

## Minutes of the meeting of the Development and Regulation Committee, held as an online video conference on Friday, 25 September 2020

### Present:

Cllr C Guglielmi (Chairman)	Cllr J Jowers
Cllr J Aldridge	Cllr M Mackrory
Cllr B Aspinell	Cllr J Moran
Cllr M Garnett	Cllr J Reeves
Cllr D Harris	Cllr M Steptoe (for part of the meeting)
Cllr S Hillier	

### 1. Membership, Apologies, Substitutions and Declarations of Interest

Apologies were received from Cllr D Blackwell.

There were no declarations of interest. Cllr Jowers raised a potential interest in agenda item 4.1 (Minute 4) having been Cabinet member when the Minerals Local Plan process was undertaken but was advised by the legal adviser that this did not need to be declared once the Minerals Local Plan was adopted as Essex County Council policy.

### 2. Minutes

The minutes of the meeting held on 28 August 2020 were agreed as a correct record.

### 3. Identification of Items Involving Public Speaking

Individuals to speak in accordance with the procedure were identified for the following items:

- 1) To consider Report DR/27/20 relating to extraction of 6.5 million tonnes of sand and gravel (from Site A7 as identified in the Essex Minerals Local Plan 2014) including the retention of the existing access onto the A120, the processing plant (including sand and gravel washing plant), office and weighbridge, ready mix concrete plant, bagging unit, DSM plant, water and silt management systems, extension of the internal haul road into Site A7 and access for private and support vehicles to the Site A7 contractors compound via Woodhouse Lane, with restoration to agriculture and biodiversity (species rich grassland and wetland).  
Location: Bradwell Quarry  
Reference: ESS/12/20/BTE

Public speakers: Coggeshall Parish Cllr Nick Unsworth, speaking against  
Ms Jo Brindley, speaking against  
Mr Patrick Wigg, speaking for

### 4. Bradwell Quarry Site A7

The Committee considered report DR/27/20 by the Chief Planning Officer.

Members noted the addendum to the agenda.

Policies relevant to the application were detailed in the report.

Details of consultation and representations received were set out in the report.

Members noted that the Minerals Local Plan (MLP) was adopted in 2014 and seeks to ensure a steady and adequate supply of aggregates in Essex. Site A7 is allocated as a site within the MLP but is designated as a Reserve Site.

The Committee noted the key issues:

- Need & Policy S6 of the MLP
- Prematurity to the Review of the MLP & Relationship with Coggeshall,
- Feering & Kelvedon Flood Alleviation Scheme
- Other Policy considerations
- Landscape and visual Impact
- Historic Environment
- Water Environment
- Ecology
- Noise, Air Quality and Lighting
- Traffic & Highways
- Agriculture & Soils.

In accordance with the protocol on public speaking the Committee was addressed by Cllr Nick Unsworth, representing Coggeshall Parish Council and opposing the application. Cllr Unsworth made several points:

- Concern whether the calculations for the landbank were correct.
- It was inappropriate to consider the application at this time as the landbank had not fallen below the seven-year minimum and a review of the MLP was on-going. Housing/Infrastructure demands for aggregates was not fully known while the review was being undertaken.
- That more consideration should be given to the proposal due to come forward for the Flood Alleviation Scheme and further concern that, if approved, the two sites would be run together leading to massive over-concentration in the area.
- The impact of the sites over decades and lack of restoration.
- That the consultation has been inadequate.
- The impact of other projects in the area including the Integrated Waste Management Facility (at Rivenhall) which is the subject of a Judicial Review.

Ms Josephine Brindley, speaking as a local resident, also opposing the application, then addressed the meeting and made several points:

- Minerals are special with a finite supply and are where they are. However, people do not want to live near a quarry and therefore a plan is required. Potential over-provision was addressed by the Inspector and two of these sites were put into the MLP as reserve sites.
- Concern as to whether the conditions had been met for this site coming forward and for over-concentration of extraction in the area and over-supply.
- Concern regarding the impact on the landscape in the area.
- It would be inappropriate to approve the application due to the 2019 Local Aggregate Assessments and the fact that a review of the MLP is taking place and this decision could undermine the review process.

Mr Patrick Wigg, speaking on behalf of the applicant, Blackwater Aggregates, then addressed the meeting. Mr Wigg made several points:

- Aggregates are essential to the economy and quality of life.
- The MLP recognises that deposits can only be extracted where they exist. The planning process has an important role to safeguard mineral extraction.
- The quality, quantity, availability and range of mineral products at the Bradwell site gives a distinct justification for this application coming forward.
- Environmental net gains from responsible site management and biodiversity restoration scheme.
- Employment both direct and through support services.
- Support provided for local issues and community projects.
- Approval for this application would not result in an increase in productive output, or operating hours. It would maintain current levels of sales and production, continued employment and contribution to local economy.

In response to issues raised it was noted that:

- The MLP review was at an early stage and the public consultation had not yet started. It was clear in Central Government advice that the Plan would need to be at an advanced stage and prejudice the emerging policies to consider an application to be premature. The reserve site is already included in the MLP.
- Some of the restoration is behind where it should be but is being progressed.
- A planning application for the Flood Alleviation Scheme has not yet been submitted. It would be taken into consideration in any future reviews and in considering future sites.
- One of the reasons a seven-year landbank is required is because it takes a long time for a new site to become operational and therefore important to have reserves in place to support the future needs of the economy.

Following comments made by Members, it was noted:

- Restoration at the site was already covered by conditions within timescales; Sites A3 and A4 by the end of next year and Site A5 by the end of 2022. Extraction at Site A7, if approved, could not commence prior to the completion of extraction at Site A5.
- The calculations of sales indicated that the two reserve sites of A6 and A7 would be required within the life of the Plan by 2024 and it was appropriate to come forward at this time. Preferred site applications were still coming forward. This was not considered excessive or over-provision, the supply was being maintained at the existing level.
- The seven-year landbank was a minimum, not a maximum for advance planning.
- The Minerals Planning Authority guesstimate likely future sales and plan for supply based on national and sub-national guidelines. Compared to a ten-year sales rolling average the Inspector considered this may be over-provision but accepted the apportionment figures and included the reserve sites in the MLP. Although the ten-year sales rolling average was declining, the actual sales had increased more recently and flexibility had to be provided for. An economic up-turn could not be constrained by a lack of minerals planning.

- The Flood Alleviation Scheme was not part of the MLP and would be considered a windfall site. However, as it is likely to be of public benefit, there would be a preference that, if approved, it would be progressed before Site A7 to realise any public benefit. It would be expected to be a joint submission between Blackwater Aggregates and the Environment Agency.

The legal adviser clarified that those Members who had participated in the MLP process were not prevented from participating in the vote on this application as it was a County Council adopted policy and therefore owned by all Members. A Member would only be unable to participate if they had a specific interest beyond that process and in this particular application.

During the discussion Cllr Steptoe left the meeting due to technical difficulties and did not participate in the discussion or vote.

There being no further points raised, the resolution was proposed and seconded. Following a unanimous vote of ten in favour, it was

### **Resolved**

That planning permission be granted subject to

- i. The prior completion, within 12 months, of Legal Agreements under the Planning and Highways Acts to secure: obligations covering the following matters
  - a) In the event that a planning application is made and granted for the Coggeshall, Feering and Kelvedon Flood Alleviation Scheme, the operator commits that mineral extraction operations will not take place within Site A7 at the same time as mineral extraction operations within the Coggeshall, Feering Flood alleviation scheme.
  - b) In the event that planning permission is granted for the Coggeshall, Feering & Kelvedon Flood Alleviation Scheme and arrangements or operations to enable the extraction of minerals have already commenced within Site A7 the mineral extraction operations at Site A7 shall continue and progress to the earliest point whereby Site A7 can be satisfactorily temporarily restored whereupon mineral extraction operations shall progress on the Flood Alleviation Scheme provided always that preliminary works on the Flood Alleviation Scheme may progress while Site A7 is being brought to a temporary close so that there is no gap in mineral extraction operations.
  - c) Not to commence mineral extraction operations within Site A7 until restoration within Sites A3 and A4 and New Field Lagoon (other than areas required for access or silt management) have been restored
  - d) Not to commence mineral extraction operations within Site A7 until mineral extraction operations are completed in Site A5
  - e) The quarrying and restoration operations within Site A7 will result in the cumulative creation of a total of 42.05 ha of priority habitat within the footprint of

Bradwell Quarry. In the event that Site A6 is developed a further 7.95 ha of priority habitat will be delivered. A total of 50ha of priority habitat will be created from the progression of mineral extraction and restoration operations across the Preferred Sites (Sites A3, A4 and A5) and Reserve Sites (Sites A6 and A7) within the Mineral Local Plan.

- f) Submission and approval of a Landscape and ecological management plan for 25 years for the areas of priority habitat
- g) Accruing of a fund or financial bond to cover the costs of management of the priority habitats. The operator to submit a schedule of the likely costs arising over the management period.
- h) Deeks Cottage and Haywards not to be used as residential properties whilst machinery is operating within 100m of the properties
- i) Following the restoration of Site A7 a permissive bridleway shall be created parallel and south of Cuthedge Lane and shall be available for a minimum period of 20years. Details of the bridleway to be submitted.
- j) Retention and maintenance of existing measures in the highway to prevent/discourage access onto the private access road at the crossings with Ash Lane and Church Road
- k) Disciplinary measures to be enforced by the operator if drivers found using minor roads and the crossing points to access the site
- l) In the event that the private access road and junction onto the A120 are no longer required in association with Bradwell Quarry, the Rivenhall IWMF, allocations within Minerals Local Plan or Waste Local Plan then a scheme shall be submitted to County Planning Authority to:
  - downgrade the private access road from the A120 to Church Road to a condition similar to that which previously existed prior to the operator commencing quarrying operations within Site R for agricultural purposes, including the removal of one of the bridges over the River Blackwater and removal of the right turning lane on the A120
  - reinstatement of the land to agriculture/nature conservation of the private access road from Church Road to the quarry processing plant
- m) If in the event that both:
  - the Rivenhall IWMF (Planning permission ESS/34/15/BTE or any subsequent variation) is progressed such that the Rivenhall IWMF access road has been constructed from the Bradwell Quarry mineral processing plant to the Rivenhall IWMFand

- a new A120 Trunk Road is constructed with a dedicated junction for the Rivenhall IWMF

then the operator if required to do so by the Mineral Planning Authority will make a planning application to vary the access route to Bradwell Quarry via the Rivenhall IWMF access road to the new A120 Trunk Road and if approved implement the permission.

In the event of both i and ii and the approval of an alternative means of access to Bradwell Quarry set out above the existing private access road and junction with the A120 shall be dealt with in accordance with clause (l) above

n) Continuation of site liaison group

o) Groundwater monitoring shall be carried out in accordance with details within the Environmental Statement

p) Provision of bat boxes along Pantlings Lane on land owned by the London Diocesan Fund. To be provided within 12 months of completion of the agreement.

q) Any tree or shrub forming part of the advanced planting that dies, is damaged, diseased or removed before 1 April 2026 shall be replaced during the next available planting season (October to March inclusive) with a tree or shrub to achieve at least 90% survival.

r) To undertake the planting up of gaps in the hedgerow on west side of Site A7 within the first available planting season upon completion of the agreement.

ii) And conditions as set out below;

### **ESS/12/20/BTE – Planning Conditions and Reasons**

- 1 The development hereby permitted shall be begun before the expiry of 5 years from the date of this permission. Written notification of the date of commencement shall be sent to the Mineral Planning Authority within 7 days of such commencement.

*Reason:* To comply with section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the details of the application reference ESS/03/18/BTE dated 26/01/2018 and Environmental Statement dated Jan 2018 documents as follows:

- Volume 1: Planning Application Supporting Statement;
- Volume 2 Environmental Statement – Files 1 and 2 - Technical Summary
- Email from Honace dated 2 June 2020, 16:13, Site A7 Lighting Clarifications and the attachments It Does Lighting Site A7 Lighting Consultation Clarifications, Lighting assessment dated 2 June 2020 Project No: 130-04-

NAD-191008-LO-LI-B and Drawing 30-04-NAD-191008-CD-LI-B Light spill assessment

- Email from Honace dated 2 June 2020, 16:13, Site A7 SUDs Clarifications and the attachment SLR letter Ref 428.07298.00004 ECC Consultation Response ESS/12/20/BTW – Bradwell Quarry – SUDS-00429 dated 2 June 2020
- Email from Honace dated 2 June 2020, 16:13, Site A7 Dust Clarifications and the attachment DustScan AQ Response to comments dated 28 May 2020
- Email from Honace dated 2 June 2020, 16:13, Site A7 Noise Clarifications and attachments Ardent Bradwell Quarry Site A7 – Response to ECC dated 27 May 2020 and Drawing 183920 / 01 Rev B Baseline Noise Monitoring Positions dated 20 January 2020
- Email from Honace dated 2 June 2020, 16:13, Site A7 EclA Addendum and attachment Green Environmental Consultants Ecological Impact Assessment Addendum May 2020
- Email from Honace dated 9 June 2020, 15:55, Site A7 Heritage Assessment Clarifications and attachment Archaeology South East Revised Heritage Impact Assessment Report No. 2020097 dated June 2020
- Email from Honace dated 9 June 2020, 15:55, Site A7 Tree Survey Addendum and attachments Blue Wigwam Arboricultural Report (BW319-AR01): Site A7, Bradwell Quarry, Essex dated 4 June 2020 and Drawing BW319.25 Site A7 RPA Earth Mound Protection Plan View dated 06 June 2020
- Email from Honace dated 10 June 2020, 13:12, Re: Bradwell Masterplan and attachment Essex County Council Pre-Application Planning Advise Planning, Ref: ESS/09/16/BTE/PRE, dated 22 July 2016
- Email from Honace dated 18 June 2020, 16:23, Site A7 Lighting Clarifications Contactor's Compound
- Email from Honace dated 18 June 2020, 17:45, Site A7 Landscape Addendum and attachments DRaW Landscape and Visual Impact Assessment dated 9 June 2020, Viewpoint No: 1 & 2 Rev A dated 20 April 2020
- Email from Honace dated 22 June 2020, 14:32, Site A7 Detailed Planting Plans and attachments DRaW drawings A7-19-01 Rev C Sheet 1 of 5 Overview Planting Proposals, A7-19-02 Rev C Sheet 2 of 5 Detailed Planting Proposals, A7-19-03 Rev C Sheet 3 of 5 Detailed Planting Proposals, A7-19-04 Rev C Sheet 4 of 5 Detailed Planting Proposals and A7-19-04 Rev C Sheet 5 of 5 Detailed Planting Proposals dated 29 June 2020
- Email from Honace dated 14 August 2020, 10:42, Site A7 Dust Management Plan Addendum and attachment DustScan AQ Dust Management Plan, Site A7, Bradwell Quarry dated August 2020
- Email from Honace dated 25 August 2020, 10:25, Site A7 Groundwater Monitoring Scheme and attachments Honace Letter Reference No. 18-06-1812.506/1 ESS/12/20/BTE Site A7 Groundwater Monitoring Scheme dated 25 August 2020 and Drawings A7-15 Rev B and A7-16 Rev C
- Email from Green Environmental Consulting dated 1 September 2020, 18:49, Bradwell A7 Skylark and attachment Green Environmental Consulting Ecological Impact Assessment Addendum Further Information Skylarks September 2020
- Email from Green Environmental Consulting dated 8 September 2020, 10:48, Bradwell Quarry Site A7 Skylarks and attachments Green Environmental

Consulting Figure 1281/2/9B Phasing & Skylark Enhancements - Whole Scheme and Figure 1281/2/9A Phasing & Skylark Enhancements

- Email from Honace dated 8 September 2020, 15:52, RE: Bradwell A7 - ecology
- Email from Green Environmental Consulting dated 8 September 2020, 19:25, RE: Bradwell Quarry Site A7 Skylarks
- Email from Honace dated 9 September 2020, 17:14, Site A7 Noise Further Clarification and Information and attachment Ardent Bradwell Quarry Site A7 – Response to ECC dated 9 September 2020

together with drawing numbers as follows:

<b><u>Drawing No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
A7-1 Rev A	Land Ownership and Proposed Site Plan	31-10-19
A7-2 Rev C	Proposed Extension of Existing Quarrying Operations	02-12-19
A7-3 Rev E	Existing Site Setting	06-01-20
A7-4 Rev B	Existing Mineral Processing Area	16-02-20
A7-5 Rev C	Public Rights of Way	02-06-20
A7-6 Rev C	Geological Map and Excavation Profile	07-01-20
A7-7 Rev C	Silt and Water Management	06-02-20
A7-8 Rev C	Proposed Haul Road And Crossing Details	03-06-20
A7-9-1	Site A7 Contractor's Compound Area	02-06-20
A7-09-02 Rev B	Lower Level Haul Road	18-06-20
A7-09-03 Rev B	Higher Level Haul Road	18-06-20
A7-10A Rev C	Phasing and Restoration Sequence	02-06-20
A7-10B Rev C	Phasing and Restoration Sequence	02-06-20
A7-11 Rev A	Restoration Profile	06-12-19
A7-12-1 Rev F	Restoration Masterplan	02-06-20
A7-12-2 Rev B	Restoration Masterplan - Cross Sections	04-06-20
A7-13-01 Rev G	Higher Level Restoration – Site Wide Masterplan	12-06-20
A7-13-02 Rev H	Lower Level Restoration – Site Wide Masterplan	18-06-20
A7-14	Land Classification Soils Types	06-11-19
A7-15 Rev B	Groundwater Depths and Base of Mineral	06-11-19
A7-16 Rev C	Groundwater Contours	16-01-20
A7-17 Rev C	Local Groundwater Abstraction	02-12-19
A7-18 Rev A	Site Services Plan	31-10-19
A7-19-01 Rev C	Sheet 1 of 5 Overview Planting Proposals	19-06-20
A7-19-02 Rev C	Sheet 2 of 5 Detailed Planting Proposals	19-06-20
A7-19-03 Rev C	Sheet 3 of 5 Detailed Planting Proposals	19-06-20
A7-19-04 Rev C	Sheet 4 of 5 Detailed Planting Proposals	19-06-20
A7-19-04 Rev C	Sheet 5 of 5 Detailed Planting Proposals	19-06-20
A7-20-Bio&AC	5 Year Aftercare Scheme Aftercare Areas with IWMF	12-06-20
A7-21-Bio&AC	5 Year Aftercare Scheme Aftercare Areas without IWMF	12-06-20
BW319.24	Site A7 RPA Earth Mound Protection Sectional Elevation	21-11-19



BW319.25	Site A7 RPA Earth Mound Protection Plan View	06-06-20
Figure1281/2/9B	Phasing & Skylark Enhancements - Whole Scheme	
Figure1281/2/9A	Phasing & Skylark Enhancements	

And in accordance with any non-material amendment(s) as may be subsequently approved in writing by the Mineral Planning Authority and except as varied by the following conditions:

***Reason:*** For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with the Essex Minerals Local Plan adopted July 2014 (MLP) policies P1, S1, S10, S11, S12, DM1, DM2, DM3 and DM4, Braintree District Local Plan Review adopted 2005 (BDLPR) policies RLP 36, RLP 49, RLP 62, RLP 63, RLP 65, RLP 69, RLP 71, RLP 72, RLP 80, RLP 81, RLP 81, RLP 84, RLP 86, RLP 87 and RLP 105 and RLP 106 and Braintree District Core Strategy adopted 2011 (BCS) policies CS5, CS6, CS8 and CS9.

- The processing plant and ready mix concrete shall be operated and maintained in accordance with the details approved under Planning Permission ESS/07/98/BTE granted 24 May 1999 and details submitted pursuant to condition 6 of ESS/07/98/BTE, as amended by Planning Application ESS/19/00/BTE granted 6 October 2000. The relevant drawings as follows:

Drawing No.	Title	Scale
RK/PA/06	Processing Plan Area (Bradwell Pit)	1:1,250
RK/PA/07	Processing Plant – General Arrangements	1:500
RK/PA/08	Processing and Concrete Plant Elevations	1:200
	Proposed Plant Location	1:1,250
E4486/3 rev B	Processing Plant – Proposed Sheeting Arrangements	1:150 & 1:500
As amended by		
702/001/PS	Landscape and site layout May 2000	1:1,250
B16r/115	Proposed modification to height of existing premix plant	1:1,250

***Reason:*** For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with, MLP policies S1, S10, DM1, DM3 and DM4, BDLPR policies RLP 36, RLP 49, RLP 62, RLP 63, RLP 65, RLP 69, RLP 71, RLP 72, RLP 80, RLP 84 and RLP 86 and BCS policies CS5, CS8 and CS9.

- The bagging plant shall be operated and maintained in accordance with the details submitted in relation to Planning Applications ESS/55/03/BTE granted 5 January 2004, as amended by ESS/22/04/BTE granted 24 September 2004, ESS/21/05/BTE granted 28 September 2005, except as varied by conditions of this planning permission. The relevant drawings as follows:

Drawing No.	Title	Date
P2/1498/1	Location Plan	Dec 2002
P2 1498/5	Layout	Aug 2003
P2 1498/6	Elevations	Aug 2003

***Reason:** For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with MLP policies S1, S10, DM1 and DM4 and BDLPR policies RLP 36, RLP 49, RLP 62, RLP 63, RLP 65, RLP 69, RLP 71, RLP 72, RLP 80, RLP 84 and RLP 86 and RLP 101 and BCS policies CS5, CS8 and CS9.*

- 5 The dry silo mortar plant shall be operated and maintained in accordance with the details submitted in relation to Planning Application ESS/53/05/BTE granted 2 March 2006, as amended by Planning Application ESS/32/12/BTE, as amended by Planning Application ESS/20/17/BTE, except as varied by the conditions of this planning permission. The relevant drawings as follows:

Drawing No.	Dated
Figure 1 561071 R1	01/12/05
Figure 2 561124	19/11/05
Figure 3 561125	19/11/05
Figure 4 561148	09/12/05
DT 17434 T07802 Rev B	15/02/06
DT 17434 T07803 Rev B	15/02/06
DT 17434 T07804 Rev C	16/02/06

***Reason:** For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with MLP policies S1, S10, DM1 and DM4 and BDLPR policies RLP 36, RLP 49, RLP 62, RLP 63, RLP 65, RLP 69, RLP 71, RLP 72, RLP 80, RLP 84 and RLP 86 and RLP 101 and BDCS policies CS5, CS8 and CS9.*

- 6 The development hereby permitted shall cease within 12 years of the date of commencement as notified under condition 1 by which time extraction shall have ceased and the site shall have been restored in accordance with the details/schemes approved under condition 32, and shall be the subject of aftercare for a period of 5 years in accordance with a scheme agreed under condition 54 of this planning permission.

***Reason:** To provide for the completion and progressive restoration of the site within the approved timescale in the interest of local and residential amenity and to comply with, MLP policies S1, S12 and DM1, BDLPR policies RLP 36, RLP 49, RLP 80 and RLP 86 and BCS policies CS5, CS8 and CS9.*

- 7 Any building, plant, machinery, foundation, hardstanding, roadway, structure or erection in the nature of plant or machinery used in connection with the development

hereby permitted shall be removed from the site when no longer required for the purpose for which built, erected or installed and land shall be restored in accordance with the restoration scheme approved under condition 32 of this permission.

*Reason: To enable the Mineral Planning Authority to adequately control the development and to ensure that the land is restored to a condition capable of beneficial use and to comply with MLP policies S1, S12 and DM1 and BDLPR policies RLP 36, RLP 49, RLP 80 and RLP 86 and BCS policies CS5, CS8 and CS9.*

- 8 In the event of a cessation of winning and working of minerals for a period in excess of 6 months, prior to the achievement of the completion of the approved restoration scheme as defined in condition 32 of this permission, and which in the opinion of the Mineral Planning Authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990, a revised scheme, to include details of reclamation, aftercare and time scales for implementation, shall be submitted to the Mineral Planning Authority for its approval in writing, within 9 months of the cessation of winning and working. The approved revised scheme shall be fully implemented within 12 months of the written approval.

*Reason: To secure the proper restoration of the site with a reasonable and acceptable timescale and to comply with MLP policies S12 and DM1 and BDLPR policies RLP 36, RLP 49, RLP 80 and RLP 86 and BCS policies CS5 and CS8.*

- 9 Except in emergencies to maintain safe quarry working, which shall be notified to the Mineral Planning Authority as soon as practicable or unless the Mineral Planning Authority has agreed otherwise in writing:-

(a) No extraction of sand and gravel and primary processing of sand and gravel or temporary operations, other than water pumping, servicing, environmental monitoring, maintenance and testing of plant shall be carried out at the site except between the following times:-

07:00 hours to 18:30 hours Monday to Friday; and;  
07:00 hours to 13:00 hours Saturdays.

(b) No operations, including temporary operations other than environmental monitoring and water pumping at the site shall take place on Sundays, Bank or Public Holidays;

(c) No use of the bagging plant, ancillary raw material bays and stocking area shall be carried out at the site except between the following times:-

07:00 hours to 18:30 Monday to Friday; and;  
07:00 hours to 13:00 hours Saturdays

Except that the bagging plant may be operated for sand bagging only between the following hours, but shall not include movements onto the public highway

06:00 to 07:00 Monday to Friday

18:30 to 22:00 Monday to Friday;

(d) No use of the dry silo mortar (DSM) plant shall be carried out at the site except between the following times:-

07:00 hours to 18:30hours Monday to Friday

07:00 hours to 13:00 hours Saturdays

Except that the DSM may be operated to produce dry mortar between the following hours, but shall not include HGV movements onto the public highway

06:00 to 07:00 Monday to Friday

18:30 to 22:00 Monday to Friday

and at no other times.

*Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with MLP policy DM1 and BDLPR policy RLP 36. With respect to the DSM the 1 year period of extended hours is to allow a trial period in order to assess the impact of the additional hours on local amenity.*

- 10 The bagging plant shall not operate between 06:00 and 07:00 and between 18:30 and 22:00 unless the roller shutter doors of the bagging plant are closed.

*Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with MLP policy DM1 and BDLPR policy RLP 36.*

- 11 From the commencement of development the operators shall maintain records of their quarterly output production of primary aggregates and shall make them available to the Mineral Planning Authority within 14 days of a written request.

*Reason: To allow the Minerals Planning Authority to adequately monitor activity at the site, to minimise the harm to amenity and to comply with MLP policies S12 and DM1.*

- 12 All vehicular access and egress to and from the site shall be from A120 (Coggeshall Road) as indicated on Drawing A7-3 Rev E. No other access shall be used by vehicles entering or exiting the site, except those associated with the earth moving contractor's compound. Vehicles associated with earth moving contractor's compound may access the earth moving contractor's compound from Cuthedge Lane and Woodhouse Lane. Any HGVs movements to the earth moving contractor's compound for fuel delivery or waste collection shall be via Woodhouse Lane.

*Reason: In the interests of highway safety and safeguarding local amenity and to comply with MLP policies S11 and DM1 and BDLPR policy RLP 36.*

- 13 The development hereby permitted shall be implemented in accordance with the details for signage and routing for drivers approved on 29 May 2013 under condition 14 of planning permission ESS/32/11/BTE. To maintain the approved signage and routing arrangements for drivers visiting the site set out in the application form dated 9 March 2012 (reference ESS/32/11/BTE/14/1), emails from Blackwater Aggregates dated 29 February 2012 (13:21) with attachment "leaflet re access and egress" and dated 2 March 2012 (14:34) with photographs of signage. The "leaflet re access and egress" shall be issued to all new drivers to the site and shall be issued annually on or near the 1<sup>st</sup> April of each year to all drivers to the site.

*Reason: In the interest of highway safety and to comply with MLP policies MLP3 and DM1 and BDLPR policy RLP 36.*

- 14 The surfaced access road from the A120 access to the processing plant area shall be metalled, drained, kept free of potholes and kept clear of mud, dust and detritus to ensure that such material is not carried onto the public highway.

*Reason: In the interests of highway safety, to prevent material being taken onto the public highway and to comply with MLP policies S11 and DM1.*

- 15 The total number of HGV (for the avoidance of doubt a Heavy Goods Vehicle shall have a gross vehicle weight of 7.5 tonnes or more) movements associated with the development hereby permitted shall not exceed the following limits:

590 movements (295 in and 295 out) per day Monday to Friday  
294 movements (147 in and 147 out) per day Saturdays

With average daily HGV movements no greater than 458 movements a day (Monday to Friday) when averaged over the calendar year (1 January to 31 December).

Records of HGV vehicle movements shall be maintained and provided to the Mineral Planning Authority within 14 days of a written request.

*Reason: In the interests of highway safety and safeguarding local amenity and to comply with MLP policies S11 and DM1 and BDLPR policy RLP 36.*

- 16 No loaded Heavy Goods Vehicles (for the avoidance of doubt a Heavy Goods Vehicle shall have a gross vehicle weight of 7.5 tonnes or more) shall leave the site unsheeted.

*Reason: In the interests of highway safety and safeguarding local amenity and to comply with MLP policy S11 and DM1 and BDLPR policy RLP 36.*

- 17 The signs stating: 'CAUTION: PEDESTRIANS AND/OR HORSES CROSSING' and 'CAUTION: VEHICLES CROSSING' shall be erected and maintained for the duration of the development hereby permitted on both sides of the private access road and on both sides of the haul road at the points where Public Rights of Way cross.

*Reason: In the interest of the safety of all users of both the Rights of Way and the haul road and to comply with MLP policy DM1 and BDLPR policy RLP 49.*

- 18 The development hereby permitted shall be implemented in accordance with the signage details approved on 16 November 2012 under condition 20 of planning permission ESS/32/11/BTE. The approved signage details to deter use of the haul road and crossing points with Church Road and Ash Lane as points of access and egress to the haul road are set out in the application (reference ESS/32/11/BTE/20/1) for approval of details reserved by condition dated 8 March 2012 and emails from Blackwater Aggregates dated 6 and 27 March 2012 and associated drawings. The approved signage shall be maintained along the private access road for the duration of the development hereby permitted.

*Reason: In the interests of highway safety and safeguarding local amenity and to comply with MLP policy S11 and DM1 and BDLPR policy RLP 36.*

- 19 Except for temporary operations, the free field Equivalent Continuous Noise Level ( $L_{Aeq}$ , 1 hr) at noise sensitive locations listed below, due to operations at the site between 07:00 and 18:30 Monday to Fridays and between 07:00 and 13:00 Saturdays shall not exceed, the  $L_{Aeq}$  1hr levels as set out below:

<u>Location</u>	<u>Criterion</u> <u>dBL<sub>Aeq</sub> 1hr</u>
Heron's Farm	45
Deeks Cottage	45
Haywards	45
Allshot's Farm	47
The Lodge	49
Sheepcotes Farm	45
Green Pastures Bungalow	45
Goslings Cottage	47
Keepers Cottage	49
Bradwell Hall	54
Parkgate Road*	51
Silver End 1 <sup>1</sup>	47
Silver End 2 <sup>1</sup>	51
Hylands 2 <sup>2</sup>	43
Scrip's Farm 2 <sup>2</sup>	43
Monk's Farm Cottages 2 <sup>2</sup>	42

<sup>1</sup> Monitoring locations indicated on Drawing 12-2 within Chapter 12 of the Environmental Statement for Site A5 (ESS/03/18/BTE): Assessment of Environmental Noise, Report Reference: B3910 20171124 R

<sup>2</sup> Monitoring locations as shown on drawing no. 183920/01 Rev B dated 20/1/2020 entitled "Baseline noise monitoring positions".

Measurements shall be made no closer than 3.5m to the façade of properties or any other reflective surface and shall have regard to the effects of extraneous noise and

shall be corrected for any such effects. The above limits are for noise arising from all combined activities at Bradwell Quarry and the Rivenhall IWMF (if progressed).

The sensitive locations from the above list at which noise monitoring shall be undertaken shall be agreed with the Mineral Planning Authority prior to each monitoring session.

*Reason: In the interests of amenity and to comply with MLP policy DM1, and BDLPR policies RLP 36 and RLP 62.*

- 20 During the operation of the DSM between the hours of 06:00 and 07:00 and 18:30 and 22:00 the free field Equivalent Continuous Noise Level ( $L_{Aeq}$ , 1 hr) at noise sensitive locations listed below, shall not exceed the  $L_{Aeq}$  1hr levels as set out in the following table:

Location	Night Criterion (06:00 to 07:00)	Evening Criterion (19:00 to 22:00)
Bradwell Hall	42 dB $L_{Aeq}$ , 1hr	47 dB $L_{Aeq}$ , 1hr
Herons Farm	42 dB $L_{Aeq}$ , 1hr	44 dB $L_{Aeq}$ , 1hr

Measurements shall be made no closer than 3.5m to the façade of properties or any other reflective surface and shall have regard to the effects of extraneous noise and shall be corrected for any such effects.

*Reason: In the interests of amenity and to comply with MLP policy DM1, and BDLPR policies RLP 36 and RLP 62.*

- 21 For temporary operations, the free field Equivalent Continuous Noise Level [ $L_{Aeq}$ , 1 hr] at noise sensitive properties as listed in condition 19 shall not exceed 70 dB  $L_{Aeq}$  1hr. Measurements shall be made no closer than 3.5 metres from the façade of properties or other reflective surface and shall be corrected for extraneous noise.

Temporary operations that give rise to noise levels greater than those noise limits defined within condition 20 shall not exceed a total of eight weeks in any continuous duration 12 month duration. Five days written notice shall be given to the Mineral Planning Authority in advance of the commencement of any temporary operation likely to give rise to noise levels above those defined in condition 20. Temporary operations shall include site preparation, bund formation and removal, topsoil and subsoil stripping and replacement and any other temporary activity that has been previously approved in writing by the Mineral Planning.

*Reason: In the interests of amenity and to comply with MLP policy DM1 and BDLPR policies RLP 36 and RLP 62.*

- 22 Noise levels shall be monitored at three monthly intervals from the date of the commencement of development at the closest noise sensitive properties to operations on site, the particular noise sensitive locations to be monitored shall have been agreed with the Mineral Planning Authority prior to noise monitoring being undertaken.

In addition the frequency of monitoring shall be increased to monthly during periods of operations within Site A7 that are within 300m of Scrip's Farm and/or when operations are less than 6.6m below original ground level and the results shall be submitted to the Mineral Planning Authority within 2 weeks of the date of monitoring.

In addition the frequency of monitoring shall be increased in the following circumstances:

- a) during periods of operations within Site A5 that are within 475 to 590m (Amber Zone on drawing 1 dated 11 July 2018 Ref.B3910) from Sheepcotes Farm noise levels shall be monitored on a monthly basis and the results submitted to the Mineral Planning Authority within 2 weeks of the date of monitoring.
- b) during periods of operations within Site A5 that are less than 475m (Red and Black zone on drawing 1 dated 11 July 2018 Ref B3910) from Sheepcotes Farm noise levels shall initially be monitored on a fortnightly basis and the results submitted to the Mineral Planning Authority within 1 week of the date of monitoring
- c) during periods of the construction and removal of New Field Stockpile (the area of which is defined on drawing 20/01/07 Rev B) noise levels shall be monitored at two monthly intervals and the results submitted to the Mineral Planning Authority within 2 weeks of the date of monitoring.

The results of the monitoring shall include LA90 and LAeq noise levels, the prevailing weather conditions, details and calibration of the equipment used for measurement and comments on other sources of noise which affect the noise climate. The monitoring shall be carried out for at least 2 separate durations during the working day. The frequency of monitoring may be reduced if the noise monitoring demonstrates that the operations are compliant with the noise limits set out in condition 19, subject to approval in writing by the Mineral Planning Authority. If the results of monitoring show non-compliance with the maximum limits set out within conditions 19 and 20, then noise reduction measures as approved within the noise monitoring management plan agreed under condition 23 shall be implemented.

*Reason: In the interests of amenity and to comply with MLP policy DM1 and BDLPR policies RLP 36 and RLP 62.*

- 23 Prior to the commencement of development a noise management plan shall be submitted to and approved in writing. The noise management shall contain the following:

- Survey locations
- Monitoring methodology, including details of equipment set up and calibration, experience and qualifications of survey staff, parameters to be recorded
- Complaint response protocols
- Actions/measures to be taken in the event of an exceedance of noise limits defined in conditions 19 and 20
- Procedures for characterising extraneous versus site attributable noise.



The noise management plan shall be implemented in accordance with approved details.

*Reason: In the interests of amenity and to comply with MLP policy DM1 and BDLPR policies RLP 36 and RLP 62.*

- 24 No vehicles and/or mobile plant used exclusively on site shall be operated unless they have been fitted with white noise alarms to ensure that, when reversing, they do not emit a warning noise that would have an adverse impact on residential or rural amenity.

*Reason: In the interests of local amenity and to comply with MLP policy DM1 and BDLPR policies RLP 36 and RLP 62.*

- 25 No vehicle, plant, equipment and/or machinery shall be operated at the site unless it has been fitted with and uses an effective silencer. All vehicles, plant and/or machinery shall be maintained in accordance with the manufacturer's specification at all times.

*Reason: In the interests of local amenity and to comply with MLP policy DM1 and BDLPR policies RLP 36 and RLP 62.*

- 26 No processed materials shall be stockpiled or stored at a height greater than 48 metres Above Ordnance Datum and shall not be located outside the processing plant area as shown on Drawing A7-4 Rev B.

*Reason: To minimise the visual impact of the development in the interests of rural amenity and to comply with MLP policy DM1 and BDLPR policy RLP 36.*

- 27 No additional fixed lighting, other than that detailed in the application, shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Mineral Planning Authority. The details shall ensure the lighting is designed to minimise the potential nuisance of light spillage on adjoining properties and highways. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

*Reason: To minimise the nuisance and disturbances to neighbours and the surrounding area and to comply with MLP policy DM1 and BDLPR policy RLP 65.*

- 28 Floodlights/fixed Lighting shall not be illuminated outside the operational permitted hours set out within condition 9 and at no time on Sundays, Bank or Public Holidays except for security lighting.

*Reason: To minimise the nuisance and disturbances to neighbours and the surrounding area and to comply with MLP policy DM1 and BDLPR policy RLP 65.*

- 29 All fixed exterior lighting shall have a tilt/uplift no greater than 25 degrees.

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*Reason: To minimise the nuisance and disturbances to neighbours and the surrounding area and to comply with MLP policy DM1 and BDLPR policy RLP 65.*

- 30 The development hereby permitted shall be implemented in accordance with the Dust Management Plan, Site A7, Bradwell Quarry dated August 2020 prepared by DustScan AQ.

*Reason: To reduce the impacts of dust disturbance from the site on the local environment and to comply with MLP policy DM1 and BDLPR policies RLP 36 and RLP 62.*

- 31 The internal haul road used in connection with the development hereby permitted shall be sprayed with water during dry weather conditions.

*Reason: To reduce the impacts of dust disturbance from the site on the local environment and to comply with MLP policy DM1 and BDLPR policies RLP 36 and RLP 62.*

- 32 Woodland and hedgerow planting shall be in accordance with the details set out in the following drawings.

A7-19-01 Rev C	Sheet 1 of 5 Overview Planting Proposals
A7-19-02 Rev C	Sheet 2 of 5 Detailed Planting Proposals
A7-19-03 Rev C	Sheet 3 of 5 Detailed Planting Proposals
A7-19-04 Rev C	Sheet 4 of 5 Detailed Planting Proposals
A7-19-04 Rev C	Sheet 5 of 5 Detailed Planting Proposals

Prior to commencement of development details shall be submitted with respect to the following

- ground preparation works;
- mulching and/or measures to control weeds;
- protection measures and staking;
- removal of guards once established; and
- phasing of implementation.

The planting scheme shall be implemented in accordance with the approved details.

*Reason: To make appropriate provision for the management of natural habitat within the approved development in the interests of biodiversity and in accordance with MLP policy DM1 and BDLPR policies RLP 81 and RLP 84.*

- 33 Any tree or shrub forming part of the advanced or restoration planting scheme in connection with the development that dies, is damaged, diseased or removed within the duration of 5 years during and after the completion of the development shall be replaced during the next available planting season (October to March inclusive) with a tree or shrub to be approved in advance in writing by the Mineral Planning Authority.

*Reason: In the interest of the amenity of the local area and to ensure the site is adequately screened and comply with MLP policy DM1 and BDLPR policy RLP 81.*

- 34 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 CEMP shall include the following:
- a) Risk assessment of potentially damaging construction activities;
  - b) Identification of biodiversity protection zones;
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) and shall include stand-offs from existing hedges, trees, ponds and ditches,;
  - d) The location and timing of sensitive works to avoid harm to biodiversity features;
  - e) The times during construction when specialist ecologists need to be present on site to oversee works;
  - f) Responsible persons and lines of communication;
  - g) The role and responsibilities on site of an ecological clerk of works or similarly competent person; and the
  - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be implemented and adhered to throughout the construction period of the development hereby approved.

*Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and in accordance with MLP policy DM1 and BDLPR policy RLP 84.*

- 35 No removal of trees/hedgerows shall be carried out on site between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive in any year, unless an ecological assessment has been undertaken, submitted to and approved in writing by the Mineral Planning Authority which confirms that no species would be adversely affected by the removal of trees/hedgerows.

*Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and in accordance with MLP policy DM1 and BDLPR policy RLP 84.*

- 36 Prior to commencement of development a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the Mineral Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures, particularly with respect to stag beetles, skylarks and bats;
  - b) designs to achieve stated objectives;
  - c) locations of proposed enhancement measures by appropriate maps and plans;
  - d) persons responsible for implementing the enhancement measures;

e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

*Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the NPPF and s40 of the NERC Act 2006 (Priority habitats & species).  
and in accordance with MLP policy DM1 and BDLPR policies RLP 81 and RLP 84.*

- 37 Prior to the 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. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- d) persons responsible for implementing the enhancement measures;
- e) details of aftercare and long-term maintenance.

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

*Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and in accordance with MLP policy DM1 and BDLPR policy RLP 84.*

- 38 No excavation shall take place closer than 100 metres to the façade of any occupied residential property.

*Reason: To ensure that the development is contained within its permitted boundaries, in the interests of residential amenity and to comply with MLP policy DM1 and BDLPR policy RLP 36.*

- 39 No excavation shall take place nor shall any area of the site be traversed by heavy vehicles or machinery for any purpose or operation (except for the purpose of stripping that part or stacking of topsoil in that part) unless all available topsoil and/or subsoil has been stripped from that part and stored in accordance with Drawings A7-8 Rev C, A7-10A Rev C, A7-10B Rev C, BW319.24 and BW319.25, unless otherwise approved in writing by the Mineral Planning Authority.

*Reason: To minimise soil compaction and structural damage, and to help the final restoration in accordance with MLP policies MLP8 and DM1 and BCS policy CS8.*

- 40 All topsoil, subsoil and soil making material shall be retained on the site and used in the restoration of Bradwell Quarry.

*Reason: To prevent the loss of soil and aid the final restoration of the site in compliance with MLP policies S12 and DM1 and BCS policies CS5 and CS8.*

- 41 Unless otherwise approved in writing by the Mineral Planning Authority, no topsoil, subsoil and/or soil making material shall be stripped or handled unless it is a dry and friable condition<sup>1</sup> and no movement of soils shall take place:
- (a) During the months November and March (inclusive) unless otherwise agreed in writing by the Mineral Planning Authority.
  - (b) When the upper 300 mm of soil has a moisture content which is equal to or greater than that at which the soil becomes plastic, tested in accordance with the 'Worm Test' as set out in BS 1377:1977 – 'British Standards Methods Test for Soils for Civil Engineering Purposes'; or
  - (c) There are pools of water on the soil surface.

*Reason: To minimise the structural damage and compaction of the soil and to aid the final restoration of the site in compliance with MLP policies S12 and DM1 and BCS policy CS8.*

- 42 The applicant shall notify the Mineral Planning Authority at least 5 working days in advance of the intention to start stripping soils from any part of the site or new phase of working.

*Reason: To allow the Mineral Planning Authority to monitor progress at the site, to minimise structural damage and compaction of the soil, to aid the final restoration of the site, to ensure the retention of identified soils in the approved positioning and to comply with MLP policies S12 and DM1 and BCS policy CS8.*

- 43 Topsoil, subsoil and soil making materials shall be stored in separate mounds which shall:
- a) not exceed 3 metres in height in the case of topsoil, or exceed 5 metres in height in the case of subsoils, unless otherwise agreed in writing by the Mineral Planning Authority;
  - b) be constructed with only the minimum amount of soil compaction to ensure stability and shaped so as to avoid collection of water in surface undulations;
  - c) not be subsequently moved or raised until required for restoration, unless otherwise agreed in writing by the Mineral Planning Authority;
  - d) have a minimum 3 metre standoff, undisturbed around each storage mound;
  - e) comprise topsoils on like-texture topsoils and like-texture subsoils;
  - f) in the case of continuous mounds, ensure that dissimilar soils are separated by a third material, which shall have previously been agreed in writing by the Mineral Planning Authority.

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<sup>1</sup> The criteria for determining whether soils are dry and friable involves an assessment based on the soil's wetness and lower plastic limit. This assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean glazed tile using light pressure from the flat of the hand. If a thread of 15cm in length and less than 3mm in diameter can be formed, soil moving should not take place until the soil has dried out. If the soil crumbles before a thread of the aforementioned dimensions can be made, then the soil is dry enough to be moved.

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*Reason: To minimise structural damage and compaction of the soil, to aid the final restoration of the site, to ensure the retention of identified soils in the approved positioning and to comply with MLP policies S12 and DM1 and BCS policy CS8.*

- 44 No development or preliminary groundworks shall take place until a written scheme of investigation for a programme of archaeological investigation and recording has been submitted to and approved in writing by the Mineral Planning Authority.

*Reason: To ensure that any archaeological interest has been adequately investigated and recorded prior to the development taking place and to comply with MLP policy DM1 and BDLPR policies RLP 105 and RLP 106.*

- 45 The programme of archaeological investigation and recording shall be implemented in accordance with the written scheme of investigation approved under condition 44 prior to the commencement of the development hereby permitted or any preliminary groundworks.

*Reason: To ensure that any archaeological interest has been adequately investigated and recorded prior to the development taking place and to comply with MLP policy DM1 and BDLPR policies RLP 105 and RLP 106.*

- 46 A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the Minerals Planning Authority following the completion of the archaeological investigation work approved under condition 45. The fieldwork shall be undertaken in accordance with the approved strategy prior to the commencement of development.

*Reason: To ensure that any archaeological interest has been adequately investigated and recorded prior to the development taking place and to comply with MLP policy DM1 and BDLPR policies RLP 105 and RLP 106.*

- 47 No development or preliminary groundworks shall take place on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy approved under condition 46.

*Reason: To ensure that any archaeological interest has been adequately investigated and recorded prior to the development taking place and to comply with MLP policy DM1 and BDLPR policies RLP 105 and RLP 106.*

- 48 Unless otherwise approved in advance in writing by the Minerals Planning Authority, within 12 months of the completion of archaeological fieldwork, the applicant shall submit to the Minerals Planning Authority a post-excavation assessment. The assessment shall include the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

*Reason: To disseminate the information from the archaeological investigation and to comply with MLP policy DM1 and BDLPR policies RLP 105 and RLP 106.*

- 49 Surface water drainage shall be managed in accordance with the details set out in Chapter 16 of the Environmental Statement dated January 2020, in particular Section 5.0 of the report entitled "Flood Risk Assessment and Water Balance" by SLR (Report Ref 428.07298.00004 dated January 2020).

*Reason: To minimise the risk of pollution to water courses and aquifers to comply with MLP policy DM1 and BDLPR policies RLP 71 and RLP 72.*

- 50 Any fuel, lubricant or/and chemical storage vessel whether temporary or not shall be placed or installed within an impermeable container with a sealed sump and capable of holding at least 110% of the vessel's capacity. All fill, draw and overflow pipes shall be properly housed within the bunded area to avoid spillage. The storage vessel, impermeable container and pipes shall be maintained for the life of operations on site/the development hereby permitted.

*Reason: To minimise the risk of pollution to water courses and aquifers to comply with MLP policy DM1 and BDLPR policies RLP 71 and RLP 72.*

- 51 Groundwater monitoring shall be carried out in accordance with Section 6.8 of the ES and Honace letter dated 25 August 2020 Ref: 18-06-1812.506/1 and Drawings A7-15 Rev B and Drawing A7-16 Rev C. Groundwater monitoring records shall be submitted to the Mineral Planning Authority with 14 days of a written request. In the event that groundwater monitoring effects are not as predicted in the Environmental Statement a scheme of mitigation shall be submitted to the Mineral Planning Authority within 28 days of a written request.

*Reason: To minimise the risk of pollution to water courses and aquifers to comply with MLP policy DM1 and BDLPR policies RLP 71 and RLP 72.*

- 52 Where contamination of the groundwater is identified it shall within 2 weeks be notified to the Mineral Planning Authority and mitigation measures carried out in accordance with Paragraph 6.8 of Chapter 6: Groundwater of the ES dated January 2020.

*Reason: To minimise the risk of pollution to water courses and aquifers to comply with MLP policy DM1 and BDLPR policies RLP 71 and RLP 72.*

- 53 Repair, maintenance and refuelling of plant, equipment and machinery shall only take place on an impervious surface.

*Reason: To minimise the risk of pollution to water courses and aquifers to comply with MLP policy DM1 and BDLPR policies RLP 71 and RLP 72.*

- 54 All stones and other materials in excess of 200mm in any dimension shall be picked and removed from the final restored surface of the site.

*Reason: To ensure the restored land is agriculturally versatile and agricultural operations are not impeded and to comply with MLP policy S12 and BCS policy CS8.*

- 55 An aftercare scheme detailing the steps that are necessary to bring the land to required standard for woodland and agricultural use shall be submitted to and approved in writing by the Mineral Planning Authority prior to commencement of restoration works and placement of soils on site. The submitted scheme shall:
- Provide an outline strategy in accordance with Paragraph 57 the Planning Practice Guidance for the five year aftercare period. This shall broadly outline the steps to be carried out in the aftercare period and their timing within the overall programme.
  - Provide for a detailed annual programme, in accordance with Paragraph 58 to the Planning Practice Guidance to be submitted to the Mineral Planning Authority not later than two months prior to the annual Aftercare meeting.
  - Unless the Mineral Planning Authority approved in writing with the person or persons responsible for undertaking the Aftercare steps that there shall be lesser steps or a different timing between steps, the Aftercare shall be carried out in accordance with the submitted Scheme.

The development shall be implemented in accordance with the approved aftercare scheme.

*Reason: To ensure the satisfactory restoration of the site for agriculture, woodland and nature conservation and in accordance with MLP policy S12 and DM1 and BCS policies CS5 and CS8.*

- 56 No sand, gravel or aggregate shall be imported to the site for primary processing, except sand and gravel permitted for extraction under planning permission for the Rivenhall Integrated Waste Management Facility planning permission reference ESS/34/15/BTE or any subsequent amending planning permission.

*Reason: To ensure that there are no adverse impacts on the local amenity from the development they were not assessed in the application details and to comply with MLP policies MLP10 and MLP11.*

- 57 Not less than 66% of materials for the bagging plant shall be supplied from indigenous supplies at Bradwell Quarry. A record of imported materials to the bagging plant shall be maintained and records provided to the Mineral Planning Authority within 14 days of a written request.

*Reason: To ensure that indigenous materials form the bulk of materials processed through the bagging plant and in the interests of local amenity and highway capacity and in accordance with MLP policies MLP11 and DM1.*

- 58 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no building, structure, fixed plant or machinery except as detailed in the application shall be erected, extended, installed or replaced on the site without the prior approval of the Mineral Planning Authority.



*Reason: To enable the Mineral Planning Authority to adequately control the development, to minimise its impact on the local area , to minimise the impact upon landscape and to comply with MLP policy DM1 and BCS policy CS5.*

- 59 All sand used in the dry silo mortar plant shall be from indigenous resources at Bradwell Quarry.

*Reason: In the interests of local and visual amenity and in accordance with MLP policies MLP11 and DM1.*

- 60 Air emissions and stack height in relation to the dry silo mortar plant shall be in accordance with detailed submitted pursuant to condition 3 of planning permission ESS/53/03/BTE, namely emails from Cemex dated 29 May 2005 and 2 June 2008 together with Drawing No. AZ041579-03 Rev B dated 1 January 2008, as approved by ECC in letter dated 27 June 2008.

*Reason: To protect the amenities of local residents from air emissions and visual impact and compliance with MLP policies MLP11 and DM1 and BDLPR policy RLP 62.*

- 61 All painted buildings and plant shall be maintained in their existing colours unless otherwise approved in writing with the Mineral Planning Authority.

*Reason: To minimise the visual impact of the development and compliance with MLP policy DM1 and BCS policy CS5.*

- 62 Ecological mitigation shall be in accordance with details set out in Chapter 7 of the Environmental Statement dated January 2020 in particular Table 7.8 Ecological Mitigation Proposals – Construction, Table 7.9 Ecological Mitigation and Enhancement proposals – Operation and Table 7.10 Ecological Mitigation and Enhancement Proposals - Restoration.

*Reason: To allow the LPA to discharge its duties under the Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with MLP policy DM1 and BDLPR policy RLP 84*

- 63 Any works which could affect Badgers shall not in in any circumstances commence unless the Mineral Planning Authority has been provided with:
- a) a licence issued by Natural England, pursuant to Wildlife & Countryside Act 1981 and the Badger Protection Act 1992, authorizing the specified activity/development to go ahead.
  - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

*Reason: To conserve Protected species and allow the Mineral Planning Authority to discharge its duties under the Badger Protection Act 1992, the Wildlife & Countryside Act 1981 and s17 Crime & Disorder Act 1998 and in accordance with MLP policy DM1 and BDLPR policy RLP 84*

The areas of priority habitat to be delivered as part of the Site A7 identified on drawings A7-20-Bio-AC dated 12-06-20 and A7-21-Bio&AC dated 12-06-20 shall be created within 5 years of the date of commencement as defined in condition 1.

Details of the habitats to be created shall be submitted to and approved in advance by the Mineral Planning Authority. The details shall include

- a) A description of the habitats to be created
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management including reference to the Mineral Site Restoration for Biodiversity Supplementary Planning Guidance June 2016;
- a) Appropriate management options for achieving the aims and objectives;
- b) Prescriptions for management actions;
- c) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- d) Details of the body or organisation responsible for implementation of the plan;
- e) On-going monitoring and remedial measures in line with requirements of the Mineral Site Restoration for Biodiversity Supplementary Planning Guidance June 2016.

The details shall also set out (where the results from monitoring show that conservation aims and objectives of the details are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development hereby permitted shall be implemented in accordance with the approved details.

*Reason: To make appropriate provision for the management of natural habitat within the approved development in the interests of biodiversity and in accordance with MLP policy DM1 and BDLPR policies RLP 81 and RLP 84.*

- 64 In the event that this planning permission has been implemented and mineral extraction operations commence in the Coggeshall, Feering, Kelvedon Flood Alleviation Scheme (if granted permission) a temporary restoration scheme for Site A7 shall be submitted for approval by the Mineral Planning Authority.

The scheme shall include:

- The removal of all screening bunds
- Removal of stockpiles of overburden such that they are below pre-existing levels
- Removal of earth movers compound
- Details of afteruse for all areas
- Completion of all elements of the approved restoration scheme for Site A7 where practicable

The temporary restoration shall be submitted and approved prior to the commencement of mineral extraction within the Coggeshall, Feering and Kelvedon Flood Alleviation Scheme (if granted). The interim restoration shall be carried out in accordance with the approved details.

*Reason: To ensure the satisfactory interim restoration of Site A7 and in accordance with MLP policy S12 and DM1 and BCS policies CS5 and CS8.*

- 65 No development or any preliminary groundworks shall take place until root protection measures as detailed on drawing BW319.24 dated 21/11/19 and root protection zones calculated in accordance with BS:5837:2012 "Trees in Relation to Construction".

Notwithstanding the above, no materials shall be stored or activity shall take place within the area enclosed by the protection. No alteration, removal or repositioning of the protection shall take place during the construction period without the prior written consent of the Mineral Planning Authority.

*Reason: In the interest of visual amenity, to ensure protection for the existing natural environment and to comply with MLP policy DM1 and BDLPR policy RLP 81.*

## **5. Ashlyns Farm, Epping**

The Committee considered report DR/28/20 by the Chief Planning Officer.

Policies relevant to the application were detailed in the report.

Details of consultation and representations received were set out in the report.

Members noted that permission had been resolved to be granted for a composting facility on this site in 2005. The site throughput had been increased through subsequent planning applications in 2007 and 2019. This application sought the continued operation of the composting facility without compliance with condition 4 (waste catchment area). The proposal had initially sought a variation to condition 3 (operational hours) to allow working on Saturday afternoons and Sundays, but this

had been removed from the application during the process at the request of the applicant.

The Committee noted the key issues:

- Principle of Development
- Highways Impact
- Amenity Impact
- Other Considerations

Following comments made by Members, it was noted:

- There was a condition in place to ensure odour and noise management reports were received at frequent intervals. The current intervals for receiving those reports were considered appropriate but, could be altered in the future if required. With the odour monitoring it was clarified that it was measured from different points in and around the site, weather was taken into consideration and the presumption was on a worst-case scenario.
- That it was considered to be over-excessive to restrict the catchment. Other operators did not have similar restrictions.
- That an Informative could be included to seek liaison between the operator and the community on any matters of concern.

There being no further points raised, the resolution was proposed and seconded. Following a unanimous vote of ten in favour, it was

### **Resolved**

That planning permission be granted subject to conditions covering the following matters.

1. The development hereby permitted shall be begun before the expiry of 3 years. Written notification of the date of commencement shall be sent to the Waste Planning Authority within 7 days of such commencement.

*Reason: To comply with section 91 of the Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be carried out in accordance with the details submitted by way of the application ref: ESS/20/11/EPF including application form dated 25 March 2011, covering letter dated 25/03/11, Noise Measurement Record submitted with covering letter dated 14/04/11, Design and Access Statement dated March 2011, Transport Report dated March 2010, Planning Statement dated March 2011, letter dated 16/05/11, emails from Charlie Trousdell dated 03/06/11, 07/06/11 07:39, 07/06/11 11:06 and 07/06/11 20:21, and emails from Ann-Marie Shivnen dated 07/06/11, 21/06/11 and 22/06/11 together with drawings numbered:  
3006 002 670 (18/03/11)  
3006 002 671 (18/03/11)  
3006 002 SK-017 (18/03/11)  
3006 002 SK-018 (21/06/11)  
3006 002 SK-019 (22/06/11)  
3006 002 011 Rev B (07/06/11)

AS AMENDED BY the approved details of planning application ref: ESS/29/18/EPF including application form dated 11 September 2018;

AS AMENDED BY the details of planning application ref: ESS/09/20/EPF as clarified in email titled 'RE: ESS/09/20/EPF Update' sent 20 August 2020 12:52, and in accordance with any non-material amendment(s) as may be subsequently approved in writing by the Waste Planning Authority, except as varied by the following conditions.

*Reason: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with policies 1, 6, 10 and 12 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies CP1, CP2, GB1, GB2A, HC5, NC1, RP5A, DBE9, LL1, ST3 and ST4 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies SP1, SP6, SP7, T1, DM2, DM3, DM4, DM21 and DM22 of the Epping Forest District Local Plan – Submitted Version (2017).*

3. The development hereby permitted shall only be carried out during the following times:

0700 – 1800 hours Monday to Friday

0900 – 1300 hours Saturdays

And at no other times or on Sundays or Bank or Public Holidays. For the avoidance of doubt all vehicles in excess of 7.5 tonnes (gross vehicle weight) and contractors' vehicles in excess of 3.5 tonnes (gross vehicle weight) associated with the operations shall not be allowed to enter or leave the site outside of these times.

*Reason: In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with policy 10 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies RP5A and DBE9, of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies DM21 and DM22 of the Epping Forest District Local Plan – Submitted Version (2017).*

4. No more than 45,000 tonnes per annum of unprocessed green garden waste and green agricultural waste shall be accepted at the site. No catering, kitchen waste or processed compost shall be imported to and deposited at the site. Any non-green waste arising at the site shall be stored in a designated container prior to its removal from site.

*Reason: To minimise the impacts on local amenity, to ensure that the development is carried out in the manner prescribed in the application and to comply with policies 6 and 10 and 12 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies RP5A and DBE9 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies DM21 and DM22 of the Epping Forest District Local Plan – Submitted Version (2017).*

5. No more than 80% (by tonnage) of the annual processed compost from the operation hereby permitted shall be exported from or sold directly from the site. A record shall be kept detailing the annual amount of processed compost and the amount of off-site sales/exports. The record shall be made available to the Waste Planning Authority upon written request.

*Reason: To minimise the impacts on local amenity, to ensure that the development is carried out in the manner prescribed in the application and to comply with policies 6, 10 and 12 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies RP5A, DBE9 and ST4 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies T1, DM21 and DM22 of the Epping Forest District Local Plan – Submitted Version (2017).*

6. Foul and surface water drainage shall be managed and maintained as per the details approved pursuant to condition 7 of ESS/20/11/EPF: application form dated 21/08/11 and paragraph 7 of the accompanying statement entitled 'Ashlyns Conditions'.

*Reason: To minimise the risk of flooding and polluting watercourses and aquifers and to comply with policies 6 and 10 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies HC5, NC1, RP5A and DBE9 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies DM2 and DM21 of the Epping Forest District Local Plan – Submitted Version (2017).*

7. The storage lagoon on-site shall be managed and maintained as per the details approved pursuant to condition 8 of ESS/20/11/EPF: application form dated 21/08/11 and paragraph 8 of the accompanying statement entitled 'Ashlyns Conditions'.

*Reason: To minimise the risk of flooding and to comply with policies 6 and 10 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies HC5, NC1, RP5A and DBE9 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies DM2 and DM21 of the Epping Forest District Local Plan – Submitted Version (2017).*

8. Material that is stockpiled, deposited or formed into windrows shall not exceed 3 metres in height when measured from adjacent ground level.

*Reason: To minimise the visual impact of the development, in the interests of amenity and landscape character and to comply with policy 10 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies CP2, DBE9 and LL1 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies SP6, SP7, DM3 and DM21 of the Epping Forest District Local Plan – Submitted Version (2017).*

9. The total number of Heavy Goods Vehicle\* (HGV) movements associated with the development hereby permitted shall not exceed 66 per day (33 in and 33 out). A permanent record shall be kept of HGV movements entering and leaving the site, which shall be made available to the Waste Planning Authority upon written request. For the avoidance of doubt, no HGV movements shall take place outside the hours of operation authorised in condition 3 of this permission.

\* For the avoidance of doubt a heavy goods vehicle shall have a gross vehicle weight of 7.5 tonnes or more.

*Reason: To limit the volume of traffic in the interests of highway safety, residential amenity and to comply with policies 10 and 12 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies HC5, NC1, RP5A, DBE9 and ST4 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies SP7, T1, DM2, DM21 and DM22 of the Epping Forest District Local Plan – Submitted Version (2017).*

10. No loaded vehicle shall leave the site unsheeted.

*Reason: In the interests of highway safety and to comply with policies 10 and 12 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policy ST4 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policy T1 of the Epping Forest District Local Plan – Submitted Version (2017).*

11. No commercial vehicle shall leave the site unless its wheels and underside chassis are clean to prevent materials, including mud and debris, being deposited on the public highway.

*Reason: In the interests of highway safety and to comply with policies 10 and 12 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policy ST4 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policy T1 of the Epping Forest District Local Plan – Submitted Version (2017).*

12. Space within the site to accommodate the parking, loading, unloading and turning of all vehicles visiting the site shall be maintained as per the details approved pursuant to condition 14 of ESS/20/11/EPF: application form dated 21 August 2011, accompanying statement, letter from Robert West Consulting dated 02 September 2011 and drawing number 3006 002 670 Rev A, dated 02/09/11.

*Reason: In the interests of highway safety and to comply with policies 10 and 12 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policy ST4 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policy T1 of the Epping Forest District Local Plan – Submitted Version (2017).*

13. The first 50 metres of internal access road (from the public highway), or a distance agreed in writing by the Waste Planning Authority, shall be constructed of a hard impervious surface, drained and kept clear of mud and debris throughout the life of the site.

*Reason: In the interests of highway safety and to comply with policies 10 and 12 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policy ST4 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policy T1 of the Epping Forest District Local Plan – Submitted Version (2017).*

14. Any tree or shrub forming part of a landscaping scheme approved in connection with the development that dies, is damaged, diseased or removed within the duration of 5 years during and after the completion of the development shall be replaced during

the next available planting season (October to March inclusive) with a tree or shrub to be agreed in advance in writing by the Waste Planning Authority.

*Reason: To minimise the visual impact of the development, in the interests of amenity and landscape character and to comply with policy 10 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies CP2, DBE9 and LL1 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies SP6, SP7, DM3 and DM21 of the Epping Forest District Local Plan – Submitted Version (2017).*

15. The free field equivalent continuous noise Level (LAeq, 1hr) at the below noise sensitive properties/locations shall not exceed the following limits:

Spiny Lodge: 52dB LAeq, 1hr

Irenic Orchard: 45dB LAeq, 1hr

Wylding Tree Lodge: 46dB LAeq, 1hr

*Reason: In the interests of amenity and to comply with policy 10 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies RP5A and DBE9 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policy DM21 of the Epping Forest District Local Plan – Submitted Version (2017).*

16. The development shall be maintained in accordance with the approved Noise Management and Monitoring Plan, titled 'Noise Management and Monitoring Plan (Ongar)' (Version 4, undated). With regard to this, noise levels shall be monitored at three monthly intervals as per the locations and methodology detailed within the aforementioned. The results of the monitoring undertaken, together with any appropriate commentary (if considered necessary), shall be submitted to the Waste Planning Authority within 1 month of being carried out for review and approval in writing. The frequency of monitoring shall not be reduced, unless otherwise approved in writing by the Waste Planning Authority.

*Reason: In the interests of amenity and to comply with policy 10 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies RP5A and DBE9 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies DM21 and DM22 of the Epping Forest District Local Plan – Submitted Version (2017).*

17. No vehicles and/or mobile plant used exclusively on site shall be operated unless they have been fitted with white noise or broadband alarms. All plant shall furthermore be fitted with and use an effective silencer.

*Reason: In the interests of amenity and to comply with policy 10 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies RP5A and DBE9 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policy DM21 of the Epping Forest District Local Plan – Submitted Version (2017).*

18. The development shall be maintained in accordance with the approved Odour Management and Monitoring Plan, titled 'Odour Management Plan (Ongar)' (Rev 3a, undated). With regard to this, odour levels shall be monitored at six monthly intervals at locations and methodology detailed within the aforementioned. The



results of the monitoring undertaken, together with any appropriate commentary (if considered necessary), shall be submitted to the Waste Planning Authority within 1 month of being carried out for review and approval in writing. The frequency of monitoring shall not be reduced, unless otherwise approved in writing by the Waste Planning Authority.

19.

*Reason: In the interests of amenity and to comply with policy 10 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies RP5A and DBE9 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies DM21 and DM22 of the Epping Forest District Local Plan – Submitted Version (2017).*

20. The development shall be maintained in accordance with the approved Bioaerosol Management and Monitoring Plan, titled 'Bioaerosol Management Plan (Ongar)' (Rev 3, undated). With regard to this, bioaerosol levels shall be monitored at six monthly intervals as per the locations and methodology detailed within the aforementioned. The results of the monitoring undertaken, together with any appropriate commentary (if considered necessary), shall be submitted to the Waste Planning Authority within 1 month of being carried out for review and approval in writing. The frequency of monitoring shall not be reduced, unless otherwise approved in writing by the Waste Planning Authority.

*Reason: In the interests of amenity and to comply with policy 10 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies CP2, HC5, NC1, RP5A and DBE9 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies SP7, DM2, DM21 and DM22 of the Epping Forest District Local Plan – Submitted Version (2017).*

21. The development shall be maintained in accordance with the approved Dust Management and Monitoring Plan, titled 'Dust Management Plan (Ongar)' (Rev 3, undated).

*Reason: In the interests of amenity and to comply with policy 10 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policies CP2, HC5, NC1, RP5A and DBE9 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policies SP7, DM2, DM21 and DM22 of the Epping Forest District Local Plan – Submitted Version (2017).*

22. All vehicular access and egress to and from the site shall be from Epping Road (A414), as shown on the approved drawings. No other access shall be used by vehicles entering or exiting the site.

*Reason: In the interests of highway safety, safeguarding local amenity and to comply with policies 10 and 12 of the Essex and Southend-on-Sea Waste Local Plan (adopted 2017); policy ST4 of the Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008); and policy T1 of the Epping Forest District Local Plan – Submitted Version (2017).*

## **6. Committee Public Speaking Protocol**

The Committee considered report DR/29/20, which set out some proposed revisions to the text of the Committee's Public Speaking Protocol.

The paper sought:

- To update the text to take account of the introduction of virtual meetings. This is to ensure that the new arrangements are reflected in the document, to enable those that want to engage in the speaking process to understand how it will be facilitated.
- To update contact details and officer titles.
- To make some further minor changes identified during the review process.

The resolution was proposed and seconded, and following a unanimous vote of ten in favour, it was

### **Resolved:**

That the changes to the 'Public Speaking at the Development and Regulation Committee' edition dated September 2014 are adopted.

## **7. Applications, Enforcement and Appeals Statistics**

The Committee considered report DR/30/20, applications, enforcement and appeals statistics, as at the end of the previous month, by the Chief Planning Officer.

The Committee NOTED the report.

## **8. Date of Next Meeting**

The Committee noted that the next meeting was scheduled for 10.30 am on Friday 23 October 2020, to be held as an online meeting.

There being no further business, the meeting closed at 12.09pm