway and Tollgate Retail developments. Regret was expressed for the necessity for these lorry movements to share the current road system with that of the growing housing developments of the Warren Lane area as well as the planned large Fiveways Farm site. The recent improvements in the road scheme were considered to barely mitigate this stress.
- 1.93 It was further noted that the Maldon Road, Birch quarry also relies on transporting the product via modest nearby roads, again adding impact to the heavily used local road system and by extension that nationally in order to reach the rail loading facility at Marks Tey.
- 1.94 The MWPA notes that set out previously, which is that all proposals for mineral extraction are assessed under Policy DM1 – Development Management Criteria, which requires that the proposed development would not have an unacceptable impact, including cumulative impact with other developments.
- 1.95 Proposed amendments to Policy S11 – Access and Transport requires that where the movement of minerals are by road, HGV movements shall not generate unacceptable impacts on highways safety, highways capacity and air

quality (particularly in relation to any potential breaches of National Air Quality Objectives. Further proposed amendments to Policy S11 state the need for planning applications for new minerals development proposals or proposals that generate traffic impact and/or an increase in traffic movements to be accompanied by a Transport Assessment or Transport Statement that demonstrates a consideration of road users, including cyclists, horse riders and pedestrians; and appropriate mitigation for unacceptable physical impacts on the highway network (e.g. kerbside or road damage), unacceptable risks to the safety of pedestrians and road users, unacceptable impacts on the efficiency and/or capacity of the highway network (including the trunk road network), and any other unacceptable highway impact. It is however also noted that any local height and weight restrictions aside, these vehicles are entitled to use the road network the same as any other road user.

- 1.96 There was further concern that the Review touches on the future re-use and reclamation of extraction sites in Colchester but without real detail or explanation. This is of concern with the Colchester Quarry which is close to a particularly sensitive heritage site of national importance as well as the important visitor attraction that is Colchester Zoo.
- 1.97 The early consultation into plans by Lafarge Tarmac to extend their extraction operations onto land owned by the Zoo are a subject of worry to the Colchester Civic Society and local residents who care for the dramatic changes to the local landscape of the Roman River valley that will ensue. The protection of this valley has been a long-standing project for the Civic Society and clear plans for reconstruction of the site remain sadly unseen.
- 1.98 It was stated that proposals to extend this quarry and its lifetime must be seen now in the context of this area having become a major housing conurbation which is destined to grow under current plans and the quarry operations must be considered as an unsightly anomaly as well as a considerable burden to the local road system.
- 1.99 Birch Quarry would appear to have planned a greater life-time and its reasonable remoteness from local hamlets lends it a degree of anonymity. However again as housing pressure continues in the west Colchester area combined with the planned developments for the Tiptree village zone, the road system will become more untenable to a joint use if transportation to the A12 /A120 junction at Marks Tey increases.
- 1.100 With respect to future after-uses for mineral extraction sites, the MWPA notes that all planning applications for extraction will be submitted with a proposed restoration scheme. These restoration schemes will be assessed as part of granting planning permission, conditioned to ensure their delivery, subject to enforcement and be on the public record. The MLP only establishes a high-level 'in principle' use of land for mineral extraction. All details of the operation and restoration of a site are submitted at the planning application stage. Applications will need to demonstrate conformity with the policies in the Development Plan to be capable of being granted. Restoration of mineral sites is addressed through

Policy S12 – Mineral Site Restoration and After-Use. The act of extraction itself is subject to Policy DM1 – Development Management Criteria. Policies ensure that the working and restoration of mineral sites are sympathetic to any assets, including landscapes and settings, of historical value.

- 1.101 Planning allocations and applications are always considered within the existing planning context. Where there is a gap between allocation of a site and an application being submitted, the application will be considered on the basis of the planning context that exists at the point of determining the application.
- 1.102 The representation further stated that Colchester Borough contains now only two sites which are affected by the Review. Whilst this was correct at the point of the Regulation 18 Consultation 2021, it is noted that following a consideration of consultation responses received as part of the Regulation 18 consultation and Engagement on Policy S6, it is now considered appropriate to re-base the MLP to 2040. A Call for Sites has already taken place with a second Call for Sites planned. A number of candidate sites received through the first Call for Sites are based in Colchester. Site assessments are being carried out against a site selection methodology and the results will be presented at a future Regulation 18 consultation in 2023.

The potential to impose a HGV Levy on mineral traffic to improve the road network

- 1.103 A representation received through the Regulation 18 Consultation 2021 stated that ECC might consider a new HGV levy to fund the road repairs required as a result of mineral movements. It was suggested that this could be based on a per movement basis or 50% on empty and 100% on fully loaded trucks, the latter of which it was stated that most of the damage is done. It was further considered that a full load of non-recyclable waste could attract a lower levy fee to give an incentive. It was noted that in its Climate Paper, ECC are considering a new Flood Alleviation Levy, so one for HGVs could be appropriate. It was suggested that ECC could use this to price out rural locations from use. Where damage was more expensive to repair, this should also be reflected in any levy.
- 1.104 The MWPA notes that in relation to ‘pricing out’ rural areas, due to the nature of mineral working, mineral extraction is only practical in rural locations, or on the outskirts of more urbanised areas. Planning Practice Guidance Paragraph: 002 Reference ID: 10-002-20190509 states that planning authorities need to ensure that the total cumulative cost of all relevant policies will not undermine deliverability of the plan.
- 1.105 Further, and following liaison with the Lead Local Flood Authority, it is uncertain what is being referred to with regards to a ‘new flood alleviation levy’. It was considered that the reference being made could be to the Regional Flood and Coastal Committee (RFCC) Local Levy. These have been in place since 2013 and draw funding from council tax, which is then redistributed by the RFCC based on scheme priority. It was considered that whilst the RFCC levy is relatively straight forward to administer, it could not be compared to a levy

raised against individual mineral operators or HGV operators, which would involve a much more complicated process to monitor and collect.

- 1.106 It is also the case that all road users are taxed through Vehicle Excise Duty (VED), which increases depending on the size and weight of the vehicle whose use is being applied for. Payment of this tax then entitles the road user to use the public highway freely, other than needing to comply with any locally imposed width, height or weight restrictions. Under the Highways Act 1980, the Highway Authority has a statutory duty to maintain the local road network, and this is funded out of general taxation.
- 1.107 Although it is acknowledged that HGV's may create more of a strain on local infrastructure routes than smaller vehicles, it is not appropriate to impose a further general local levy on HGV movements to maintain part of the road network, not least as it can be difficult to conclusively prove that damage to any particular piece of infrastructure is solely the result of HGV use arising from a particular site. It would also not be reasonable to seek to apply a general levy on HGV movements associated with the mineral industry in Essex, and not HGVs or other vehicles from other industries or origins.
- 1.108 Nonetheless, exceptions to the above have been made in Essex where there is extraordinary traffic associated with, for example, a windfarm, or where damage has been proven via a before and after study which are applied where there are defined sections of road that could be subjected to damage by HGVs. Highway Development Management Policy DM22 – Maintenance Contributions for Damage to the Existing Highway states that 'The Highway Authority will require maintenance payments for the repair of any damage caused to the existing highway created by extraordinary use resulting from a development proposal'. Supporting text states that the determination of requirements for maintenance will result from a condition survey of the appropriate area before and after the period of operation. A bond shall be put in place prior to commencement, to ensure that any damage is made good at the developer's expense within three months of the completion of works.
- 1.109 However, it is not considered that such an approach could form part of a policy in the MLP as it would be unreasonable to apply in all cases. Highway or verge damage of the type relevant to that raised in the representation would manifest outside of the planning application boundary and therefore it would be difficult to prove that not only is the root cause of that damage HGV movements, but also HGV movements associated solely with that particular mineral operator. Mineral traffic could be a small proportion of the total road traffic using a particular section of road.
- 1.110 That is not to say that securing maintenance funding through a planning permission would be impossible. As such damage would be outside of the planning application boundary, any maintenance funding would need to be secured by a legal agreement under Section 106 (s106) of the Town and Country Planning Act 1990. A legal agreement would need to accord with the following tests – it is necessary to make the development acceptable in

planning terms; it is directly related to the development; and it is fairly and reasonably related in scale and kind to the development. As such, it is considered that a maintenance agreement under s106 could in the first instance only be secured where any subsequent damage could be unequivocally attributed to movements associated with the mineral site. In addition, with respect to the requirement for legal agreements only able to be required in order to make the development acceptable in planning terms, it would also likely only be applicable to particularly sensitive roads or road verges designated as Special Roadside Verges due to their role as important habitats. Any other road or verge maintenance would fall under general road maintenance as carried out by the Highways Authority and funded by general taxation as set out above.

- 1.111 Nonetheless, MLP policy S11 (Access and Transportation) acts to implement a hierarchy of preference for transportation by road, which seeks to move mineral traffic onto the main road network as quickly and as efficiently as possible. The Highway Authority may then require improvement works (at the developer's expense) to upgrade the road network to accommodate HGV traffic from the site. If roads are required to meet the Highway Authority's specification it is unlikely that further contributions would be sought for maintenance. An amendment is proposed to supporting text to Policy S11 to clarify these points.

Conclusion

- 1.112 Responses to the Regulation 18 Consultation 2021 with regards to Policy P1 were almost entirely focussed on the potential impacts of mineral development, either in general or related to specific sites, rather than the principles of Policy P1 itself. The purpose of Policy P1 is to grant permission for extraction at Preferred and Reserve Sites as allocated in Table 5 of the currently adopted MLP and shown on the Policies Map, subject to the application satisfying the requirements of the wider Development Plan, including the site-specific requirements set out in Appendix One of the MLP.
- 1.113 Clearly the potential impacts of mineral development are an important consideration, but these are addressed through other policies in the Development Plan. These are primarily, but not excluded to, Policy DM1 – Development Management Criteria during site operations, and, in the case of temporary activities such as mineral extraction, Policy S12 – Restoration and After-Use.
- 1.114 Related to Policy P1, a representation stated that the sites identified in Table 5 of the MLP need to be subject to a review that indicates where these sites have already been granted consent; where they have been worked and restored, and where they are in the process of being worked and restored, since the Plan was adopted in 2014. It was alternatively suggested that Appendix One of the MLP could be similarly updated. It was concluded that updating either Table 5 or Appendix One would provide greater transparency and a clearer picture of where preferred sites will be developed for the remainder of the plan period.

- 1.115 In relation to these points, the MWPA considers that the Authority Monitoring Report provides the best mechanism for updating progress with individual sites, as this document can be updated on an annual basis. In any event, the decision to re-base the MLP to 2040 means that Table 5, or its equivalent, will be updated to remove those allocations that have since come forward as a planning application. However, a reference will be entered into the Plan to state that the AMR will provide an annual update of the status of each allocation.
- 1.116 In summation, following an assessment of representations entered under proposed amendments to Policy P1, it is considered that the policy itself, as modified and subsequently presented through the Regulation 18 Consultation 2021, is not required to be further amended. Those amendments that were previously proposed relate to the removal of references to Reserve Sites, due to the intention to re-designate Reserve Sites to Preferred Sites due to their evidenced need over the Plan period. Following the decision to re-base the Plan to 2040, the Reserve Site designation would be removed as part of devising a new schedule of Preferred Sites in any event. A note will however be associated with any site allocation tables to make clear that progress in relation to these allocations can be found within each iteration of the Authority Monitoring Report

Table 1: March 2021 Regulation 18 Consultation Responses to Policy P1 – Reducing the use of mineral resources

ORGANISATION	ON BEHALF OF	POLICY P1	POLICY P1	ECC RESPONSE
Name of Organisation	Are you responding on behalf of another individual or organisation? - If Yes, Who?	1. Do you agree or disagree with the rationale behind the amendments proposed in this section of the emerging Minerals Local Plan? (see Rationale Report)	Please provide any comments below:	
Runwell Parish Council (631132323)	Runwell Parish Council	Agree	N/a	N/A
W H Collier Limited (769297167/ 942768790)		Agree		N/A
Blackwater Aggregates (623162177)		Agree		N/A
CEMEX (982058282)		Agree		N/A
RPS (707875084)	Indaver	Agree	The Rivenhall IWMF site is located adjacent to Bradwell Quarry at which Sites A3, A4, A5,	Noted.

			A6 and A7 are identified within Policy P1 as being Preferred Sites for Sand and Gravel Extraction. The Site Profiles for the Preferred Sites contained within Appendix One contains a Site Profile for A3, A4, A5, A6 and A7. Criterion 1) of each Site Profile sets out that the workings and restoration of all these sites, and any other Bradwell Extension sites, would need to be integrated with and not compromise the permitted waste development. Indaver welcome this criterion and are grateful to Essex County Council for recognising that it is vital that the operations of the Rivenhall IWMF not being compromised by the activities at the neighbouring quarry.	
Gent Fairhead Aggregates (871678397)		Agree		N/A
Resident (850344129)		Agree		N/A
Strutt & Parker (891506607)	G&B Finch	Agree (but wish to clarify)		N/A
Resident (751906667)		Agree (but wish to clarify)	As one of the nearest residents to the planned 'preferred sites' at Bradwell Quarry I am naturally very concerned about the	Sites A6 and A7 were allocated as Reserve Sites through the adoption of the MLP in 2014. As such, they were assessed as

		<p>disruption to my quality of life any development of sites A6 and A7 may have. My house is situated less than 250 meters from site A6 and approximately 800 meters from A7 therefore I would like all assurances that the noise and dust and any pollution from the works and associated traffic is kept to a minimum and managed in a way that does not impact my right to peace and quiet and enjoyment my home and treasured garden.</p> <p>I am mindful that the proposed works to A6 & A7 will also have a detrimental impact of the value of my home and again would like assurances that any work would be planned to minimise any disfigurement on the landscape whilst the work is in progress as well as once the sites have been restored.</p>	<p>being suitable for mineral extraction in principle. Site A7 has since been granted permission for mineral extraction under ESS/12/20/BTE. It was further proposed to re-allocate Site A6 as a Preferred Site, as there is an evidenced need for the mineral over the Plan period, the principle of extraction has already been established through previous Hearings, and no information has been submitted which would question its deliverability. With the subsequent decision to re-base the Plan to 2040, all existing allocations in the MLP 2014 that have not come forward will be re-assessed under the new site selection methodology and an assessment made of their continued appropriateness.</p> <p>Whilst allocation through the adoption of the MLP sets the principle of acceptability of mineral extraction at the site, it is only through more detailed assessment at the planning application stage where applications are considered, and the allocation of a site in the MLP</p>
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				<p>is no guarantee that planning permission would be granted. An application is assessed against its conformity with the policies in the Development Plan. For example, Policy DM1 – Development Management Criteria seeks to mitigate against impact during mineral working and Policy S12 – Mineral Site Restoration and After-use ensures that planning applications demonstrate that the land is capable of being restored at the earliest opportunity to an acceptable environmental condition to support beneficial after-uses. Conditions are placed on planning permissions to ensure that policies remain complied with, and these are enforceable. The MWPA includes an enforcement service who can respond to any issues raised by local communities.</p>
<p>Kelvedon Parish Council (944147166)</p>		<p>Disagree (please clarify)</p>	<p>Kelvedon Parish Council oppose any further extension of the quarry especially site A7, which we believe has the capacity to be the most damaging on the setting of Coggeshall, both during</p>	<p>Site A7 was allocated as a Reserve Site through the adoption of the MLP in 2014. As such, it was assessed as being suitable for mineral extraction in principle. Site A7 has since been</p>

			<p>operation and following remedial works as remediation can never give back the same landscape.</p>	<p>granted permission for mineral extraction under ESS/12/20/BTE.</p> <p>Whilst allocation through the adoption of the MLP sets the principle of acceptability of mineral extraction at the site, it is only through more detailed assessment at the planning application stage where applications are considered, and the allocation of a site in the MLP is no guarantee that planning permission would be granted.</p> <p>An application is assessed against its conformity with the policies in the Development Plan. For example, Policy DM1 – Development Management Criteria seeks to mitigate against impact during mineral working and Policy S12 – Mineral Site Restoration and After-use ensures that planning applications demonstrate that the land is capable of being restored at the earliest opportunity to an acceptable environmental condition to support beneficial after-uses. Conditions are placed on planning permissions to ensure that policies remain</p>
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				<p>complied with, and these are enforceable. The MWPA includes an enforcement service who can respond to any issues raised by local communities.</p>
<p>Resident (601755115)</p>		<p>Disagree (please clarify)</p>	<p>I do not agree with the Bradwell A7 plan and any plot further towards Coggeshall.</p> <p>I've been a resident of [REDACTED] for 4 years and was drawn to the area because of its countryside, vineyard and tourism. Essex Way walkway directly through these proposed fields are hugely popular to the locals, we take our kids across the fields every weekend. Please stay away from (historical) towns, Coggeshall in particular has stood its ground for centuries.</p> <p>I understand minerals need to be mined and everyone will state 'Not in my Backyard', and there may be sense for a flood plain/barrier for the town, but I'm pretty sure saving the odd house from environmental dangers, wasn't to cause other environmental disasters in its stead. There are other ways to</p>	<p>Site A7 was allocated as a Reserve Sites through the adoption of the MLP in 2014. As such, it was assessed as being suitable for mineral extraction in principle. Site A7 has since been granted permission for mineral extraction under ESS/12/20/BTE</p> <p>It is presumed that references in relation to a flood barrier relates to a proposed flood alleviation venture between a private company and the Environment Agency which would involve the establishment of an extension at Bradwell Quarry to facilitate the creation of flood defences. Whilst the MWPA notes the comments received, at the point of the Regulation 18 Consultation in 2021, this was not a site that was being proposed for allocation through the MLP Review. However, land pertaining to the same area was submitted though the Call for Sites exercise in</p>

			<p>alleviate flooding. You surely must see sense as to why such a large plot so close to a beautiful town is contested!?!</p>	<p>March 2022 as a candidate site for future sand and gravel extraction. The site will therefore be assessed under the site selection methodology that all sites received through the March 2022 Call for Sites exercise will be subjected to, and the outcome of that assessment will form part of a second Regulation 18 consultation in 2023. It is further noted that the evidence supporting this submission states that a 'planning application for the flood alleviation scheme will come forward during 2022'. This would pre-date the adoption of any new Preferred Site allocations through the MLP Review and the site would therefore be considered to be a proposal on a non-Preferred Site, irrespective of the outcome under the site assessment.</p> <p>Any application submitted to work a site that is not allocated as a Preferred Site in the MLP will be assessed against the relevant policy framework in the adopted MLP, particularly Policy S6, at the point of an application being submitted. The issues raised in</p>
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				<p>the responses to the Regulation 18 Consultation 2021 would be required to be considered, particularly under Policy DM1. A specific public consultation exercise on any future application would subsequently form part of the determination process for that application, irrespective of whether it was a Preferred Site or not. As of August 2022, an application has yet to be submitted and therefore there is no application before the MWPA to determine.</p> <p>Mitigation of any potential site-specific adverse impacts of the proposed development would therefore be addressed through the planning application process, including those impacts which are cumulative. This includes landuse matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency. Evidence of their consideration would be published as evidence for public consultation. Those policies of particular relevance are Policy DM1 – Development Management Criteria and Policy</p>
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				<p>S12 – Mineral Site Restoration and After-use.</p> <p>Further, conditions attached to the granting of planning permission would be expected to be complied with. Failure to adhere to these conditions can result in enforcement action against the operator.</p>
David L Walker Ltd (559449615)	Brice Aggregates	Disagree (please clarify)		
Heatons (451589647)	Tarmac	Disagree (please clarify)	<p>We do not object to reserve sites being brought forward as preferred sites/allocations. However, we advocate that a call for sites is necessary as there is insufficient reserve planned for or flexibility built into the Plan to secure ongoing supply.</p> <p>The Rationale document and Sustainability Appraisal is clear that there has been no further assessment of the sites proposed within the Plan since its Examination and subsequent adoption. Supporting evidence to the adopted Local Plan contained within the Sustainability Appraisal shows all sites that have been put forward for consideration as allocations and full assessment</p>	<p>Following an assessment of the representations received through the March 2021 Regulation 18 consultation that were related to sand and gravel supply, and a consideration of the latest data, the plan making approach was revised to include a Call for Sites as part of the Review.</p> <p>Additional sites were always understood as being required to ensure that a sufficient supply of sand and gravel could be maintained to the end of the Plan period in 2029, as total allocations were made sufficient to meet the plan provision figure to the end of the plan period but with less than the seven years of material remaining that is</p>

			<p>/scoring of those sites against the sustainability objectives. The majority of these sites now have the benefit of Planning Permission. Sites became 'reserved' as part of the previous MLP to avoid 'an over-concentration of Preferred Sites in this single area and improve the geographical spread of mineral development within the County, in line with Plan strategy'. However, there was no dispute that they would all be deliverable during the Plan period. The fact that we are now at the mid point of the Plan period and reserve sites are having to come forward as preferred areas to negate a lack of landbank and deliver a steady and adequate supply is a very clear indication of need for additional reserves.</p> <p>By not undertaking a call for sites exercise, the Mineral Planning Authority cannot be certain if there are sites that could deliver sand and gravel provision that score highly against the necessary sustainability objectives. This does not provide certainty to operators or local</p>	<p>required by the NPPF. It was originally concluded that a Call for Sites could have followed on from the current Review. Following an assessment of responses to this consultation and other information, including the Tests of Soundness, it was considered appropriate to hold a Call for Sites, which was duly carried out. Submitted sites are currently being assessed and will be submitted to public consultation. Since then, the decision has been made to extend the Plan to 2040 and make new site allocations on that basis.</p> <p>Site allocations adopted through the MLP in 2014 were made on the basis of those allocations being able to come forward during the then plan period (ie 2029). The MWPA had previously confirmed with site operators that they intend to deliver those sites that are in the current MLP that are still to be brought forward as part of earlier Plan work, and intends to do so again as part of the second Call for Sites exercise. Allocations in the adopted MLP that have yet to</p>
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			residents and requires all applications to be tested on an ad hoc basis. The strategy is therefore not justified and is unsound.	come forward will also be put through the same site assessment exercise as all new sites received through the two Call for Sites exercises that are supporting the MLP Review to assess their continued appropriateness.
CPRE Essex (665562826)		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
Coggeshall Parish Council (598729813)	Coggeshall parish council	No comment		Noted
Kelvedon & Feering Heritage Society (677892382)		Disagree (please clarify)	Kelvedon Parish Council oppose any further extension of the quarry especially site A7, which we believe has the capacity to be the most damaging on the setting of Coggeshall, both during operation and following remedial works as remediation can never give back the same landscape.	Site A7 was allocated as a Reserve Site through the adoption of the MLP in 2014. As such, it was assessed as being suitable for mineral extraction in principle. Site A7 has since been granted permission for mineral extraction under ESS/12/20/BTE Whilst allocation through the adoption of the MLP sets the principle of acceptability of

				<p>mineral extraction at the site, it is only through more detailed assessment at the planning application stage where applications are considered, and the allocation of a site in the MLP is no guarantee that planning permission would be granted. An application is assessed against its conformity with the policies in the Development Plan. For example, Policy DM1 – Development Management Criteria seeks to mitigate against impact during mineral working and Policy S12 – Mineral Site Restoration and After-use ensures that planning applications demonstrate that the land is capable of being restored at the earliest opportunity to an acceptable environmental condition to support beneficial after-uses. Conditions are placed on planning permissions to ensure that policies remain complied with, and these are enforceable. The MWPA includes an enforcement service who can respond to any issues raised by local communities.</p> <p>As an allocation where no</p>
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				planning application has been submitted as of August 2022, the intention to bring Site A6 forward will be clarified with the site promoters and it will be re-assessed under the new site selection methodology, with an assessment made of its continued appropriateness.
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ORGANISATION	ON BEHALF OF	POLICY P1	POLICY P1	ECC RESPONSE
Name of Organisation	Are you responding on behalf of another individual or organisation? - If Yes, Who?	2.Do you agree or disagree with the proposed amendments as set out in this section of the emerging Minerals Local Plan?	Please provide any comments and/or alternative wording for this section of the Plan below:	
Runwell Parish Council (631132323)	Runwell Parish Council	Agree	N/a	N/A
W H Collier Limited (769297167/ 942768790)		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
Maldon District Council (268919580)		Agree	MDC notes that to maintain a steady supply of aggregate mineral, no new sites are proposed for extraction but understands that two sites already in the MLP, at Bradwell Quarry in Braintree, are reallocated from 'Reserve Sites' to 'Preferred Sites'. MDC accepts the reasoning proposed for this reallocation, in addition to the draft amendments to relevant policies that allow for greater flexibility in site reclamation and changes to mineral safeguarding and monitoring.	<p>Noted, although following a consideration of consultation responses received as part of the Regulation 18 consultation and Engagement on Policy S6, it is now considered appropriate to re-base the MLP to 2040. A Call for Sites has already taken place with a second Call for Sites planned.</p> <p>These are recognised as major amendments to the approach and as such, a revised Regulation 18 consultation will be undertaken, to include all further Plan amendments and the interim assessment results arising from the assessment of candidate sites received through the Call for Sites process. Additional sites were always understood as being required to ensure that a sufficient supply of sand and gravel could be maintained to the end of the</p>

				Plan period in 2029, as total allocations were made sufficient to meet the plan provision figure to the end of the plan period but with less than the seven years of material remaining that is required by the NPPF. It was originally concluded that a Call for Sites could have followed on from the current Review.
Strutt & Parker (891506607)	G&B Finch	Agree (but wish to clarify)	Policy P1 covers the determination of applications on preferred and reserve sites, with the considerations around proposed amendments closely following the discussion point at Policy S6. We would comment that the suggestion at paragraph 4.385, which involves re-wording such that reserve sites can come forward whether or not the land bank is below 7 years, is supported.	The quoted reference is to the Essex Minerals Local Plan Review 2021 – Report setting out the Rationale behind the Proposed Amendments – 2021. The point raised is noted but it is clarified that the MWPA considers it appropriate to redesignate Reserve Sites to Preferred Sites due to the evidenced need for their requirement to contribute to the sand and gravel landbank before the current plan expires in 2029. As such, it is more accurate to state that Reserve Sites are being re-designated to Preferred Sites, and the Reserve Site designation removed from the Plan, rather than a re-wording of the Plan approach to Reserve Sites.

				Following the decision to re-base the Plan to 2040, the Reserve Site designation would be removed as part of devising a new schedule of Preferred Sites.
Coggeshall Parish Council (598729813)	Coggeshall parish council	Agree (but wish to clarify)	There is a lot of sand and gravel below the land of Essex but because there is a large demand for sand and gravel there is great dependency on reliance on landowners and mineral industry to come forward with site proposals to be considered. The amount of sites available exceed those that are needed. Apparently there is robust site selection to choose the most sustainable sites. Policy P1 state A3 Bradwell this can extend to A4-A7 are Bradwell to Rivenhall. This whole area is under threat as the Bradwell site has extended along the River Blackwater valley towards and above Coggeshall. Each quarry has been decided upon carefully. The quarry under threat of development in Coggeshall must be given very careful consideration and the people of Coggeshall listened to.	<p>Sites currently allocated in the MLP were selected following the application of a site selection methodology in 2012, the results of which were subject to public consultation and independently assessed by a Planning Inspector. Allocations are then drawn on a policy map, and applications determined based on their conformity with the policies in the Development Plan and Preferred Site allocation boundaries.</p> <p>It is presumed that the representation in part references a flood alleviation venture between a private company and the Environment Agency which would involve the establishment of an extension at Bradwell Quarry to facilitate the creation of flood defences. Whilst the MWPA notes the comments received, at the point of the Regulation 18 Consultation in</p>

				<p>2021, this was not a site that was being proposed for allocation through the MLP Review. However, land pertaining to the same area was submitted through the Call for Sites exercise in March 2022 as a candidate site for future sand and gravel extraction. The site will therefore be assessed under the site selection methodology that all sites received through the March 2022 Call for Sites exercise will be subjected to, and the outcome of that assessment will form part of a second Regulation 18 consultation in 2023. It is further noted that the evidence supporting this submission states that a 'planning application for the flood alleviation scheme will come forward during 2022'. This would pre-date the adoption of any new Preferred Site allocations through the MLP Review and the site would therefore be considered to be a proposal on a non-Preferred Site, irrespective of the outcome under the site assessment. Any application submitted to</p>
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				<p>work a site that is not allocated as a Preferred Site in the MLP will be assessed against the relevant policy framework in the adopted MLP, particularly Policy S6, at the point of an application being submitted. The issues raised in the responses to the Regulation 18 Consultation 2021 would be required to be considered, particularly under Policy DM1. A specific public consultation exercise on any future application would subsequently form part of the determination process for that application, irrespective of whether it was a Preferred Site or not. As of August 2022, an application has yet to be submitted and therefore there is no application before the MWPA to determine.</p>
<p>Braintree District Council (441541446)</p>		<p>Disagree (please clarify)</p>	<p>The District would express disappointment that A7 has been allocated and now has consent. The district would draw to the Minerals Authority's attention that workings along Cuthedge Lane will disturb wildlife (sightings include hares, buzzards and yellowhammer). The district is aware that site A7 has received a</p>	<p>Condition 34 associated with Application Reference ESS/12/20/BTE, which permits sand and gravel extraction at Site A7, states that 'No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management</p>

			<p>resolution to grant permission and would wish to encourage measures to protect wildlife to be strictly applied and enforced. The restoration of extraction sites to habitats which support wildlife is supported. Officers would also draw to the attention of the Minerals Authority that this lane is well used for recreational purposes by residents and would wish this to be taken into account when considering future proposals or planning conditions.</p> <p>It is hoped that in the future that more climate friendly alternatives can be found to the extraction of sand and gravel however it is recognised that for the moment extraction of these materials is necessary. Braintree District Council support proposals to recycle building materials on suitable sites and to encourage reductions in the use of minerals.</p> <p>Site A6 contains the last remaining World War II buildings from the airfield and are valued for this historical interest. Though the buildings themselves are in need of attention, it is requested that they are retained for this historical interest and ideally considered as</p>	<p>Plan (CEMP) for Site A7 has been submitted to and approved in writing by the Mineral Planning Authority.’ The role of the CEMP is to make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity.</p> <p>Similarly, Condition 36 of the same application states that ‘Prior to commencement of development a Biodiversity Enhancement Strategy for the pond identified as pond "PY" on drawing 1281/2/2 – entitled Habitat Map within Chapter 7 of the Environmental Statement dated January 2020 shall be submitted to and approved in writing by the Mineral Planning Authority’</p> <p>Further, Bradwell Quarry is identified to provide 50ha of Priority Habitats across all its allocations in the MLP. The area to be committed including that for Site A7 amounts to 42.05ha to be</p>
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			<p>part of the restoration of the site and form part of any masterplan for the area.</p>	<p>delivered, the remaining to be provided as part of site A6. It is noted areas of species-rich grassland are to be provided, but it should also be noted these need to be in place for a number of years before they become established.</p> <p>It is additionally required that details of the habitats to be created shall be submitted to and approved in advance by the Mineral Planning Authority.</p> <p>Additional conditions and provisions are made to secure public access with respect to minimising adverse impact on Public Rights of Way and a new permissive bridleway provides an enhancement to the network for a period of 25 years.</p> <p>Should an application be made on Site A6, the impact on heritage assets would be required to be taken into account in accordance with relevant policies in the Development Plan.</p>
Resident		Disagree	I am writing to express my	Site A7 was allocated as a

(182998958)		(please clarify)	<p>concerns regarding the proposed quarry site.</p> <p>One of my major concerns is the status of the A7 reserve site is being re-allocated to a preferred site in the Essex Minerals Local Plan.</p> <p>A7 is not adjacent with the current workings of the Bradwell Quarry and at 6.5 million tonnes, it is the largest suggested extension area. This sets a dangerous precedent because it is not contiguous with the existing quarry works and will provide a gateway to the Coggeshall quarry/flood alleviation scheme which is three times as large as A7.</p> <p>This proposed site (A7) will be adjacent to the protected Cuthedge Lane, eastwards from quarry sites A3 and A4. This Lane is popular amongst families and both young and old use the lane for hiking , dog walking, horse riding, running and cycling. During the pandemic it has been an even more popular and welcome walk.</p> <p>This site will severely and</p>	<p>Reserve Site through the adoption of the MLP in 2014. As such, it was assessed as being suitable for mineral extraction in principle. Site A7 has since been granted permission for mineral extraction under ESS/12/20/BTE.</p> <p>Condition 34 associated with the permission requires a Construction Environmental Management Plan (CEMP) to have been submitted and approved and similarly, Condition 36 of the same application states that ‘Prior to commencement of development a Biodiversity Enhancement Strategy for the pond identified as pond "PY" on drawing 1281/2/2 – entitled Habitat Map within Chapter 7 of the Environmental Statement dated January 2020 shall be submitted to and approved in writing by the Mineral Planning Authority’ Further, the permission granted for Site A7 includes protection and enhancement of existing public access provisions and will result in biodiversity net gain.</p>
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			<p>negatively impact the wildlife in the surrounding fields Of Cut Hedge Lane, which include many varieties of birds from Red Kite to Yellow Hammer. If allowed to be developed it will hugely reduce the pleasant area of Cut Hedge Lane and its surrounds.</p> <p>The proposed Coggeshall quarry is an act of environmental vandalism, ripping out 499 acres of hillside within 500 metres of the River Blackwater Valley, on the outskirts of the historic and medieval market town of Coggeshall. A landscape which is possibly home to Roman ruins, the landscape having remain unaltered since Roman times.</p> <p>Initial proposals from Blackwater Aggregates states they would quarry either the Coggeshall quarry or A7. Now they have moved the goalposts and proposed to quarry both. This is an environmental catastrophe both from a local and global perspective.</p> <p>The carbon footprint of this proposal is absolutely awful. If the</p>	<p>The referenced flood alleviation scheme is a venture between a private company and the Environment Agency which would involve the establishment of an extension at Bradwell Quarry to facilitate the creation of flood defences. Whilst the MWPA notes the comments received, at the point of the Regulation 18 Consultation in 2021, this was not a site that was being proposed for allocation through the MLP Review. However, land pertaining to the same area was submitted though the Call for Sites exercise in March 2022 as a candidate site for future sand and gravel extraction. The site will therefore be assessed under the site selection methodology that all sites received through the March 2022 Call for Sites exercise will be subjected to, and the outcome of that assessment will form part of a second Regulation 18 consultation in 2023. It is further noted that the evidence supporting this submission states that a 'planning</p>
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			<p>cement industry were a country, it would be the third largest emitter in the world - behind China and the US. It contributes more CO2 than aviation fuel (2.5%) and is not far behind the global agriculture business (12%).</p> <p>The UK needs to rethink its strategy of sand and gravel extraction and cement production and needs to build more with wood, such as cross laminated timber (CLT), and less with concrete. Growing trees sucks carbon dioxide out of the atmosphere, locks that CO2 in the timber, and releases oxygen.</p> <p>The preferred site A7, seems to be more about extending Blackwater Aggregates's future in the area than benefiting the local environment, Essex's mineral needs, or the impact of climate change on the planet.</p> <p>I implore you to reject the proposal of this new site as a matter of urgency for the good of the local community and it's environment and the wider global damage it will cause.</p>	<p>application for the flood alleviation scheme will come forward during 2022'. This would pre-date the adoption of any new Preferred Site allocations through the MLP Review and the site would therefore be considered to be a proposal on a non-Preferred Site, irrespective of the outcome under the site assessment. Any application submitted to work a site that is not allocated as a Preferred Site in the MLP will be assessed against the relevant policy framework in the adopted MLP, particularly Policy S6, at the point of an application being submitted. The issues raised in the responses to the Regulation 18 Consultation 2021 would be required to be considered, particularly under Policy DM1. A specific public consultation exercise on any future application would subsequently form part of the determination process for that application, irrespective of whether it was a Preferred Site or not. As of August 2022, an application has yet to be submitted and therefore there is no application</p>
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				<p>before the MWPA to determine. Should permission be granted, the quantity of mineral to be extracted would be added to the permitted reserve for the County and not taken as a separate or additional figure.</p> <p>The Government's Net Zero Strategy: Build Back Greener recognises the impact that construction has on the environment and seeks to decarbonise. Approaches include decarbonising the supply chain and considering the full life cycle of new buildings to reduce waste associated with demolition. With regards to the strategy of sand and gravel provision, the role of the MLP is to make sustainable provision for a steady and adequate supply of minerals, and this amount is determined by the market. The MLP has a stated aim of seeking to 'reduce reliance on primary mineral resources', which the MWPA is able to do by making alternative materials more readily available and economically attractive by promoting a network of</p>
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				<p>aggregate recycling facilities and subsequently safeguarding them (Policy S5, Policy S8/ emerging Policy S9), such that the 'demand' for primary minerals is reduced through the provision of economically viable alternatives.</p> <p>It is also noted that Policy S3: Climate Change includes a number of proposed amendments which seek to better realise the potential climatic benefits from site restoration and after-use schemes, including those set out in relevant Local Plans and Green Infrastructure Strategies, for biodiversity and habitat creation, flood resilience, countryside enhancement, green and blue infrastructure and the provision of living carbon sinks. It is also proposed to be stated that the Mineral Planning Authority will support minerals development which increases the resilience of communities and infrastructure to climate change impacts, and require minerals development to consider the use of</p>
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				<p>decentralised and low and zero carbon energy technologies generation, where feasible and viable, in order to reduce the consumption of energy and natural resources.</p> <p>The MLP cannot however artificially suppress mineral demand by not making sufficient provision for the demand or banning the use of minerals in construction or requiring the use of certain technologies. Such interventions would be required to be mandated by Central Government.</p>
David L Walker Ltd (559449615)	Brice Aggregates	Disagree (please clarify)	<p>We are instructed by Brice Aggregates Limited (“BAL”) to prepare and submit representations in relation to the Amendments Consultation Document dated February 2021 (“the consultation document”) regarding the Essex Minerals Local Plan.</p> <p>BAL promoted the site at Colemans Farm (A46) for allocation under the adopted plan, planning consent for which has been granted and the site is fully</p>	<p>It is considered that the Authority Monitoring Report provides the best mechanism for updating progress with individual sites, as this document can be updated on an annual basis. A note to that effect will be placed within the revised Plan. In any event, the decision to re-base the MLP to 2040 means that Table 5, or its equivalent, will be updated to remove those allocations that have since come forward as a planning application.</p>

			<p>operational.</p> <p>BAL made representations on previous iterations of this plan, at the evidence gathering phase, and the issue and options, both on general policy content and in specific support of the proposals to allocate site A46 and would offer the following comments on the Consultation Document, supported by the completed questionnaire attached to this email.</p> <p>Section 4 of the document seeks to identify mineral sites for primary mineral extraction for the remainder of the planned period until 2029. It is recognised that the content is based on retaining Policies P1 and P2 of the adopted plan however it is considered that by simply copy and pasting the list of Preferred Sites originally adopted under the emerging plan this does not provide a clear picture of where sand and gravel will be for the remainder of the plan period. It is considered that the sites identified in Table 5 need to be subject to a review that indicates where these sites have already been granted consent;</p>	
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			<p>where they have been worked and restored, and were they are in the process of being worked and restored.</p> <p>If Table 5 is not updated perhaps Appendix One could? Such a review would provide greater transparency and a clearer picture of where preferred sites will be developed for the remainder of the plan period.</p> <p>BAL would offer no comments on the Development Management Policies.</p>	
Coggeshall Parish Council (1042657643)		Disagree (please clarify)		
CPRE Essex (665562826)		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
Colchester Civic Society (425983489)		Not Answered	I write on behalf of the Colchester Civic Society with our submission for the review consultation.	With regards to Fingringhoe Quarry, there were restrictions on its operation which prohibited the movement of sand and

		<p>With the consistent requirement for Colchester and our neighbouring boroughs to deliver high targets of housing, we are grateful that we are able to rely on local extraction of the essential sand and gravel.</p> <p>Now that the Fingringhoe site has closed, Colchester Borough contains now only two sites which are affected by the Review. These are the Colchester Quarry at Fiveways and the quarry at Maldon Road, Birch.</p> <p>Regrettably with the closing of the Fingringhoe quarry, so has ended the long-standing transport of local sand and gravel by sea going vessel. We would like to be certain that any references to the use of this method are not relying on this particular source.</p>	<p>gravel by any means other than barge. It is therefore unlikely that significant amount of sand extracted from Fingringhoe Quarry were subsequently utilised within the administrative area of Colchester.</p> <p>With regards to there being two sites impacted by the Review, whilst this is true in relation to sites adopted through the MLP 2014, it is noted that following a consideration of consultation responses received as part of the Regulation 18 consultation and Engagement on Policy S6, it is now considered appropriate to re-base the MLP to 2040. A Call for Sites has already taken place with a second Call for Sites planned. A number of candidate sites are based in Colchester. Site assessments are being carried out against a site selection methodology and the results will be presented at a future Regulation 18 consultation in 2023.</p>
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			<p>We understand that the Marks Tey rail loading facility is still in operation to enable locally extracted minerals from the Hanson quarry at Birch to be transported by this method.</p> <p>Sadly, this leaves all shipments of extracted minerals from the Colchester Quarry to be transported by road. It is acknowledged in the review that the natural route to the A12 from the Colchester Quarry is via Tollgate and the Eight Ash Green junction which is an area that is under considerable and increasing pressure from the residents and retail visitors to the Stanway and Tollgate Retail developments. We very much regret the current necessity for these lorry movements to share the current road system with that of the growing housing developments of the Warren Lane area as well as the planned large Fiveways Farm site and consider the recent improvements in the road scheme to barely mitigate this stress.</p> <p>The Maldon Road, Birch quarry</p>	<p>The mineral development at Marks Tey remains safeguarded as a rail based transshipment site.</p> <p>All proposals for mineral extraction are assessed under Policy DM1 – Development Management Criteria, which requires that the proposed development would not have an unacceptable impact, including cumulative impact with other developments.</p> <p>Proposed amendments to Policy S11 – Access and Transport requires that where the movement of minerals are by road, HGV movements shall not generate unacceptable impacts on highways safety, highways capacity and air quality (particularly in relation to any potential breaches of National Air Quality Objectives. Further proposed amendments to Policy S11 state the need for planning applications for new minerals development proposals or</p>
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			<p>also relies on transporting the product by modest nearby roads, again adding impact to the heavily used local road system and by extension that nationally in order to reach the rail loading facility at Marks Tey.</p> <p>We are concerned that the Review touches on the future re-use and reclamation of these sites but without real detail or explanation. This is of concern with the Colchester Quarry which is so close to a particularly sensitive heritage site of national importance as well as the important visitor attraction that is Colchester Zoo.</p>	<p>proposals that generate traffic impact and/or an increase in traffic movements to be accompanied by a Transport Assessment or Transport Statement that demonstrates a consideration of road users, including cyclists, horse riders and pedestrians; and appropriate mitigation for unacceptable physical impacts on the highway network (e.g. kerbside or road damage), unacceptable risks to the safety of pedestrians and road users, unacceptable impacts on the efficiency and/or capacity of the highway network (including the trunk road network), and any other unacceptable highway impact.</p> <p>With respect to future after-uses for mineral extraction sites, all planning applications for extraction will be submitted with a proposed restoration scheme. These restoration schemes will be assessed as part of granting permission, conditioned to ensure their delivery, subject to enforcement and be on the public record. The MLP only</p>
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			<p>The early consultation into plans by Lafarge Tarmac to extend their extraction operations onto land owned by the Zoo are a subject of worry to the Society and local residents who care for the dramatic changes to the local landscape of the Roman River valley that will ensue. The protection of this valley has been a long-standing project for the Civic Society and the lack of clear plans for reconstruction of the site remain sadly unseen.</p> <p>Proposals to extend this quarry and it's lifetime must be seen now in the context of this area having become a major housing conurbation which is destined to grow under current plans and the quarry operations must be considered as an unsightly</p>	<p>establishes a high-level 'in principle' use of land for mineral extraction. All details of the operation and restoration of a mineral site are submitted at the planning application stage. Applications will need to demonstrate conformity with the policies in the Development Plan to be capable of being granted. Restoration of mineral sites is addressed through Policy S12 – Mineral Site Restoration and After-Use. Restoration schemes. The act of extraction itself is subject to Policy DM1 – Development Management Criteria. Policies ensure that the working and restoration of mineral sites are sympathetic to any assets, including landscapes and settings, of historical value.</p> <p>Planning allocations and applications are always considered within the existing planning context. Where there is a gap between allocation of a site and an application being submitted, the application will be considered on the basis of the</p>
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			<p>anomaly as well as a considerable burden to the local road system.</p> <p>Birch Quarry would appear to have planned a greater life-time and it's reasonable remoteness from local hamlets lends it a degree of anonymity. However again as housing pressure continues in the west Colchester area combined with the planned developments for the Tiptree village zone, the road system will become more untenable to a joint use if transportation to the A12 /A120 junction at Marks Tey.</p>	<p>planning context that exists at the point of determining the application.</p>
<p>Great Notley Parish Council (246924650)</p>		<p>Not Answered</p>	<p>Great Notley Parish Council considered the review at its recent meeting. It was noted that Blackley's quarry is to have a change of status from reserve to preferred site. Councillors wish to comment that if there is a higher likelihood of use then the issue of traffic, especially HGV traffic travelling to the site must be carefully considered in view of the location of residential accommodation close by and the current congested roads in the vicinity.</p> <p>The Parish Council hope that</p>	<p>There is no proposed change of status to the MLP allocations at Blackley Quarry.</p> <p>Extraction of MLP Sites A38 and A39 is permitted through Application Reference ESS/42/17/CHL.</p> <p>Any potential upgrade to the A120 is not within the administrative abilities of the MWPA.</p>

			Essex County Council will give due consideration to the upgrade of the A120 which is currently experiencing a queue back to the exit to Great Notley as a way of easing congestion in the area.	
Sturmer Parish Council (1032567387)		Not Answered	<p>Sturmer Parish Council wish to object to these proposals, which locate the majority of Essex County Council's sand and gravel extraction within the Braintree district and close to Braintree town and nearby villages. It will have adverse impacts on residents, the countryside setting and road network for decades. We are disappointed that earlier objections made by Braintree Council were dismissed by the inspector and a number of sites, which have a high concentration within the Braintree district, have been given permission. We believe it can result in the harm to the living conditions and health of nearby residents. We hope that Essex County Council will not take any new sites into consideration within the Braintree district.</p> <p>One site, adjacent to site A7 is proposed as flood alleviation area and is anticipated to receive large amounts of extraction of sand and</p>	<p>Minerals can only be worked where they are found, and the MWPA can only consider and subsequently allocate sites for mineral extraction that are submitted to it by interested landowners or site promoters operating on their behalf, to provide some certainty of delivery. The main sand and gravel belt in Essex runs from the north east to the south west of the county so the Braintree District overlies significant sand and gravel deposits. Sites currently allocated in the MLP were selected following the application of a site selection methodology in 2012, the results of which were independently assessed by a Planning Inspector. Allocations are then drawn on a policy map, and applications determined based on their conformity with the policies in the Development Plan including Preferred Site</p>

			<p>gravel. We would ask that the sum of extraction is included in the overall extraction figures as a whole and is not taken as a separate or additional figure. New wording permits offsetting greenhouse gas emissions and includes consideration of site operations</p>	<p>allocation boundaries.</p> <p>The working of a quarry, particularly those of a larger size, is then generally undertaken on a phased basis, with extraction undertaken in one area as other areas are restored, put into after-care and then into an after-use in accordance with an agreed Masterplan. Extensions are typically only permitted where working has ceased at the parent site such that the rate of working remains relatively constant over time. It is not the case that where there are a number of allocations in a single area, that these are worked concurrently. Policy DM1 – Development Management Criteria includes the need to consider any cumulative impact of quarry working, including with non-mineral development.</p> <p>With regards to the site highlighted adjacent to Site A7, this relates to a proposed flood alleviation venture between a private company and the Environment Agency which will</p>
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				<p>involve the establishment of an extension at Bradwell Quarry to facilitate the creation of flood defences. Whilst the MWPA notes the comments received, at the point of the Regulation 18 Consultation in 2021, this was not a site that was being proposed for allocation through the MLP Review. However, land pertaining to the same area was submitted through the Call for Sites exercise in March 2022 as a candidate site for future sand and gravel extraction. The site will therefore be assessed under the site selection methodology that all sites received through the March 2022 Call for Sites exercise will be subjected to, and the outcome of that assessment will form part of a second Regulation 18 consultation in 2023. It is further noted that the evidence supporting this submission states that a 'planning application for the flood alleviation scheme will come forward during 2022'. This would pre-date the adoption of any new Preferred Site allocations through the MLP Review and</p>
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				<p>the site would therefore be considered to be a proposal on a non-Preferred Site, irrespective of the outcome under the site assessment.</p> <p>Any application submitted to work a site that is not allocated as a Preferred Site in the MLP will be assessed against the relevant policy framework in the adopted MLP, particularly Policy S6, at the point of an application being submitted. The issues raised in the responses to the Regulation 18 Consultation 2021 would be required to be considered, particularly under Policy DM1. A specific public consultation exercise on any future application would subsequently form part of the determination process for that application, irrespective of whether it was a Preferred Site or not. As of August 2022, an application has yet to be submitted and therefore there is no application before the MWPA to determine. Should permission be granted, the quantity of mineral to be extracted would be added to the permitted reserve</p>
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				for the County and not taken as a separate or additional figure.
Bretts (203253168)		Not Answered	<p>Carbon Footprint: Since the adoption of the MLP, guidance and legislation (for example: NPPF, Government announcement: UK sets ambitious new climate target ahead of UN Summit UK sets ambitious new climate target ahead of UN Summit) continue to bring the carbon agenda forward as a priority and with this in mind we remain of the view that there is a strong case for the production of building sand at Elsenham, which is supported by the need to reduce carbon footprint. Benefits include:</p> <ul style="list-style-type: none"> • building sand from Elsenham has a very low carbon footprint (as supported in paras. 8 (c), 148, 154 of the NPPF, February 2019). The product passes over a dry screen before being sold from the site. This product is the preferred choice for many builders given the properties it contains, but fundamentally, it compares most favourably to soft washed sand that, after being screened and washed subsequently passes through a drying process before 	<p>With respect to this particular site, this was submitted for consideration as a potential allocation for future sand and gravel extraction as part of the March 2022 Call for Sites exercise. The site will therefore be assessed under the site selection methodology that all sites received through the March 2022 Call for Sites exercise were subjected to, and the outcome of that assessment will be published alongside the second Regulation 18 in 2023.</p> <p>At this stage it can be said that the allocation of any single mineral site is contingent on the need for the mineral, their contribution to a wider supply strategy, the ability to mitigate against unacceptable potential impacts during site working, and the relative degree of severity of any potentially negative residual impacts across a wide range of planning criteria that may remain following extraction. Results will be set out within a</p>

			<p>being mixed with imported additives before leaving the site.</p> <ul style="list-style-type: none">• Elsenham is also closely located to a key customer involving short transportation distances. This customer's requirements are currently being satisfied through imports of soft sand from outside the county by HGV's.• lower cost and energy used in drying,• lower cost and quantity of cement,• lower cost and avoidance of security of supply issues of chemical additives, as well as its natural properties preferred by users in the building trade leading to fewer contract delays, all amount to Elsenham sand having special and important beneficial qualities. The consequence is that negative economic impacts occur with alternatives, together with negative environmental impacts associated with resource use and transport. All amount in planning terms to a preference for Elsenham sand. <p>An allocation for building sand production at Elsenham should be made to meet a landbank</p>	<p>Site Selection Methodology document accompanying the second Regulation 18 consultation, where each site considered for allocation will be assessed. Climatic impacts are only one consideration, and, given the scale of operations at a single mineral site, potentially not as locally significant as other potential amenity impacts.</p>
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			<p>requirement as part of this Plan review. Furthermore, since the adoption of the MLP, the Government has introduced robust requirements to reduce the carbon footprint of the country. Whilst the Plan does need to assess whether allocation sites are now favourable in terms of carbon production, it is clear that, with the Governments policy firmly in mind, production of building sand from Elsenham should be the clear preferred and first option for meeting needs.</p> <p>An allocation at Elsenham would also assist the county in meeting its strategy objectives set by The Vision for Essex whereby it is identified that there is a lack of aggregate in the west of the county. An allocation would also assist in the expected increase in demand for mortar products as a direct consequence of the increase in house building that is being seen, a position that is expected to be sustained through the remainder of the Plan period.</p>	
Alresford Parish Council (613273935)		Not Answered	1.The site is confirmed as an extension to the existing Wivenhoe Quarry, being linked by a haul road (existing underpass) to the	It is considered that this response relates to mineral development originally permitted under Application Reference

		<p>existing processing plant to the west of Keelers Lane and utilising the existing highway access onto the B1027. However, a subsequent planning permission states this route is no longer available and, consequently, the site will be accessed directly from the B1027. The Parish Council understands that the road surface of the B1027 will be line-marked to indicate a dedicated right turn lane for site traffic but we do not feel that this is an adequate standalone safety measure to protect other road users. Our suggestion would be that Essex Highways is consulted further on this so that measures such as speed limit reduction and illuminated warning signs are considered to address serious road safety concerns. Essex Police casualty reduction unit should also be approached for their opinion as there have been KSI accidents on this stretch of road.</p> <p>2.The planning permission confirms a 30 metre margin as a buffer between existing land and properties and the site works. Given the scale of excavations and</p>	<p>ESS/17/18/TEN at 'Land to the South of Colchester Main Road (known as Sunnymead, Elmstead and Heath Farms), Alresford, Essex, C07 8DB'. This application was granted on 18/12/20 and as such, whilst the permission is monitored as it relates to mineral development, there is no opportunity to consult further.</p>
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			<p>the noise and disruption this will cause, we believe a buffer of 150m is essential for residential properties with a 50 metre buffer for the ancient woodland and amenity area of Cockaynes wood.</p> <p>3.The scale and duration of disruption to residents and businesses caused by this operation will be immense. We believe, therefore, that the restored workings should directly benefit the village with a variety of “after uses” to promote health and wellbeing. This should include more extensive public rights of way and other recreational public use including walking, rest areas, fishing, etc.</p>	
Resident (963562320)		Not Answered	<p>Thank you for the interesting local minerals plan. Please could you let us know the planned future with timings of the Birch Gravel Pit.</p> <p>[REDACTED]</p> <p>In view of the unnecessary length of time we would be very grateful if you can enlighten us on the future of Birch Pit. Please could its future be tied in with a satisfactory</p>	<p>The issues raised within this representation are considered to be a private matter between the respondent and the operator. The issues are being addressed outside of the Minerals Local Plan Review process.</p>

			solution to our frustrating situation.	
Coggeshall Parish Council (1042657643)		Disagree (please clarify)	<p>With reference to the minerals and waste policy document and the particular reference to the building of a quarry South of Coggeshall /Blackwater Aggregates / flood alleviation scheme: Coggeshall, Feering, Kelvedon.</p> <p>I am writing on behalf of Coggeshall Parish Council in order to oppose the extension of the quarry development, which is owned by Blackwater Aggregates, who have also offered to construct a dam across the River Blackwater to help prevent flooding along this section of river extending from the West of Coggeshall to Kelvedon and Feering, Essex.</p> <p>As a parish council we have many concerns about the development of both these schemes, and, having read the “Policy on Minerals and Waste for Essex”, many issues have arisen which require more research into by yourselves before such a large-scale development</p>	<p>With respect to the extension of Bradwell Quarry, which relates to Reserve Site A6 and Reserve Site A7, Reserve Site A7 has since been granted permission to be extracted. In any event, by virtue of their allocation in the MLP as an extraction site, the principle of extraction has been accepted by an independent Planning Inspector, although more detailed assessment would be required at the planning application stage ahead of any extraction activities being undertaken. Consultation as part of the review was focussed on whether it was appropriate to re-designate these Reserve Sites to Preferred Sites on the basis of need forecasts setting out that they were required to contribute to the landbank over the Plan period. With the subsequent decision to re-base the Plan to 2040, all existing allocations in the MLP 2014 that</p>

			<p>ruins the beautiful countryside to the south of Coggeshall.</p>	<p>have not come forward will be re-assessed under the new site selection methodology and an assessment made of their continued appropriateness.</p> <p>Regarding the flood resilience scheme, Whilst the MWPA notes the comments received, at the point of the March 2021 Regulation 18 consultation, this was not a site that was being proposed for allocation through the MLP Review. However, land pertaining to the same area was submitted through the Call for Sites exercise in March 2022 as a candidate site for future sand and gravel extraction. The site will therefore be assessed under the site selection methodology that all sites received through the March 2022 Call for Sites exercise will be subjected to, and the outcome of that assessment will form part of a second Regulation 18 consultation in 2023. It is further noted that the evidence</p>
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			<p>supporting this submission states that a 'planning application for the flood alleviation scheme will come forward during 2022'. This would pre-date the adoption of any new Preferred Site allocations through the MLP Review.</p> <p>Any application submitted to work a site that is not allocated as a Preferred Site in the MLP will be assessed against the relevant policy framework in the adopted MLP, particularly Policy S6, at the point of an application being submitted. The issues raised in the response would be required to be considered, particularly under Policy DM1. A specific public consultation exercise on that application would subsequently form part of the determination process. As of August 2022, an application has yet to be submitted and therefore there is no application before the MWPA to determine.</p>	
			Minerals, namely sand and gravel	The mitigation of any potential

			<p>which are to be found in this area of Essex are essential to the building, construction, paper, glass, plastics, steel, cosmetics, medicines and even food processing industries.</p> <p>Unfortunately for the people of Essex, the majority of sand and gravel is only found in this area. Thus, the raw material is in huge demand to be quarried. Whilst we cannot have an attitude of “Not in My Back Yard “it appears that the extension of the quarry planned for the South side of Coggeshall is going to become a huge environmental scar on the landscape extending across this whole southern side of the town of Coggeshall. Quarries already stretch from Bradwell to the East and extend South across the River Blackwater valley as far south towards Silver End and Rivenhall.</p>	<p>site-specific adverse impacts of a proposed development would be addressed through the planning application process, including those impacts which are cumulative, against Policy S12 – Mineral Site Restoration and After-Use and Policy DM1 – Development Management Criteria. This includes land use matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency, which are separately licenced. Further, conditions attached to the granting of planning permission would be expected to be complied with. Failure to adhere to these conditions would result in enforcement action against the operator.</p>
			<p>This area is already under pressure from the planning application for an incinerator in this rural unspoilt area, where there is</p>	<p>Policy DM1 – Development Management Criteria requires that the cumulative impact of development is assessed as</p>

			<p>going to be a large stack burning unknown waste, being transported in on already congested roads. Add to this the industrial activity of a quarry, the pollution, noise, road congestion; is this fair?</p>	<p>part of any minerals related planning application.</p> <p>Any waste that is managed at the permitted Rivenhall facility will be tracked and permitted by the Environment Agency, so the waste will not be 'unknown', and only waste licenced as being acceptable for management at that facility will be permitted.</p>
			<p>Blackwater Aggregates who are developing this quarry site already own the quarry to the South of Bradwell and have been presented with many awards. Eg "compliance with planning control and the commitment to minimizing the potential environmental impact", "principles of environmental best practice, returning the Site back to agricultural use and creating a floodplain, grassland and biodiverse habitat". Obviously, this shows good practice but at what expense, to who and what is the time scale on this?</p>	<p>With regards to Site A7, Application Reference ESS/12/20/BTE permits the extraction of 6 million tonnes of sand and gravel over 8 to 10 years, with progressive restoration completed within 12 years.</p> <p>Land pertaining to the same area as the proposed flood scheme was submitted though the Call for Sites exercise in March 2022 as a candidate site for future sand and gravel extraction. The site will therefore be assessed under the site selection methodology that all</p>

				<p>sites received through the March 2022 Call for Sites exercise will be subjected to, and the outcome of that assessment will form part of a second Regulation 18 consultation in 2023. It is noted that the evidence supporting this submission states that work could begin in 2029, but this is the suggestion of the promoter and is without prejudice to the plan making process, including whether the site is selected as a Preferred Site. It is further noted that the evidence supporting this submission states that a 'planning application for the flood alleviation scheme will come forward during 2022'. This would pre-date the adoption of any new Preferred Site allocations through the MLP Review.</p> <p>Any application submitted to work a site that is not allocated as a Preferred Site in the MLP will be assessed against the</p>
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			<p>relevant policy framework in the adopted MLP, particularly Policy S6, at the point of an application being submitted. The issues raised in the response would be required to be considered, particularly under Policy DM1. A specific public consultation exercise on that application would subsequently form part of the determination process.</p> <p>As of August 2022, there has been no application submitted for the proposed flood scheme. As such, there are no details associated with any potential working beyond those set out in the pro-forma seeking allocation. The proposed means of working set out in the pro-forma do not carry the same weight as a formal planning application, which would still be required should the site be selected as a Preferred Site.</p>
			<p>Having read through the Essex Mineral and Waste Policy document there is much</p>
			<p>As set out in NPPF Paragraph 209, it is essential that there is a sufficient supply of minerals to</p>

			<p>contradicting of your promises if this development goes ahead eg policy number 1.10,2.13. It also stresses that its aim is to not over supply the market with extracted sand and gravel, in order to protect the Essex environment, also emphasising that it is a finite resource. The policy also talks about 1) coordinating supply of minerals into Essex in order to avoid excess transportation,2) protect amenities and communities whilst contributing to the enhancement of the buildings, natural and historic environment. The mineral developers will engage with the communities to create best solutions (locally). 3) Climate change – all extraction will have regard to climate change, aiming to reduce greenhouse gas emissions and prepare for more adverse weather extremes. It is also mentioned that they will not be extracting from areas in close proximity to settlements. This statement is in total opposition to what is planned to happen to</p>	<p>provide the infrastructure, buildings, energy and goods that the country needs.</p> <p>The mitigation of any potential site-specific adverse impacts of a proposed development would be addressed through the planning application process, including those impacts which are cumulative. Policy DM1 – Development Management Criteria regulates against potential impacts that may result from the working of the quarry, whilst Policy S12 – Mineral Site Restoration and After-Use ensures that restoration is of a high-quality and ensures long-term local benefits. In both instances, this includes land use matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency, which are separately licenced. Further, conditions attached to the granting of planning permission would be expected</p>
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			<p>Coggeshall and its surroundings. The policy document continues to talk about "Restoration and after use", as the activity of quarrying is temporary and worked in sections of a timescale of 5 to 20 years. They do not actually give any actual time scale to the time each section of extraction is going to take. If it is in 5 years intervals and they are splitting the area into 5 segments, that is going to last for at least 25 years.</p> <p>This does not encourage the local population of Coggeshall to want to remain in Coggeshall; if you are already in your 60s it is likely that you will not see the eventual relandscaping; if you are a child of 5 you will be in your 30s before you can enjoy the restored land that has been become lakes, woodland and hills, hopefully.</p> <p>Remember however, trees take many years to become mature enough to appreciate that they have become a woodland that can</p>	<p>to be complied with. Failure to adhere to these conditions would result in enforcement action against the operator. The Bradwell Quarry is being restored through a Masterplan approach, on a phased basis, which seeks to ensure that sites are restored and placed in aftercare whilst other parts of the quarry are still being extracted.</p>
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			<p>actually be enjoyed, that's if they become an amenity for the use of the public.</p>	
			<p>Many other statements within the policy do not support the further extraction of sand and gravel around Coggeshall. They include 3.3,3.5 (3),3.8(8). The policy also discusses its aim to reduce the use of mineral resources, following the national waste policy and legislation thus their aim is to reduce, reuse, recycle, hence why the need to keep extending on uncontrollably along the south side of Coggeshall?</p>	<p>The MWPA can only reduce use of mineral resources by making recycled alternatives to primary extraction more accessible. As Essex has no aggregate landing wharves, the MWPA cannot explore the potential to proactively increase mineral from the marine environment beyond ensuring the safeguarding of its existing network of transshipment sites. NPPF Paragraph 213 sets out a requirement for Essex County Council as a Minerals and Waste Planning Authority (MWPA) to 'plan for a steady and adequate supply of aggregates'. This is determined by a methodology also set out in NPPF Paragraph 213. Minerals can only be worked where they are found, and the MWPA can only consider and subsequently allocate sites for mineral</p>

				<p>extraction that are submitted to it by interested landowners or site promoters operating on their behalf, to provide some certainty of delivery. The main sand and gravel belt in Essex runs from the north east to the south west of the county so the Braintree District overlies significant sand and gravel deposits. Sites currently allocated in the MLP were selected following the application of a site selection methodology in 2012, the results of which were independently assessed by a Planning Inspector. Allocations are then drawn on a policy map, and determined based on their conformity with the Development Plan, its policies and Preferred Site boundaries. It is not the case that mineral working is extending uncontrollably.</p> <p>The Bradwell Quarry is part of a multi-phased development. Sites A3 – A7 were allocated</p>
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			<p>through the MLP and as of August 2022, have the following status:</p> <p>A3 – completed and in restoration – the site was part restored then activities moved towards storing 1.3 million cubic metres of overburden derived from implementation of the Integrated Waste Management Facility. Work is almost completed, and the site should be restored this year.</p> <p>A4 – As above.</p> <p>A5 – Is currently being worked, operations are ongoing in phase 4 of 4, with restoration being undertaken in Phases 1 and 2.</p> <p>A6 – No application received.</p> <p>A7 – Permission granted.</p>	
			<p>Surely, as your policy states on a national and local level the aim is to “ensure that as much demolition, construction, and excavation waste is reused and recycled. This</p>	<p>The production of recycled and secondary aggregates, and the amount of aggregate going to landfill. is recorded through the Environment Agency’s Waste</p>

			<p>means less primary material is required, reducing inert waste". The policy also talks about how much waste at present goes to landfill and how they aim to reduce this. They recycle aggregates from road, rail, construction and industrial processes e.g., Power station ash, this material is all recycled into another sand and gravel commodity. Thus, they propose in the East of England region to provide 117 m. tonnes of alternative aggregate materials between 2005 to 2020, which works out at 7.8 m tonnes a year that means 31% of the regions' total aggregate is to come from reused/ recycled material. How can this be proved? Also, due to the amount of new building of houses and roads predominantly in the Essex area, the demand for more and more sand and gravel negates any attempt to reduce the increased demand on the amount of quarrying being done.</p>	<p>Data Interrogator. The production, and future sale, of recycled and secondary aggregates are commercial activities upon which the MWPA can exert no control. The amount of recycled and secondary aggregate produced is then presumably sold, and this tonnage can be compared to the amount of primary material sold. It is however known that data collation is patchy, and there is an ongoing project being undertaken nationally by each Waste Technical Advisory Body to derive a more robust methodology to calculate aggregate recycling capacity and production. It is also stated by the Mineral Products Association regularly that the use of recycled aggregate is already maximised and there is little in the way of potential to significantly increase its use such that it can substitute for an increasing proportion of primary</p>
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				<p>aggregate.</p> <p>The MWPA can promote the use of recycled aggregates by having permissive policies which support the development of aggregate recycling sites, and policies that support the circular economy and the sustainable procurement of minerals. However, it remains the case that the MWPA does not develop the recycling facilities itself. These are provided on a commercial basis by the mineral industry.</p> <p>It does however remain the case that NPPF Paragraph 213 sets out a requirement for Essex County Council as a Minerals and Waste Planning Authority (MWPA) to 'plan for a steady and adequate supply of aggregates'. This is determined by a methodology also set out in NPPF Paragraph 213.</p>
			<p>In 2007 the Mineral and Waste Policy stated how the extraction of</p>	<p>The capacity of a local area to accommodate minerals</p>

			<p>sand and gravel impacts on surroundings and local communities eg. dust and noise emissions, plus vehicle movements. It was stated that such activities like sand and gravel extraction should avoid developing near hospitals, clinics, retirement homes, residential areas, schools, offices, horticultural production, food retailing and certain industries like high tech. painting, furnishing and food processing.</p> <p>If you look at the settlement of Coggeshall you will see that many of these named activities happen here. Essex county council state they must be consulted by the mineral planning authority, all development must go through them. Policy S9 d) and 3.182 explain this and why and admits the damage caused to the environment, 3.184 explains where there is mineral development there must be compliance. Policy S 10 states that any applications must have given appropriate</p>	<p>development is heavily dependent on the proximity of existing development, the type of operations proposed, how they are planned for and mitigated, and the programme of implementation and monitoring. These issues are best addressed on a site-by-site basis under the Development Management policies</p> <p>Where reference is made to the avoidance of minerals development near sensitive development, an appropriate distance needs to be assessed on a case-by-case basis but, and without prejudice, these distances are typically measured in the low hundreds of metres and not miles. The MWPA currently designates land within 250m of permitted, allocated and existing mineral developments as a Minerals Consultation Area within which it must be formally consulted on any non-mineral development to</p>
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			<p>consideration for public health, wellbeing, safety, amenities, quality of life of nearby communities, the natural and built environment. The developers should also show they have tried to improve the environment and delivered a net gain to the biodiversity as an outcome of the final restoration. However, from start to finish in a quarry, to fully restore the environment we are looking at 30 to 40 years; during that time, the local population suffer, the environment suffers, the water quality, storage and drainage suffer and so too does the farmland and local working lives. The policy also states, S 12 that minerals can be extracted by quarrying provided they can demonstrate that the land is capable of being restored at the earliest opportunity to an acceptable environmental condition. S12 continues by saying 1) restore in phased stages, 2) provide net biodiversity gain following final restoration, create</p>	<p>ensure there are no impacts on either the new or existing development. Where it is mineral development being proposed, a number of bespoke studies are required to address the principles set out in Policy DM1 – Development Management Criteria, as part of the planning application.</p> <p>For example, and as set out within the Guidance on the Assessment of Mineral Dust Impacts for Planning 2016 published by the Institute of Air Quality Management, approximately 95% of dust particles from mineral workings have a relatively high mass and generally deposit within 100m of the point of release, with the remainder being deposited within 200 – 500m of source. Further, mineral sites will have controls which act to additionally minimise dust emissions.</p> <p>It is noted that vehicle movements can have wider</p>
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			<p>habitats and local ecological networks 3) infill with caution 4) look after reclaimed land for 5 years to assess its sustainability 5) soil resources are retained, conserved, handled before and after appropriately 6) restore to best agricultural land 7) hydrological and hydro geological conditions are preserved, maintained and managed to prevent adverse impacts ,flood risk is not increased 8) maintain important geological features,9) improve natural distinctiveness 10) maintain land stability 11) protect loss of heritage sites 12) avoid any adverse effects on wildlife habitats 13) incorporate resilience measures in climate schemes . Unfortunately, Coggeshall is only 3 miles away (Bradwell) from a quarry area that has been working for the last 20 years at least. Unfortunately, due to the dangerous mode of work and work environment, nobody can just look around to assess what has been restored back to the original</p>	<p>impacts on the local road network that go beyond a few 100m, and where the movement of minerals are to be by road, planning applications would be required to demonstrate that HGV movements shall not generate unacceptable impacts on highways safety and capacity. A proposed amendment requires the submission of a Transport Assessment which demonstrates a consideration of road users, including cyclists, horse riders and pedestrians. Supporting text to Policy S11 at Paragraph 3.198 (3.182) also notes that consideration should be given to the need to manage the movement of traffic to the most appropriate routes and the mechanism available to achieve this, including legal agreements and in consultation with the Highway Authority. However, it must be noted that HGVs are entitled to use the road network as much as any other taxed</p>
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			<p>landscape or improved upon it, for example a country park or established woodland (none of this is evident). Therefore, to allow a quarry to open up closer to Coggeshall does not fill one with anything but dread.</p>	<p>vehicle, and that therefore the MWPA are generally limited to impacts on the immediate road network, including access.</p> <p>With regards to monitoring progress with restoration schemes, there are safety issues associated with public access to active quarries and in any event, this is a commercial activity being undertaken on private land. Where public access was previously granted, planning applications are required to include temporary alternative routes that closely match the originals.</p> <p>Planning applications for mineral extraction must be submitted with a restoration scheme which conforms with MLP Policy S12 – Mineral Site Restoration and After-Use. As such, timescales and the type of restoration associated with any quarry are publicly accessible. Progress against restoration schemes, including form and time frames,</p>
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				<p>is monitored by planning officers and failure to adhere to a planning permission would result in enforcement action against the operator. Whilst it is noted that bunding can create unnatural landscape features, opportunities are required to be explored to create more natural screens, and earth mounds/ bunds that are created to form acoustic and visual barriers will typically be flattened and re-contoured as part of a restoration scheme. Such earthworks can be removed and used to part re-fill the gap left by the extracted mineral.</p> <p>The Bradwell Quarry is part of a multi-phased development. Sites A3 – A7 were allocated through the MLP and as of August 2022, have the following status:</p> <p>A3 – completed and in restoration – the site was part restored then activities moved towards storing 1.3 million cubic</p>
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			<p>metres of overburden derived from implementation of the Integrated Waste Management Facility. Work is almost completed, and the site should be restored this year.</p> <p>A4 – As above.</p> <p>A5 – Is currently being worked, operations are ongoing in phase 4 of 4, with restoration being undertaken in Phases 1 and 2.</p> <p>A6 – No application received.</p> <p>A7 – Permission granted</p>
			<p>The Minerals and Waste Policy Document Section on Development Management Policies include the following: 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10.</p> <p>All of these statements included in this section explain about how the quarrying will have an impact on the environment, they consider transport, the increased number of lorries to and from the quarry sites,</p>
			<p>As proposed to be set out in Paragraph 5.4 (5.16), proposals for minerals development that generate significant amounts of movement will be required to be supported by a transport assessment of potential impacts. This should include the movement of minerals within and outside the site, emissions control, energy efficiency and local amenity including impacts on highways safety and congestion. A transport assessment may need to</p>

			<p>the route networks, namely roads which have to be built or expanded upon to make them HGV suitable. The access roads on to the site have to be built to accommodate the weight of HGV's. The routes from the minor roads onto the A120 and A 12 will become so congested, causing high amounts of air and noise pollution. The policy number 5.7 looks at factors such as the proximity to homes, schools, wildlife habitats and other sensitive and incompatible land uses and emphasises that these must be taken into account. It does suggest that buffers could be created between the residential areas and the quarry site at least 100 metres away, however this will create a visual eyesore and could create a problem when it comes to drainage (see below where I talk about drainage).</p>	<p>include an assessment of potential air quality impacts to avoid adverse effects on the integrity of Habitats Sites. Where necessary the provision of a Site Transport Plan setting out the developers' mechanisms to control traffic movements within the locality will be encouraged. A Site Transport Plan deals with issues including routing, hours of movement and considerate driving. This will help minimise the environmental impacts of transporting minerals.</p> <p>As set out within the Guidance on the Assessment of Mineral Dust Impacts for Planning 2016 published by the Institute of Air Quality Management, within approximately 95% of dust particles from mineral workings have a relatively high mass and generally deposit within 100m of the point of release. This is the basis for a 100m buffer. As part of permitting mineral extraction, impact surveys are required to be undertaken across a number of factors, and mitigation measures imposed where required. This includes noise,</p>
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				<p>dust, water resources, visual amenity and light.</p> <p>Potential impacts relating to the working of minerals would be addressed under Policy DM1 – Development Management Criteria. This includes land use matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency, which are separately licenced. Any impacts, including visual and drainage, will be assessed through bespoke studies on a site-by-site basis.</p>
			<p>Health and Well-being of the local population is considered to be a very important issue as is the use of the local environment, and as we are now increasingly more aware due to the last year 2020 - 2021 of Covid 19, being out in the open air is very important to both our physical and mental health. Since the last year has changed much of our work and leisure, patterns of movement and pressures on the land have altered. Many offices and large</p>	<p>NPPF Paragraph 213 sets out a requirement for Essex County Council as a Minerals and Waste Planning Authority (MWPA) to ‘plan for a steady and adequate supply of aggregates’. This is determined by a methodology also set out in NPPF Paragraph 213. The provision of housing, offices and commercial units, both in terms of numbers and location, is the responsibility of local district, borough and city council. Whilst</p>

			<p>shops in towns and city centres, are no longer needed. Surely it is time to reassess building demands. It is not 'Build, Build, Build' office blocks and shopping centres, its housing that is needed. Therefore, let us have a break from the trend on only expanding out into the countryside, instead use the vacant buildings within the towns and cities, change their function or at least reclaim the land and its resources and rebuild on these brownfield sites preserving the countryside and its resources for later use if necessary.</p> <p>The countryside is our oxygen tank and is for the benefit of everyone from the city to the countryside. It is not just for the financially more secure who can just move away from any area under threat. If we continue the trend of overspill and spreading outwards, extract all the resources, the cities will eventually have empty centres and there will be no countryside left.</p>	<p>a statutory consultee in the development of local plans which determine the scale and location of housing development, the MWPA is not the determining authority in these cases, nor is it able to allocate land for housing development or repurpose existing buildings.</p> <p>Potential impacts to human health and well-being relating to the working of minerals would be addressed under Policy DM1 – Development Management Criteria. This includes land use matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency, which are separately licenced. A Health Impact Assessment is one approach than can be utilised to address the requirements of Policy DM1. If the impacts on human health are not capable of being sufficiently mitigated then</p>
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			<p>Policies 5.11, 5.12, states that a Health Impact assessment may be required to provide decision makers with information about how the proposal may impact directly or indirectly on people's health eg . transport, dust, noise, visual pollution, safety for the individual and threat to the local environment. Health issues can be both direct or indirect, but if they can be related then the expansion of the quarry should not go ahead.</p>	<p>planning permission or an Environmental Licence for mineral development activities would not be granted.</p>
			<p>Surface water drainage and the Environment: Mineral extraction has great potential to impact on surface water features, river, ditches, ponds, groundwater levels and groundwater movement. Ironically, the Blackwater Aggregates had suggested that part of their extraction proposal would be to construct a dam across the River Blackwater to prevent the river from flooding. this is quite ironic as I have suggested above, quarrying can encourage flood problems.</p>	<p>Potential impacts relating to the working of minerals, including on water resources, would be addressed under Policy DM1 – Development Management Criteria. This includes land use matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency, which are separately licenced. Discharging activities from quarries are strictly regulated through a permitting scheme by the Environment Agency. The</p>

			<p>Policy numbers 5.13, 5.14, 5.15, 5.17, 5.19, 5.21 explain that, before a quarry can be constructed, they must look at rainfall amounts, rate and volume of discharge from the site. If you look in cross section at this part of the River Blackwater and the potential site of the quarry, it is a gentle valley slope with a valley angle of about 30° which means that runoff both on the land surface and ground water will be quite fast and efficient, combined with the type of soil which does not allow for a great amount of percolation downwards through the sub soil, therefore the water will arrive at the river within a few hours (known as lag time) as it is mainly surface run off. 5.17 emphasises this issue.</p> <p>The policy also mentions dewatering activities, this should be paused after rainfall, only if the discharge from the quarry is clean water can companies proceed without a bespoke discharge permit. This I find very concerning, that discharge from a quarry is</p>	<p>quoted paragraphs point to the level of detailed evidence that is required to be submitted as part of a planning application to ensure that there are no unacceptable impacts on surface water, drainage and discharges from quarrying operations. Monitoring of this is regularly undertaken and failure to comply would result in enforcement action being taken against the operator which could potentially include the cessation of working and financial penalties.</p>
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			<p>allowed to be emptied into a river, adding extra silt and extra water volume which could increase the risk of flood plus pollutants of unknown sources.</p> <p>Policy 5.17 states to prevent an increase of flood risks it is necessary to maintain the capacity of the floodplain and free flow of flood water. In order that this is maintained ensure there is no loss of floodplain storage area. If water is released from the quarry, it must be managed releasing it only at appropriate rate and volume to the river or sewer. Also ensure floodwater is not held back by earth bunds which are there to divide up the quarry and to block the view to the quarry.</p> <p>Groundwater and surface water provide fresh water as they percolate into the water table, this supports the resident population and the local wildlife habitats and the environment eg. Ditches and moisture content from the top and</p>	
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			<p>sub soil for farming. However, if there are contaminates within this water this will have a major effect on the whole area both for humans and the environment.</p>	
			<p>Policy 5.23 considers Visual and Landscape Impact, it explains that mineral development and extraction can result in significant changes to the landscape during quarrying and after it has exhausted all minerals. If excavation goes on for years it will have a long-term effect on the environment for example, huge hollows in the ground these are called 'silt lagoons' where water and fine silt is deposited into a hollow, they are very dangerous as they appear to be solid land and for any unsuspecting trespasser they can act as quick sand, these can be a very dangerous area to local young people unless fenced off securely with adequate warnings surrounding the ponds and / or made safe by re landscaping, also earth mounds</p>	<p>A restoration scheme must form part of a permission to extract, and this will ensure that land that is intended for public access is safe to do so. This includes reclaiming silt lagoons if they are not otherwise proposed to be turned into permanent water features to satisfy biodiversity net gain requirements.</p> <p>Earth mounds/ bunds that are created to form acoustic and visual barriers will typically be flattened and re-contoured as part of a restoration scheme. Such earthworks can be removed and used to part re-fill the gap left by the extracted mineral.</p> <p>Mineral development is conditioned to protect the best</p>

			<p>that are formed with all the waste or to prevent the population from seeing the quarries. What happens to these lagoons on landscaping? Policy points 5.26 emphasises how particular attention must be drawn to how to protect the visual view of the landscape besides restoration of it throughout its use. If earth mounds are being used during excavation this I can accept, but how does this eventually become integrated back into the final landscape?</p> <p>The landscape of this particular area is a sloped valley towards the Blackwater with a rise to a level area about 60m above sea level where arable farming takes place eg, rape, barley, wheat, fallow grass, rotation takes place over the years on this fertile grade 1, 2, or 3 quality land. The policy emphasises how much safeguarding of the landscape should be done keeping local features eg woodlands, hedgerows, and topography and the biodiversity networks. Will this</p>	<p>and most versatile agricultural soils. When soils are carefully excavated and stored, their quality can be preserved. For example, soils can be required to be stored in the same order of layers in which they were extracted, seeded to ensure that the soil remains bound together, not worked or removed under certain weather conditions and not compressed by heavy machinery. They would also typically be required to be stored on land with good drainage to ensure that they do not become waterlogged. More information can be found in 'Safeguarding our Soils: A Strategy for England' 2009 published by Defra.</p> <p>The final proposed after-use of a mineral site is also expected to be set out as part of a restoration programme. Paragraph: 040 Reference ID: 27-040-20140306 of Planning Practice Guidance requires</p>
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			<p>area ever be returned to a fertile arable economy or does that disappear and its whole economy has gone? You cannot forge a living in arable farming on poor agricultural land.</p>	<p>information that sets out 'how the topsoil/ subsoil/ overburden/ soil making materials are to be handled whilst extraction is taking place'.</p> <p>The same paragraph also notes that 'Where working is proposed on the best and most versatile agricultural land the outline strategy should show, where practicable, how the methods used in the restoration and aftercare enable the land to retain its longer term capability, though the proposed after-use need not always be for agriculture.' As such, the MWPA can ensure that land is capable of being restored to a best and most versatile agricultural capability, and that soil quality is preserved, the MWPA cannot require that land is actually returned to agriculture in the longer term. The after-use of the land is ultimately a decision for the landowner, subject to any planning permission being</p>
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				required.
			<p>Biodiversity and Geological Conservation: Policy numbers 5.27, 5.28, 5.29, 5.30, explain the importance of protecting the environment, unfortunately I cannot see how the environment is not interrupted where a quarry creates a scar on the landscape. Not only have the trees, ancient hedgerows, birds such as skylark, kestrel, owl, thrush, blackbird, starling etc. mammals such as fox, badger, deer, hare, rabbit, lose their habitats and their food chains, where do they go and how do they move on? Their ecosystem is lost forever it cannot be returned, replanting can be done, and native plants returned but it is not how it should be. Policy number 5.30 states measures to avoid or minimise adverse impact on the biodiversity and geological conservation interests. Climate change is a major issue and a priority of every government and</p>	<p>Whilst it is recognised that new habitats and species will take a period of time to establish or re-establish themselves, mineral extraction is a temporary development, that by its nature, can only take place in more rural locations. Even before the requirement for all development to now ensure a 10% net gain in biodiversity, mineral development often increased the overall biodiversity of former extraction sites through high-quality restoration. In Essex alone, nearly 200ha of additional priority habitat creation has been committed to in permitted planning applications since the MLP was adopted in 2014.</p> <p>It is also noted that Policy S3: Climate Change includes a number of proposed amendments which seek to better realise the potential climatic benefits from site restoration and after-use</p>

			<p>county council, removing areas of productive land in balance with the local wildlife, hedgerows, and woodland will contribute to global warming.</p>	<p>schemes, including those set out in relevant Local Plans and Green Infrastructure Strategies, for biodiversity and habitat creation, flood resilience, countryside enhancement, green and blue infrastructure and the provision of living carbon sinks. It is also proposed to be stated that the Mineral Planning Authority will support minerals development which increases</p> <p>the resilience of communities and infrastructure to climate change impacts, and require minerals development to consider the use of decentralised and low and zero carbon energy technologies generation, where feasible and viable, in order to reduce the consumption of energy and natural resources.</p> <p>Where habitats are considered to be of such significance that they are nationally designated, mineral extraction, at least in</p>
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			<p>If you consider the area where the planned quarry is to be developed it is not only in an area of beautiful,</p>	<p>Essex, is unlikely to be permitted within them. The Habitats Regulation Assessment accompanying the MLP Review assesses all potential new allocations for any potential impact on nationally significant habitat sites, including those habitats outside of the boundary of proposed mineral sites, and sets out any mitigation measures that would be required.</p> <p>Alongside habitats, impacts on protected species are also required to be mitigated. This can include the required translocation of certain species, such as Great Crested Newts, and the creation of an alternative habitat outside the extraction site. Another example are badgers and their setts, upon which any impact requires a licence from Natural England.</p> <p>Archaeological investigation by way of trial trenching will be required in areas that are</p>
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			<p>relatively unspoiled countryside it is also an area seeped in history thus where the policy section Heritage Assets Policies 5.31, 5.32, 5.33, 5.34, 5.36, 5.38, cover aspects of heritage, archaeological buildings and structures which must be protected, any applicant considering quarrying must look into this heritage and it must be given priority consideration. The town of Coggeshall appears to have been an important settlement as far back as Roman times, the local abbey suggests this, there is evidence of its history during the Tudor period and the centre of the village has many examples of this with beautifully presented Tudor buildings. The policy states that unknown archaeological remains must still be safeguarded, making assessments of the area before even applying for planning.</p>	<p>considered to have historical value.</p> <p>Paragraph 194 of the NPPF requires that 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance...Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.</p> <p>This requirement is transposed into the MLP. Policy DM1 – Development Management Criteria states that 'Proposals for minerals development will be</p>
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			<p>permitted subject to it being demonstrated that the development would not have an unacceptable impact, including cumulative impact with other developments, upon...13. The historic environment including heritage and archaeological assets.</p> <p>Paragraph 5.34 (5.47) of the MLP provides more detail, setting out that 'To safeguard presently unknown remains, an archaeological assessment should be carried out by the developer if an area is likely to be of high archaeological potential (as implied by the Historic Environment Record). The assessment must be carried out before a planning application is submitted as this will help determine the suitability of the proposal, appropriate methods of working and suitable conditions if planning permission is granted.'</p>	
			Recreation and rights of way must	Paragraph 5.35 (5.48) of the

			<p>be considered and alternative routes created if a footpath is being taken, if any open spaces, informal, outdoor recreational land is removed then this has to be replaced.</p>	<p>MLP states that 'Minerals development can affect public rights of way, open spaces and informal outdoor recreational land. Public access to such routes and areas may be restricted for health and safety reasons and to prevent criminal damage. Where rights of way are affected, arrangements for their temporary or permanent diversion must be put in place as part of proposals. This will apply to definitive routes used by cyclists, horse riders and walkers that either cross or are close to a site. Restoration of mineral workings may provide an opportunity to provide new or enhanced rights of way and outdoor recreational uses.'</p> <p>Whether a site remains in use as informal open/ recreational land is a decision to be made by the landowner of that land. The MWPA cannot force land to be returned to informal public use, nor that informal recreational land is 'replaced'. The MWPA</p>
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				<p>can however require that proposed after-uses take public benefit into account.</p>
			<p>Policy 5.37 emphasises that top soils and sub soils should be removed and stored separately during the preparation and working of the quarry. This will support later land reclamation when it is returned to its original use. Where is such soil put for protection? If left in the open in the elements, how is it retained without leaching and the goodness being washed away? This will leave a much poorer soil to be returned to cover the surface of the land as a topsoil for arable farming to continue.</p>	<p>There are a number of means by which the quality of soil can be preserved. For example, soils can be required to be stored in the same order of layers in which they were extracted, seeded to ensure that the soil remains bound together, not worked or removed under certain weather conditions and not compressed by heavy machinery. They would also typically be required to be stored on land with good drainage to ensure that they do not become waterlogged. More information can be found in 'Safeguarding our Soils: A Strategy for England' 2009 published by Defra.</p> <p>Soil resource plans can be submitted which ensure that, once soils are returned to the void left by mineral extraction, that the entire soil profile is left</p>

				<p>in a condition to promote sufficient aeration, drainage and root growth, and any storage of soil is minimised as part of a phased approach to site restoration. This requires knowing the type of soil present at a site, different techniques for removing and storing topsoil and subsoil, its storage and longer-term after care. This includes avoiding the soil becoming water-logged and overly compacted. After-care is understood as sometimes requiring a number of years.</p>
			<p>The structure of the quarry must be secure, policy 5.38 states that the quarry sides must be stable and not subside either on or off the site. Housing and surrounding areas must be protected from land slippage. Where the quarry site adjoins roads, bridges or energy transmission routes appropriate land margins must be provided.</p>	<p>Stand-off distances to ensure no impacts on amenity and infrastructure will be clearly set out as part of the granting of planning permission. Methods of working the site to ensure its safety and stability will also be secured as part of the granting planning permission.</p>
			<p>The final part of the policy document looks at DM 2 Planning</p>	<p>Noted.</p>

			<p>Conditions and Legal Agreements. This considers the final considerations before granting of the planning permission for mineral development, the minerals planning authority will impose conditions and / or require legal agreements to mitigate control of the effects of the development and to protect the enhancement of the area.</p>	
			<p>In summary, having considered all the aspects of the Mineral and Waste Policy it is quite clear to see that to expand the quarry to the south of Coggeshall would be not only unpopular to the residents who live in the locality, but is totally unsuitable for an area like Coggeshall, for the following reasons:</p> <p>The land use around Coggeshall is high quality farm land grades 1, 2, or 3, which supports high quality arable crops. Surrounding the fields is a network of hedge rows which date back hundreds of</p>	<p>Reserve Site A7 in the MLP has since been granted permission to be extracted.</p> <p>Where this response relates to a proposed flood resilience venture between a private company and the Environment Agency which will involve the establishment of an extension at Bradwell Quarry to facilitate the creation of flood defences. Whilst the MWPA notes the comments received, at the point of the Regulation 18 Consultation in 2021, this was not a site that was being proposed for allocation through</p>

		<p>years. Luckily, we still have hedges after the Common Agricultural Policy wanted them all taking out. It is a good job many are still here as hedgerows not only form part of the important food chain for local animals, these areas are their ecosystems and protect the fields from soil erosion and contribute to high oxygen levels and absorbing carbon dioxide.</p> <p>Coggeshall is an old, very attractive town with an Abby which has evidence of Roman remains, near which is a Barn of at least Tudor or earlier origins. The quarry would be approximately 400 metres from this.</p> <p>Coggeshall itself is a fast-developing town and much of its "Neighbourhood" planned development land has been allotted thus the blue and green spaces left within the town are limited. The town population look to the countryside around for their space and fresh air. If a quarry develops on the town's margin it will have an effect on their</p>	<p>the MLP Review. However, land pertaining to the same area was submitted though the Call for Sites exercise in March 2022 as a candidate site for future sand and gravel extraction. The site will therefore be assessed under the site selection methodology that all sites received through the March 2022 Call for Sites exercise will be subjected to, and the outcome of that assessment will form part of a second Regulation 18 consultation in 2023. It is further noted that the evidence supporting this submission states that a 'planning application for the flood alleviation scheme will come forward during 2022'. This would pre-date the adoption of any new Preferred Site allocations through the MLP Review and the site would therefore be considered to be a proposal on a non-Preferred Site, irrespective of the outcome</p>
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			<p>physical, mental health and wellbeing. Also, Coggeshall attracts many tourists from both the U.K. and abroad due to its Roman, Norman and Tudor buildings. If a quarry is excavated here, who will want to continue visiting? This will have a major influence on the local economy especially the hotel and public houses.</p> <p>There would be an increase in noise, dust laden air pollution, increase in traffic and especially HGVs. Many of which will have to access the A120 via routes that will have been expanded and created across the countryside and other footpaths or bridle ways which cross over this area.</p> <p>The route ways around Coggeshall are inadequate and busy, congested most times of the day. Often the traffic is queuing back from Marks Tey roundabout where the lorries will join the A12 or join the railway at the access</p>	<p>under the site assessment.</p> <p>Any application submitted to work a site that is not allocated as a Preferred Site in the MLP will be assessed against the relevant policy framework in the adopted MLP, particularly Policy S6, at the point of an application being submitted. The issues raised in the responses to the Regulation 18 Consultation 2021 would be required to be considered, particularly under Policy DM1. A specific public consultation exercise on any future application would subsequently form part of the determination process for that application, irrespective of whether it was a Preferred Site or not. As of August 2022, an application has yet to be submitted and therefore there is no application before the MWPA to determine.</p> <p>The MWPA additionally notes that the mitigation of any potential site-specific adverse</p>
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			<p>road at the railway depot at Marks Tey railway station, or all the way travelling West on the A120 to the bypass which surrounds the North side of Coggeshall. This then encourages drivers to use Coggeshall as its access point to get to the A12 at Feering if it wants to go North, or Kelvedon via the High Street if it wants to go South.</p> <p>With an increase in housing demand being satisfied by large areas of land being given up for building, the routes in and out of Coggeshall and surrounding settlements are full to capacity which shows an increase in pollution and noise. Also, many roads are crumbling at their edges and potholes developing all over the area this makes it difficult for local traffic to ride or drive along these roads. This also shows the huge increase in traffic on local rural roads is becoming totally unsuitable for what these roads were built for</p>	<p>impacts of a proposed development would be addressed through the planning application process, including those impacts which are cumulative. This includes land use matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency, which are separately licenced. Further, conditions attached to the granting of planning permission would be expected to be complied with. Failure to adhere to these conditions would result in enforcement action against the operator.</p>
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			<p>The development of a quarry on the South side of Coggeshall would be a disaster, this is the highest point on the south of Coggeshall and would make the town feel like they are trapped in, bounded by the bypass to the North and the quarry to the south.</p>	
			<p>The quarry that lies between Bradwell and Coggeshall has been active for at least the last 20 years however, the village of Bradwell and Coggeshall as yet have not seen the landscaping or any beneficial reclamation of this land or notification of intent. If the local populations were able to appreciate a return to a landscaped area for agriculture and leisure use, it might make the local population feel that to open up a large expanse of land to build a quarry would be worth it because it is returned back to its former use. This, at the moment no one can say or agree to. The longevity of the scheme does not therefore benefit the local population,</p>	<p>Planning applications for mineral extraction must be submitted with a restoration scheme which conforms with MLP Policy S12 – Mineral Site Restoration and After-Use. As such, timescales and the type of restoration associated with any quarry are publicly accessible. Failure to adhere to a planning permission would result in enforcement action against the operator.</p> <p>The Bradwell Quarry is part of a multi-phased development. Sites A3 – A7 were allocated through the MLP and as of August 2022, have the following status:</p> <p>A3 – completed and in</p>

			<p>instead there is a cost to our environment, our health and our mental wellbeing, especially if your house is nearly surrounded by quarry activities which is going to be the case for some outlying farms eg on Cuthedge Lane Deeks Cottage, Scrips Cottage, The Birches, Scrips House, Scrips Farm Cottage, Hylands, Herons Farm, Haywards Cottage, Curds Hall. These houses are going to literally be surrounded by quarry is this fair? These houses have been here generations, they are a valuable part of the Coggeshall country side.</p>	<p>restoration – the site was part restored then activities moved towards storing 1.3 million cubic metres of overburden derived from implementation of the Integrated Waste Management Facility. Work is almost completed, and the site should be restored this year.</p> <p>A4 – As above.</p> <p>A5 – Is currently being worked, operations are ongoing in phase 4 of 4, with restoration being undertaken in Phases 1 and 2.</p> <p>A6 – No application received.</p> <p>A7 – Permission granted.</p> <p>If the flood alleviation scheme was approved, there would not be mineral extraction at both Site A7 and the flood alleviation scheme at same time. There could potentially be some overlap in terms of setting up the flood alleviation scheme while still extracting in A7 and some interim restoration in A7</p>
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				<p>when extraction taking place in Flood scheme, but such overlap is considered to be of the order of 12 – 18 months.</p> <p>With regards to the properties highlighted, please see Table 2 below. It is noted that as of August 2022, no application for the flood alleviation scheme has been submitted to the MWPA for consideration and therefore no assessment has been made of the planning merits of this application. This table has been produced without prejudice to any final decision, and prior to any formal assessment of impact that would be required following the submission of an application for the proposed flood alleviation scheme. It has been compiled solely to address an issue raised through the Regulation 18 Consultation March 2021 relating to the MLP Review.</p>
			<p>With reference to the promise of a flood prevention scheme to protect</p>	<p>It is noted that information published by the Environment</p>

			<p>Coggeshall from their 1 in 100 years chance of a flood, is a dam which will ruin the flood plain along the River Blackwater from the western end of ,Coggeshall beyond the football club to the South East of the river beyond the Abbey.?</p> <p>The Environment Agency want to build a 300m. wide concrete dam across the beautiful river. Upstream of which has a natural valley with a flood plain that would be dramatically affected by this. The Blackwater Aggregates are going to offer to pay for this if they can quarry the land 400 acres to the south, cutting across the Essex Way.</p> <p>Surely it is better to work with nature rather than be left with an ugly, unnatural structure which will collectively have a major effect on Coggeshall, as well as the quarry; Pouring concrete into a dam plus carving up a beautiful piece of</p>	<p>Agency states that the flood resilience scheme is designed to accommodate a flood event of the severity of one which may be expected once in every 100 years. In information supporting the scheme, the Environment Agency notes that Coggeshall, Feering and Kelvedon suffered from significant flooding three times in the 13-year period between 2001 and 2014. It is not the case that this area is expected to flood only once every 100 years.</p> <p>Online information supporting the proposal states that in 2006, the Environment Agency commissioned a study to explore whether a flood resilience scheme would be viable for the villages of Coggeshall, Feering and Kelvedon. The study demonstrated that the cost-benefit ratio for this area was low, resulting in options being too expensive to fund through</p>
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			<p>countryside for a sand and gravel industry. This could all affect water quality as the water will drain and percolate through the quarry and into and through the groundwater hence polluting the river.</p> <p>It is far better to proceed naturally by tree planting and creating attenuation ponds along the River Blackwater and or including beavers in the upper river channels.</p> <p>Essex new "Climate Act Committee" has itself agreed about the benefits of Natural solutions for water management. - create large areas of natural greenery as an infrastructure, water will then slowly percolate into the groundwater, this acts as a natural sieve, improving water quality and as it's held back it cannot flood creating a sponge effect and protecting the flood plain from erosion, the land becomes sustainable which will last forever.</p>	<p>the Flood Defence Grant in Aid scheme. The sale of sand and gravel that would be extracted through the provision of flood resilience measures is suggested as a means of securing the capital through which the works could be funded.</p> <p>With regards to environmental impacts, as the scheme is in partnership with the Environment Agency, it is considered, without prejudice, that these would need to be closely examined at the point of any planning application. The MWPA additionally notes that the mitigation of any potential site-specific adverse impacts of a proposed development would be addressed through the planning application process, including those impacts which are cumulative. This includes land use matters which would be determined by the MWPA and environmental matters</p>
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				<p>regulated by the Environment Agency, which are separately licenced. Further, conditions attached to the granting of planning permission would be expected to be complied with. Failure to adhere to these conditions would result in enforcement action against the operator.</p> <p>Nonetheless, as of August 2022, an application has yet to be submitted and therefore there is no application before the MWPA to determine. Therefore no commentary can be provided on the planning merits, or otherwise, of the application, and no implicit support should be inferred in relation to any future proposed scheme.</p> <p>The references to the Climate Action Committee are noted. In their 'Net-Zero: Making Essex Carbon Neutral' report, it is stated that 'For the 75,000 properties in Essex still at risk of flooding, we will develop</p>
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				<p>schemes to increase their flood resilience by 2050 and aim for three-quarters of the schemes developed to include integrated water management and natural flood management techniques.’ This recognises that on a site-by-site basis, other forms of flood resilience may need to be explored.</p>
			<p>I am therefore saying “no” to the dam and “no” to the quarry.</p> <p>The River Blackwater has meandered its way through the Coggeshall floodplain surrounding the South side of Coggeshall, let us leave it in its natural state, helping it naturally is a much better solution than a huge quarry on the door step of Coggeshall. We already have a huge concentration of quarries to the south and west of Coggeshall and they already occupy a substantial part of the countryside in this location, leaving very little separation between Coggeshall, Bradwell, Rivenhall</p>	<p>Noted.</p> <p>Working of the Bradwell Quarry is undertaken on a phased basis, with extraction undertaken in one area as other areas are restored, put into after-care and then into an after-use in accordance with an agreed Masterplan. It is not the case that there is a ‘huge concentration’ of active quarries in proximity to Coggeshall. The rate of working has remained relatively constant over recent times. Policy DM1 – Development Management Criteria includes the need to consider any cumulative impact</p>

			<p>and Silver End.</p>	<p>of the quarry, including with non-mineral development.</p>
			<p>The company wish to work Mon. to Fri. normal hours 8 am to 6pm plus a Sat. Morning 8 am to 1pm. Is this fair to the people of Coggeshall? HGV's moving over the countryside to the A120, the noise and dust levels will rise along what is a peaceful valley and will be trapped in the valley ruining any chance of peace. There will be lighting on in what would have been a dark area along the river valley, this will affect the flight paths of the bats and owls who depend on darkness to orientate themselves and hunt.</p>	<p>It is not certain to what this response relates to. The hours of operation permitted at Site A7 through Application Reference ESS/12/20/BTE, Condition 9 is Monday to Friday 07:00 to 18:30 hours and Saturday mornings 07:00 to 13:00 hours with no operations on Sundays or Public Holidays, which are the same as those for the existing operation.</p> <p>Any potential impacts of the quarry have been assessed against the existing Development Plan, including in particular Policy DM1 – Development Management Criteria, and deemed to be capable of being mitigated to an acceptable level.</p> <p>Should this comment relate to potential future working at the proposed site for the flood resilience scheme, as of August 2022, an application has yet to</p>

				be submitted and therefore there is no application before the MWPA to determine.
			<p>Coggeshall will be destroyed with extra house building happening, an overuse of the land by sand and gravel quarries, an increase in road congestion as a result of an increase in population and the sand and gravel lorries moving back and forth to and from the quarries. Essex County Council must look at the numbers of quarries in this area and consider their mineral and waste policy which discusses the density of the quarries. To continue tearing up the land in one area of Coggeshall would destroy the rural character of this historical town.</p>	<p>Working of the Bradwell Quarry is undertaken on a phased basis, with extraction undertaken in one area as other areas are restored, put into after-care and then into an after-use in accordance with an agreed Masterplan. It is not the case that there is a concentration of active quarries in proximity to Coggeshall. The rate of working has remained relatively constant over recent times. Policy DM1 – Development Management Criteria includes the need to consider any cumulative impact of the quarry, including with non-mineral development.</p>
			<p>ECC might consider a NEW HGV levy to fund the road repairs required around the quarries / production roads and further transportation sites - this levy could be per movement or 50% on empty</p>	<p>Due to the nature of mineral working, mineral extraction is only practical in rural locations, or at most on the outskirts of more urbanised areas. Planning Practice Guidance Paragraph:</p>

			<p>and 100% on fully loaded trucks when most of the damage is done. A full load of non-recyclable waste could attract a lower levy fee (to give an incentive). In the Climate Paper, ECC are considering a NEW FLOOD ALLEVIATION LEVY so why not an HGV one?</p> <p>If ECC is really smart they might use this to price out rural locations from use.</p> <p>Also damage to A120 is much more expensive and disruptive to repair (Bradwell) than the B1256 (through Rayne) - and this should be reflected in the levy.</p>	<p>002 Reference ID: 10-002-20190509 states that planning authorities need to ensure that the total cumulative cost of all relevant policies will not undermine deliverability of the plan.</p> <p>Further, and following liaison with the Lead Local Flood Authority, it is uncertain what is being referred to with regards to a 'new flood alleviation levy'. It was considered that the reference being made could be to the Regional Flood and Coastal Committee (RFCC) Local Levy. These have been in place since 2013 and draw funding from council tax, which is then redistributed by the RFCC based on scheme priority. It was considered that whilst the RFCC levy is relatively straight forward to administer, it could not be compared to a levy raised against individual mineral operators or HGV operators,</p>
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				<p>which would involve a much more complicated process to monitor and collect.</p> <p>It is also the case that all road users are taxed through Vehicle Excise Duty (VED), which increases depending on the size and weight of the vehicle whose use is being applied for. Payment of this tax then entitles the road user to use the public highway freely, other than needing to comply with any locally imposed width, height or weight restrictions. Under the Highways Act 1980, the Highway Authority has a statutory duty to maintain the local road network, and this is funded out of general taxation.</p> <p>Although it is acknowledged that HGV's may create more of a strain on local infrastructure routes than smaller vehicles, it is not appropriate to impose a further general local levy on HGV movements to maintain part of the road network, not</p>
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				<p>least as it can be difficult to conclusively prove that damage to any particular piece of infrastructure is solely the result of HGV use arising from a particular site. It would also not be reasonable to seek to apply a general levy on HGV movements associated with the mineral industry in Essex, and not HGVs or other vehicles from other industries or origins.</p> <p>Nonetheless, exceptions to the above have been made in Essex where there is extraordinary traffic associated with, for example, a windfarm, or where damage has been proven via a before and after study which are applied where there are defined sections of road that could be subjected to damage by HGVs. Highway Development Management Policy DM22 – Maintenance Contributions for Damage to the Existing Highway states that ‘The Highway Authority will</p>
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				<p>require maintenance payments for the repair of any damage caused to the existing highway created by extraordinary use resulting from a development proposal'. Supporting text states that the determination of requirements for maintenance will result from a condition survey of the appropriate area before and after the period of operation. A bond shall be put in place prior to commencement, to ensure that any damage is made good at the developer's expense within three months of the completion of works.</p> <p>However, it is not considered that such an approach could form part of a policy in the MLP as it would be unreasonable to apply in all cases. Highway or verge damage of the type relevant to that raised in the representation would manifest outside of the planning application boundary and therefore it would be difficult to</p>
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				<p>prove that not only is the root cause of that damage HGV movements, but also HGV movements associated solely with that particular mineral operator. Mineral traffic could be a small proportion of the total road traffic using a particular section of road.</p> <p>That is not to say that securing maintenance funding through a planning permission would be impossible. As such damage would be outside of the planning application boundary, any maintenance funding would need to be secured by a legal agreement under Section 106 (s106) of the Town and Country Planning Act 1990. A legal agreement would need to accord with the following tests – it is necessary to make the development acceptable in planning terms; it is directly related to the development; and it is fairly and reasonably related in scale and kind to the</p>
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				<p>development. As such, it is considered that a maintenance agreement under s106 could in the first instance only be secured where any subsequent damage could be unequivocally attributed to movements associated with the mineral site. In addition, with respect to the requirement for legal agreements only able to be required in order to make the development acceptable in planning terms, it would also likely only be applicable to particularly sensitive roads or road verges designated as Special Roadside Verges due to their role as important habitats. Any other road or verge maintenance would fall under general road maintenance as carried out by the Highways Authority and funded by general taxation as set out above.</p> <p>Nonetheless, MLP policy S11 (Access and Transportation) acts to implement a hierarchy of</p>
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			<p>preference for transportation by road, which seeks to move mineral traffic onto the main road network as quickly and as efficiently as possible. The Highway Authority may then require improvement works (at the developer's expense) to upgrade the road network to accommodate HGV traffic from the site. If roads are required to meet the Highway Authority's specification it is unlikely that further contributions would be sought for maintenance.</p> <p>An amendment is proposed to supporting text to Policy S11 to clarify these points.</p>
		<p>2a Coastal adaptation / action plans / coastal flood resilience – any resultant coastal habitat needs to reflect the value our coast already has, as evidenced by the number of designations it has from local to international importance (RAMSAR, LNR, NNR, SSSI, SPA, SAC, LoWS). Note also that</p>	<p>These comments are considered to have been submitted in error. Whilst they do not apply to the MLP Review, the general theme of the comments is noted. The MLP contains Policy S3 – Climate Change, which is proposed to be amended to require applications for minerals</p>

			<p>saltmarsh stores more carbon than trees by equivalent area.</p> <p>This pursuit of climate change resilience and biodiversity needs to take a central role in decision making and future planning, coming ahead of economic concerns or profit, or at least the need not to make a loss. We are at a point where the scale of the twin crises we face – biodiversity and climate – demands that environmental outcomes must come ahead of all other concerns, should it come down to it. This theme is one that will run throughout the response.</p> <p>Diversifying land use to build in resilience is crucial and must take into account ongoing/emerging habitat opportunities work and work to produce the Nature Recovery Network. There is a need to tackle both the biodiversity crisis and the climate crisis: they drive each other and are both a huge threat. This means we need to take a more nuanced look at it than throw down trees and assume</p>	<p>development to consider landform, layout, building orientation, massing and landscaping to minimise energy consumption, including maximising cooling and avoiding solar gain in the summer, on-site renewable energy, decentralised and low and zero carbon energy technologies, where feasible and viable, in order to reduce the consumption of energy and natural resources.</p> <p>Further amendments require the consideration of the potential benefits from site restoration and after-use schemes, including those set out in relevant Local Plans and Green Infrastructure Strategies, for biodiversity, and habitat creation, flood resilience, countryside enhancement, green and blue infrastructure and provision of living carbon sinks.</p> <p>It is also stated that the Mineral Planning Authority will support</p>
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			<p>the job is done. Our collective response must tackle both crises, and be evidence based. Design in habitat connectivity from the outset. The use of pesticides must be greatly reduced – this is a key driver of invertebrate decline and ecosystem collapse.</p> <p>LP retrofit plans – excellent.</p> <p>Overall – not ambitious enough</p> <p>Strongly agree v achievable.</p> <p>Nothing here is unachievable.</p> <p>2b</p> <p>Happy to be lead by others, in the main</p> <p>New transport initiatives do not have to be profit making. Good, cheap public transport that offers a viable alternative to car travel is absolutely key to creating environmentally sustainable communities, existing and new built alike.</p> <p>2c</p> <p>New schools' carbon zero by 2022 – why not now?</p> <p>Same with homes consented. Why</p>	<p>minerals development which increases the resilience of communities and infrastructure to climate change impacts.</p>
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			<p>not now? Sure, it puts pressure on developers – but this should not be a concern.</p> <p>New schools carbon positive by 2030 – yes</p> <p>50% existing retrofitted to zero by 2025, 100% by 2030 – yes</p> <p>All anchor insists / ECC estate to zero by 2030 – yes</p> <p>1/3 commercial bldgs. Retrofitted by 2030 – yes – but this could be more</p> <p>2/3 residential bldgs. Retrofitted by 2030 – yes – but this could be more.</p> <p>Target of zero across residential buildings by 2040 – yes, but be more ambitious or we'll miss it. Aim 2035.</p> <p>Not ambitious enough.</p> <p>Very achievable.</p> <p>Comments above form the bulk of narrative box at end of section 2d</p> <p>2e</p> <p>50% by 2030 is a good aim; 100% should be by 2040. Habitat connectivity built in from the outset.</p>	
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			<p>Pesticide use reduced to near zero.</p> <p>30% of all land in Essex by 2030 to enhance biodiversity/Nat Env by creating natural green infrastructure; 25% by 2030, 30 by 2040 – this is too slow, misses the 30%/2030 target. Thought and statutory weight and enforcement needs to be given to management of that land; throwing a designation at something doesn't protect it. Embed habitat connectivity.</p> <p>The recommendation that 75% of new flood mgmnt schemes by 2050 include integrated water management and natural flood management is hugely unambitious. It could and should be a load more than that, immediately.</p> <p>30% greening of built areas and new dev by increasing greenspace creation – this speaks to higher density housing – which is fine in certain areas and if well designed – but green space created needs</p>	
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			<p>to be well designed and maintained and based on evidence: NRN, habitat opportunity mapping, etc. Habitat connectivity is key. Improving management of existing and new green spaces requires increasing understanding, requires education and outreach programmes immediately.</p> <p>Climate Focus Area – yes</p>	
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Table 2: Assumed impact on properties highlighted through the Regulation 18 Consultation in relation to MLP 2014 Site A7 and assuming the working of the proposed flood alleviation scheme at Coggeshall.

It is noted that as of August 2022, no application for the flood alleviation scheme has been submitted to the MWPA for consideration and therefore no assessment has been made of the planning merits of this application. This table has been produced without prejudice to any decision on any relevant planning application. It has also been produced prior to any formal assessment of impact that would be required following the submission of an application for the proposed Coggeshall – Feering – Kelvedon flood alleviation scheme. It has been compiled solely to address an issue raised through the Regulation 18 Consultation March 2021 relating to the MLP Review.

Property	Potential Impact
Herons Farm	The working of Site A7 requires a haul road which lies to the south of the property. The haul road is required to bring the extracted material to the processing area. The haul road would also be required for

	the flood alleviation scheme if permitted. Extraction has taken place to the south of this property under previous planning permissions.
Deeks Cottage	The working of Site A7 requires a haul road which lies to the south of the property. The haul road is required to bring the extracted material to the processing area. The haul road would also be required for the flood alleviation scheme if permitted. Extraction proposed as part of the flood alleviation scheme would lie to the north. The property is owned by a stakeholder and has been periodically required to be unoccupied at times by the MWPA due to assessed potential impacts of quarrying activities.
Haywards Cottage	The property would have extraction to the north as a result of the flood alleviation scheme and extraction has taken place to the south under previous planning permissions. The property is owned by a stakeholder and has been periodically required to be unoccupied at times by the MWPA due to assessed potential impacts of quarrying activities.
Curds Hall	There would be potential impacts requiring mitigation in relation to extraction to develop the flood alleviation scheme to the south and east. The haul road that would serve the flood alleviation scheme would lie to the property to the south.
Scrips Cottage, The Birches, Scrips House, Scrips Farm Cottage	These properties may experience potential impacts requiring mitigation in relation to extraction to the west arising from the working of Site A7 and/or to the north in relation to the flood alleviation scheme. Extraction works at Site A7 are to be started at the west end so the areas closest to the properties would be unlikely to be operational at the same time as works in relation to the flood alleviation scheme, unless the latter didn't commence for a number of years. Should this be the case then there could be potential disturbance as part of an overlap period that would require mitigation.
Hylands	The property may experience potential impacts requiring mitigation in relation to extraction to the north relating to the flood alleviation scheme. Due to the expected direction of working, and similar to the above, the property is unlikely to experience potential impacts from Site A7 and the flood alleviation scheme at the same time unless the latter didn't commence for a number of years. Should this be the case then there could be potential disturbance as part of an overlap period that would require mitigation.

