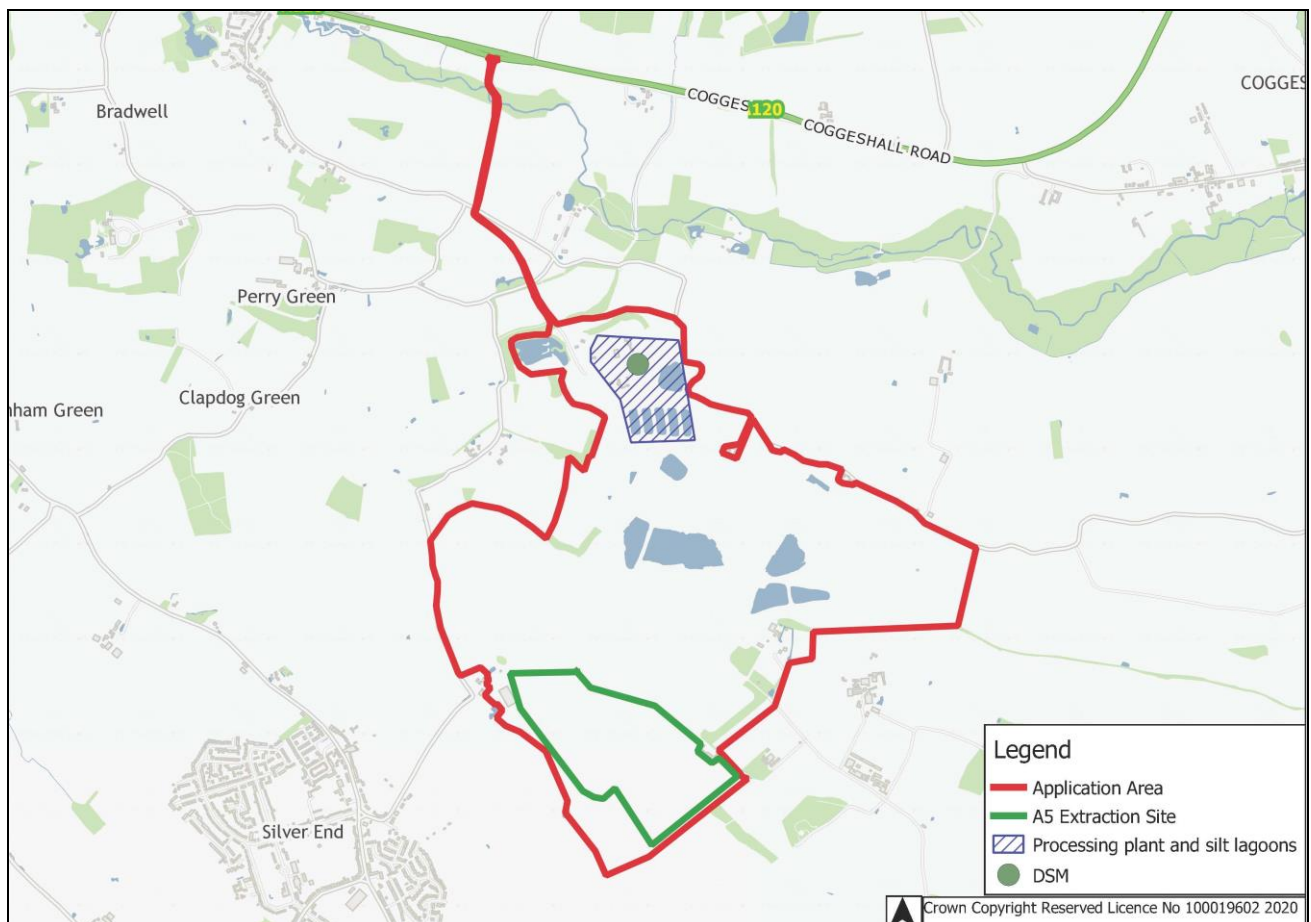
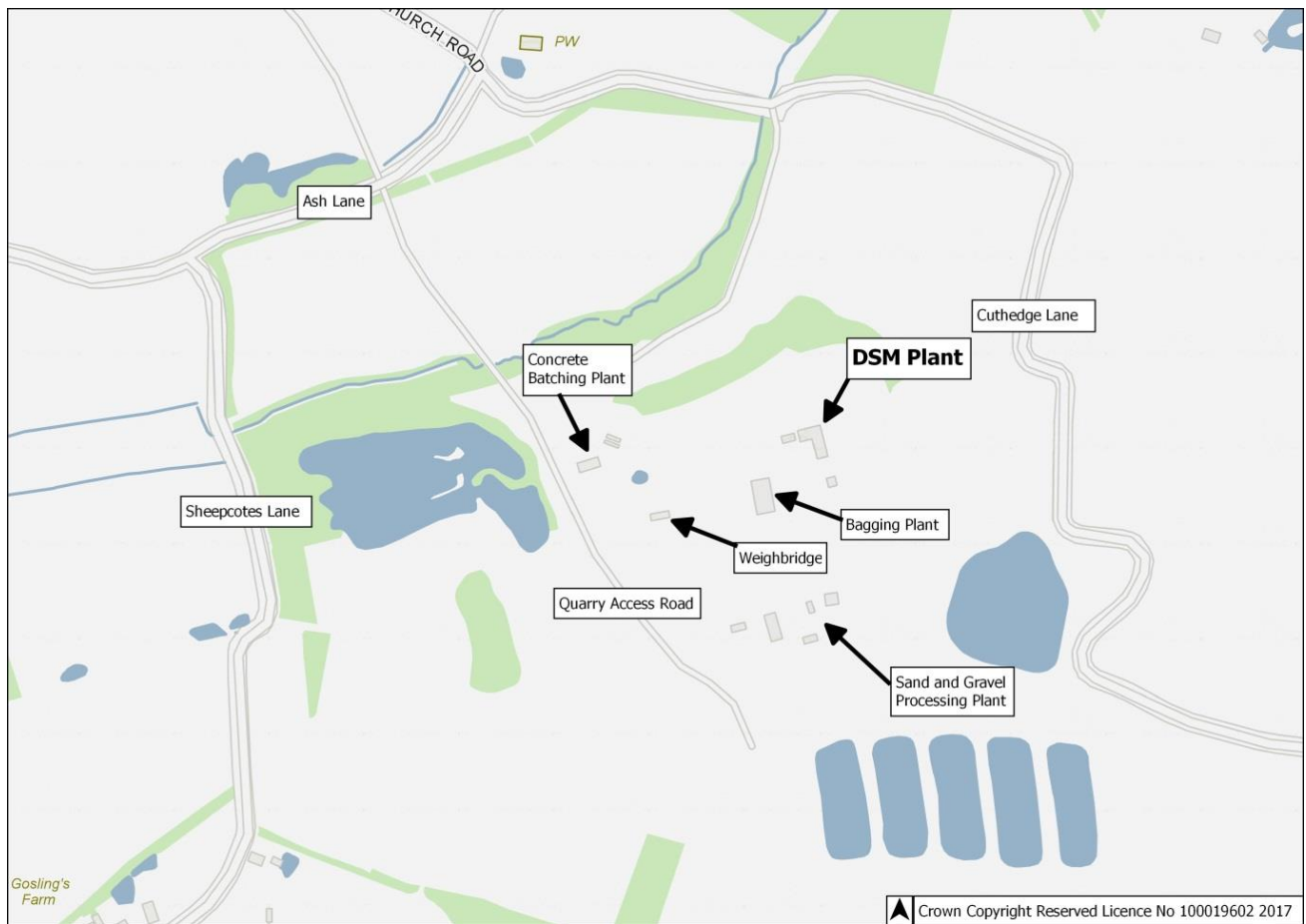


DR/11/20**Report to:** DEVELOPMENT & REGULATION (22 May 2020)

Proposal: MINERALS AND WASTE DEVELOPMENT - Continuation of development permitted by ESS/03/18/BTE without compliance with condition 9d (operational hours for the dry silo plant mortar [DSM]) to allow extended week day hours for the DSM between 06:00 to 07:00 and 18:30 to 22:00 Monday to Friday for the life of the development following the 12 month trial period originally granted under planning permission ESS/20/17/BTE. ESS/03/18/BTE was for "Extraction of 2 million tonnes of sand and gravel (from Site A5 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 and extension of the internal haul road into Site A5 with restoration to agriculture and biodiversity (species rich grassland and wetland)"

Ref: ESS/35/20/BTE**Applicant:** Blackwater Aggregates**Location:** Bradwell Quarry, Church Road, Bradwell, CM77 8EP**Report author:** Chief Planning Officer (County Planning and Major Development)**Enquiries to:** Claire Tomalin Tel: 03330 136821The full application can be viewed at <https://planning.essex.gov.uk>



1. BACKGROUND

In July 2019 planning permission (ESS/03/18/BTE) was granted for an extension to Bradwell Quarry on land east of Sheepcotes Lane known in the Minerals Local Plan (2014) as Preferred Site A5. The application site included the whole of Bradwell Quarry, including the retention of all existing processing plant.

The processing plant area includes a sand and gravel washing and screening plant, ready mix concrete plant, a bagging plant and a dry silo mortar (DSM) plant.

The DSM plant the subject of this planning application was originally granted planning permission in March 2006 (ESS/53/05/BTE). As the application is a variation of the main mineral permission the application site is the whole quarry, but the change proposed only relates to the DSM within the processing plant area.

This application seeks to extend the operational hours of the DSM both in the morning and evening. In October 2017 the Committee considered a similar planning application where it was resolved to grant planning permission, but for a one year trial. Due to delays in completing the necessary associated deed of variation planning was not issued until 14 August 2018 and notification of commencement of the 1 year trial was provided by the applicant on the 1 July 2019.

This application seeks to make the extended operational hours permanent for the life of the existing minerals planning permission i.e. until 31 December 2022.

2. SITE

The application site lies 6km east of Braintree. The application site is located between the villages of Bradwell (approx. 1km northwest), Silver End (approx. 0.5km to the southeast), Kelvedon (3.5km to the southeast) and Coggeshall (2.5 km to the north east).

The application site consists of all of the existing Bradwell Quarry, including the site access, processing plant area and previously worked areas, existing extraction area and areas already restored. The application site area is 229ha.

The quarry access is onto the A120(T) approximately 1km east of Bradwell village. The existing private access road, approximately 1km long, heads south from the A120 to the processing area, crossing the River Blackwater by two bailey bridges and crossing two minor public roads; Church Road and Ash Lane (a Protected Lane).

The mineral processing area is approximately 1km south of the A120. The plant area is linked to the current extraction area by an unmade haul road which heads due south from the plant area. The plant area is surrounded by screening bunds. The dry silo mortar plant the subject of this planning application is located in north west of the plant area.

The nearest residential properties to the dry silo mortar plant are on Church Road, Cuthedge Lane and Sheepcotes Lane. Bradwell Hall (Listed Building) lies to the north of the DSM lying north of Bradwell Church (Listed Building) and lies the east of the private access road. On Cuthedge Lane Herons Farm and Deeks Cottage are located approximately 480m and 890m respectively. On Sheepcotes Lane the nearest properties are Goslings Barn, Goslings Cottages and Goslings Farm approximately from the DSM.

There are 5 Local Wildlife Sites within 2 km of the application site at Storeys Wood (southwest of the site) and Blackwater Plantation West (north of the main site), Upney Wood (south east of the site), Rivenhall Thicks (southwest of the site), Links Wood (west of the site) and Park House Meadow (north west of the site). However, all are distant from the DSM itself.

The Essex Way runs east –west to north of the processing plant screening bunds and crosses the quarry private access road.

3. PROPOSAL

The application is seeking a variation of the extant planning permission with respect to the operational hours of the DSM plant only, to allow continuation of the extended hours of operation, having completed the one year trial period.

Condition 9 of the planning permission ESS/03/18/BTE set out the hours for the various elements of the quarry and incorporated the one year trail granted under ESS/20/17/BTE for the DSM. The wording of condition 9 is set out below.

Except in emergencies to maintain safe quarry working, which shall be notified to the Mineral Planning Authority as soon as practicable: -

(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 18:30 hours Monday to Friday
07:00 hours to 13:00 hours Saturdays*

Except for a trial period of no more than 12 months from the 1 July 2019 (as confirmed under reference ESS/20/17/BTE/01/01) the DSM may in addition be operated 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.

Part (d) of the condition 9 limits the hours of the DSM and requires the extended hours to cease on the 1 July 2020. The applicant is seeking to make permanent the amend the hours of operation of the DSM for the life of the mineral operations, currently these are permitted in association with site A5 until 2022.

It should be noted that early and late working is only weekdays. There would be no working on Sunday. There would also be no HGV movements to the application site to deliver materials to the DSM and no export of product from the DSM during

the extended hours. The extended hours would be for the operation of the DSM only to produce dry mortar. There would be light vehicle movements at the beginning and end of the extended hours associated with staff movements.

The applicant has also confirmed that there would be no additional external lighting required during the extended hours, over and above the existing low level site security lighting and limited use of the front loading shovel. The applicant has advised that previous Halogen bulbs use in the processing area have now been replaced with energy efficient LED lighting on advice from the applicant's lighting engineer as part of the previous application.

The application was accompanied by a noise monitoring results which have been carried out at 3 monthly intervals between the hours of 0600 to 0700 and 1830 to 2200 when the DSM has been operational. The monitoring has demonstrated that the maximum noise levels have not been exceeded.

4. POLICIES

The following policies of the Minerals Local Plan and Braintree District Local Plan and Core Strategy provide the development plan framework for this application. The following policies are of relevance to this application:

MINERALS LOCAL PLAN (MLP)

S1 - Presumption in favour of sustainable development
S10 - Protecting and enhancing the environment and local amenity
S11 - Access and Transportation
S12 - Mineral Site Restoration and After-Use
P1 - Preferred Sites for Sand and Gravel Extraction
P2 - Preferred Sites for Silica Sand Extraction
DM1 - Development Management Criteria
DM4 - Secondary Processing Plant

Braintree District Local Plan Review (BDLPR) 2005

RLP 36 – Industrial and Environmental Standards
RLP 62 - Development Likely to Give Rise to Pollution, or the Risk of Pollution
RLP 63 - Air quality
RLP 65 - External Lighting
RLP 80 - Landscape Features and Habitats
RLP 84 - Protected species

NEIGHBOURHOOD PLANS

Bradwell With Pattiswick Neighbourhood Plan 2019

Policy 1 Protecting and enhancing the Natural Environment and Green Infrastructure

Kelvedon PC & Coggeshall PC (adjacent) Neighbourhood Plans

Both parishes have emerging plans

The Revised National Planning Policy Framework (NPPF) was published February 2019 and sets out the Government's planning policies for England and how these should be applied. The NPPF highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state that achieving sustainable development means the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways: economic, social and environmental. The NPPF places a presumption in favour of sustainable development. However, paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

For decision-taking the NPPF states that this means; approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this NPPF taken as a whole.

Paragraphs 212 and 213 of the NPPF, in summary, detail that the policies in the Framework are material considerations which should be taken into account in dealing with applications and plans adopted in accordance with previous policy and guidance may need to be revised to reflect this and changes made. Policies should not however be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Paragraph 48 of the NPPF states, in summary, that local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies in the emerging plan to the NPPF.

Braintree District Council, along with Colchester and Tendring Councils, submitted Section 1 of their Local Plan to the Planning Inspectorate on 9 October 2017 for examination. Due to cross-boundary policies and allocations Braintree, Colchester and Tendring Councils intend to share an identical Section 1 of their Local Plans with this covering a number of strategic issues including infrastructure, housing numbers and proposals for three new garden communities. Specific policies and allocations relating to each District/Borough would follow in Section 2 of the Local Plan, which is due to be considered through later separate examinations.

In the Inspector's letter to the North Essex Authorities, dated 10 December 2018, a pause in the examination was announced, while the NEAs carry out further work on the evidence base and Sustainability Appraisal. In respect of this a technical consultation on an additional Sustainability Appraisal, additional evidence base

documents and suggested amendments to Section 1 of the Plan was undertaken by the NEA and a response issued to the Inspector. Further examination hearings were subsequently held in January 2020 with the outcome of these awaiting publication.

In terms of this proposal although both sections of the emerging Braintree Local Plan have been published these, are considered to, hold carry very limited, if any, weight at the current time.

5. CONSULTATIONS

Summarised as follows:

BRAINTREE DISTRICT COUNCIL(Planning): No comments received

BRAINTREE DISTRICT COUNCIL (ENVIRONMENTAL HEALTH OFFICER): No comments received.

COUNTY COUNCIL'S NOISE CONSULTANT: No objection subject to continuation of noise monitoring being undertaken.

The compliance monitoring is not conclusive in demonstrating noise from the DSM meets with the conditioned noise limits. That is, on a number of occasions, the measured noise levels exceeded the limits. Critically, however, the site was noted to be inaudible throughout the monitoring periods, which infers compliance with the noise levels. Instead, all exceedances measured would appear to result from extraneous noise sources e.g. road traffic, aircraft, bird noise, etc.

It is also understood that no complaints have been received with regards to noise emanating from the early morning or evening operations of the DSM. In light of above content that noise from the DSM is complying with the stipulated noise limits set for the early morning and evening periods. As such, noise emissions from its operations are unlikely to be resulting in adverse effects on the nearest residents.

COUNTY COUNCIL'S LIGHTING CONSULTANT: No objection. Noted that previous recommendations with respect to LED lights has been implemented.

BRADWELL WITH PATTISWICK PARISH COUNCIL: No comments received

KELVEDON PARISH COUNCIL: Object, due to the industrial nature of this activity late into the evening in an otherwise rural area. It would result in additional noise and vehicle movements which would be detrimental to both local residents and wildlife. Nocturnal wildlife, including badger setts both on the site and in the periphery, are likely to be particularly disturbed by additional late night noise and lighting.

COGGESHALL PARISH COUNCIL (adjacent Parish): No comments received.

RIVENHALL PARISH COUNCIL (adjacent parish): No comments received

SILVER END PARISH COUNCIL (adjacent parish): No comments received

LOCAL MEMBER -BRAINTREE- Braintree Eastern: Any comments received will be reported

LOCAL MEMBER - BRAINTREE - Witham Northern: Any comments received will be reported.

6. REPRESENTATIONS

17 properties were directly notified of the application. No letters of representation have been received.

7. APPRAISAL

The key issues for consideration are:

- Need & Principle
- Traffic & Highways
- Residential Amenity - Visual impact & lighting, Noise and emissions
- Ecology

A NEED

It is considered that the principle of the location and operation of the dry silo mortar plant has been established by way of planning permissions ESS/53/05/BTE (the original application for the plant) and ESS/03/18/BTE which allowed its continued in association with extraction within site A5.

The issue for consideration is the acceptability of additional hours of operation for the DSM between 6am and 7am and 6:30pm and 10pm Monday to Friday for the life of the quarry operations, currently permitted to December 2022.

The NPPF contains a presumption in favour of sustainable development. The NPPF states that there are three dimensions to sustainable development: economic, social and environmental. It goes on to state that these roles should not be undertaken in isolation, but should be sought jointly and simultaneously through the planning system.

The MLP policy S1 (Presumption in Favour of Sustainable Development) contains objectives that reflect the presumption in favour of sustainable development contained in the NPPF.

The DSM plant dries and mixes sand with cement, lime and powdered add mixtures e.g. colour, which are then stored within watertight silos within the plant. The dry mixture is then exported in tankers to reload storage silos at construction sites or the dry mixture is sent out in mobile storage silos on HGVs. It is only the drying and mixing operations that would take place during the proposed extended operation hours. The operation of the DSM enables the quarry to market the sand produced at the quarry more effectively

The original application for the DSM plant anticipated an output of 80,000tpa and

took account of the HGV movements generated by this level of production as well the HGV movements associated with importation of non-indigenous materials e.g. cement.

In applying to extend the hours of operation, the applicant explained that the DSM was unfortunately not achieving the anticipated 80,000tpa production, within the normal operating hours. The additional time has allowed and would continue to production of dry mortar within the plant, which would then be exported during the normal operational hours (07:00 to 18:30 Monday to Friday, 0:700 to 13:00 Saturdays).

The location and operation of the DSM is in conformity with MLP policy DM4 which seeks to locate secondary processing plant with existing quarry operations, subject to no adverse environmental impacts.

The additional hours would be likely maintain 2 jobs.

It should be noted that the bagging plant at Bradwell Quarry already has planning permission to operate for extended hours between 06:00 to 07:00 and 18:30 to 22:00. Similar to the current proposals no HGV movements take place within the extended hours, only the operation of the bagging plant itself. It is acknowledged that the bagging plant does not regularly work in the evenings recently, but if demand required these activities could recommence without the need for further planning permission and could take place at the same time as the extended hours for the DSM.

It is considered that there is an economic justification for the extended hours, the social and environmental implications of the proposal are considered further in the report, including consideration of any impacts that have arisen during the trial period.

B TRAFFIC & HIGHWAYS

NPPF and policies of the MLP (DM1) and BDLP (RLP 62, RLP 63 and RLP 65) seek to protect the road network from impacts on the highway network as well as the adverse environmental impacts such as noise, light and emission impacts from development.

Concern has been raised by Kelvedon Parish Council as to the impact of additional traffic movements during the extended hours. It must be emphasised that the proposal does not involve HGV traffic entering or leaving the site during the proposed extended hours. The only traffic movements would be those of light vehicles associated with staff arriving at 06:00 and leaving at 22:00. The delivery of materials required by the plant e.g. cement and lime and the export of product has only and would only continue to be within the existing standards hours. It is only the operation of the DSM plant that has and would take place during the extended hours i.e. drying and mixing inside the plant. There may be some limited use of a front loading shovel within the plant site itself.

There would also be no additional traffic movements over that originally envisaged for the plant, as it not proposed to increase the output production of the DSM, only

to hopefully achieve its originally anticipated output production of 80,000tpa. If increased output is achieved it would result in more exports i.e. HGV movements from the DSM plant, but these would have to be accommodated within the permitted existing maximum HGV movements for all activities at the quarry.

HGV movements are limited by condition, such that all HGV generating activities associated with the quarry are limited to:

- 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.

It is considered as there are no additional or out-of-hours HGV traffic movements, there would be no adverse impact on the highway network or disturbance arising from HGV movements. There would be some light vehicle movements arising from staff arriving and leaving but the impacts from these are not considered significant. The proposals are therefore in accordance with MLP policy DM1.

C RESIDENTIAL AMENITY - VISUAL IMPACT & LIGHTING, NOISE AND EMISSIONS

Visual Impact & Lighting

Policies of the MLP (Policy DM1), BDLP (policies RLP 36, RLP 62, RLP 65) and BCS (policy CS5) seek to minimise visual impacts and impacts from lighting on residential and local amenity. The DSM plant is within the processing plant area which is screened by existing bunding which are as high as the DSM plant screening views from local roads and PRoW. No additional lighting is proposed over and above that already existing on site and used when the DSM is operational in winter dark hours. Lighting has been improved during the trial period halogen lights having been replaced with LED which are more energy efficient. The use of the front loading shovel in the extended hours period would be avoided, although if used its use would not be visible outside the site.

Concern has been raised by Kelvedon PC as to the impact of lighting. Existing lighting is cowled downward and operates on timers to minimise the period it is required to be on. A lighting assessment accompanied the original application and concluded light levels would be within national guidance.

The County's lighting consultant has raised no objection to the application and notes lights have been updated with LED bulbs. It is considered subject to reimpose of conditions to ensure lighting remains angled down and cowled would be carried forward, the proposals are in accordance with MLP policy DM1 and BDLP policy RLP65.

Noise

The NPPF, policies of the MLP (Policy DM1), BDLP (policy RLP 36, RLP 62) and BCS policy CS8 all seek to minimise the impacts of noise on residential and local

amenity.

Kelvedon PC has raised concerns with respect to potential noise impact particularly as activity would be during antisocial hours in a rural environment.

The application was accompanied by 3 sets of noise monitoring results undertaken during the trial period. During these monitoring periods, the noise from the DSM was inaudible, and while maximum noise limits were exceeded it was accepted that the noise was from extraneous noise sources not associated with the operation of DSM.

The County Council's noise consultant has commented that while the monitoring doesn't demonstrate conclusively that the noise conditions were adhered to, the fact the site was inaudible during the monitoring, the exceedances would appear to be from extraneous noise e.g. road and air traffic and the monitoring would infer compliance. As there have been no noise complaints, the County's Noise Consultant raises no objection subject to continuation of the requirements with respect to noise monitoring.

It is considered, subject to permission being granted, appropriate to reimpose the noise limitation at noise sensitive properties and for monitoring to show compliance. As such, the proposals are in accordance with the NPPF, MLP policy DM1 and BDLPR policies RLP 36 and RLP 62.

Ecology

Concern has been raised that the additional disturbance due to light and noise would disturb wildlife, particularly badgers, there are no known badgers sets in the vicinity of the processing area. There are no local or designated wildlife sites in close proximity to the processing plant. The restoration proposals for the quarry include the creation of areas of biodiversity in accordance with the Supplementary Planning Guidance: Mineral Site Restoration for Biodiversity 2016, such there will be overall positive benefits to biodiversity.

Policies of the MLP (DM1), BDLPR (policies RLP 80 and RLP 84) and CS policy CS8 seek to minimise the impact of development upon biodiversity. It is not considered the continued operation of the DSM in extended hours would give rise to significant adverse impact upon on local ecology.

It is therefore considered there is no justification to withhold planning permission on ecology grounds and thus the proposals are considered to be in accordance with MLP policy DM1 and BDLPR policies RLP 80 and RLP 84.

8. CONCLUSION

It is considered that an adequate economic justification was provided by the applicant to demonstrate the need to operate the DSM over extended hours to facilitate the full production capacity of the DSM to be realised. The trial period of extended hours operations has resulted in no complaints and noise monitoring would indicate that operation of the DSM has not resulted in an exceedance of noise limits.

It is considered subject to reimpose of existing conditions, with respect to noise, lighting and ecology there would be no unacceptable adverse impact from the proposals that would warrant refusal and thus the proposals are in accordance with MLP policy DM1 and BDLPR policies (RLP 36, RLP 63, RLP 80 and RLP 84).

If granted the extended hours would be permitted for the life of the quarry until December 2022. There is currently an application (ESS/12/20/BTE) with the authority to extend the extraction area into site A7 of the MLP, this is likely to be considered by the Committee this summer. If granted, the extended hours of operation for the DSM could also be included as part of that new permission such that the life of the quarry could be extended to approximately 2034, although this will depend on extraction rates.

There is an existing legal agreement associated with the planning permission for site A5 (ESS/03/18/BTE), such that any permission would require a deed of variation to ensure the legal obligations remain associated with new permission.

The economic, social and environmental strands of 'sustainable development' are considered to have been achieved and the development therefore constitutes 'sustainable development' for the purposes of the NPPF, for which there is a presumption in favour. The proposal is considered to be in accordance with the development plan as a whole.

9. RECOMMENDED

That planning permission be granted subject to:

- a) Legal agreement: Prior completion within 6 months of a deed of variation to ensure all previous legal obligations remain associated with the new permission
- b) Conditions: Re-imposition of all previous conditions of ESS/03/18/BTE (updated as appropriate where discharged) and with the following amendments:

Deletion of conditions 1, 2 and 9 replace with:

Condition 1 - commencement

The development hereby permitted shall be begun before the expiry of 3 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.

Condition 2 – application details

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 Validation Form; Planning, Planning Application Supporting Statement;
- Volume 2 Environmental Statement, Public Consultation Statement and Non-Technical Summary

- Honace Letter dated 29 January 2018 Ref: 14-12-1411-250.A0 and CD containing the application in electronic format
- Honace Letter dated 23 March 2018 Ref: 14-12-1411-250.A2 clarifying the proposed hours of operation for Site A5
- Noise Assessment Clarifications dated 14 May 2018 from Acoustical Ref: B3910 2018-04-30 L - Bradwell Quarry, Church Road, Bradwell, CM77 8EP (and land southeast of Sheepcotes Lane)
- Email from Honace dated 14 May 2018, 07:12, RE: Bradwell A5 – Archaeology and the attachment Programme of Archaeological Monitoring Ref Bradwell Quarry – Proposed Extension Area `A5` PAM
- Honace Letter dated 16 May 2018 Ref: 14-12-1411-501, ESS/03/18/BTE: Clarification associated with the Site A5 Contractor's Site Compound and temporary access arrangements for private vehicles, fuel deliveries and general support vehicles
- Honace Letter dated 17 May 2018 Ref: 14-12-1411-503, ESS/03/18/BTE: Clarification of the Site A5 Landscape and Visual Impact Assessment: Viewpoint 17
- Honace Letter dated 22 May 2018 Ref: 14-12-1411-502, ESS/03/18/BTE: Clarification of the Site A5 Landscape and Biodiversity Restoration Scheme
- Honace Letter dated 24 May 2018 Ref: 14-12-1411-504, ESS/03/18/BTE: Clarification of the Site A5 Landscape and Visual Impact Assessment: Viewpoint 4
- Email from Honace dated 1 June 2018, 13:21, Site A5 Clarifications and Ecology Addendum and the attachment Green Environmental Consultants, Ecological Assessment Addendum, May 2018
- Email from Honace dated 12 June 2018, 10:34, Site A5 Noise Response & Additional Clarification and the attachment from Acoustical B3910 2018-06-11 L ESS_03_18_BTE Additional Info Noise Response_040618 v.2, B3910 2018-06-11 Calculations - worst case cumulative and temporary, and B3910 2018-06-11 Worst case cumulative
- Honace Letter dated 11 June 2018 Ref: 14-12-1411-504.A0, ESS/03/18/BTE: Site A5 Dust Minimisation Scheme
- Honace Letter dated 11 June 2018 Ref: 14-12-1411-505.A0, ESS/03/18/BTE: Site A5 Bund Seeding and Maintenance
- Honace Letter dated 11 June 2018 Ref: 14-12-1411-505.A0, ESS/03/18/BTE: Site A5 Groundwater Monitoring Scheme
- Honace Letter dated 11 June 2018 Ref: 14-12-1411-506.A0, ESS/03/18/BTE: Site A5 Advance Hedgerow and Woodland Planting
- Honace Letter dated 21 June 2018 Ref: 14-12-1411-506.A1, ESS/03/18/BTE: Higher Level Restoration Scheme
- Email from Honace dated 11 July 2018, 17:28, RE: Site A5 Noise Response & Additional Clarification and the Attachment from Acoustical Bradwell Quarry, Church Road, Bradwell, CM77 8EP (and land southeast of Sheepcotes Lane), B3910 20180711 N
- Honace Letter dated 19 July 2018 Ref: 14-12-1411-507.A1 Notification of commencement of interim lower level restoration scheme.

together with drawing numbers as follows:

<u>Drawing No.</u>	<u>Title</u>	<u>Date</u>
A5-1 Rev A	Land Ownership and Proposed Site Plan	04-01-18
A5-2 Rev A	Proposed Extension of Existing Quarrying Operation	04-01-18
A5-3 Rev A	Site Setting	29-09-17
A5-4 Rev E	Public Right of Way	12-02-18
A5-5 Rev A	Geological Map and Excavation Profile	05-10-17
A5-6 Rev C	Temporary Site A5 Works	12-02-18
A5-7 Rev D	Site A5 Extraction and Restoration Phasing	12-02-18
A5-8 Rev E	Phasing of Combined Higher Level Restoration	14-05-18
A5-9 Rev H	Higher Level Restoration Profile	23-04-18
A5-10 Rev E	Phasing of Combined Lower Level Restoration	14-05-18
A5-11 Rev E	Lower Level Restoration Profile	14-05-18
A5-12	Land Classification and Soil Types	25-09-17
A5-13 Rev C	Groundwater Monitoring and Points	29-09-17
A5-14 Rev B	Local Groundwater Abstraction	29-09-17
A5-15	Local Landscape and Character Areas	17-10-16
A5 - 16	Zone of Theoretical Visibility (ZTV)	17-10-18
1075/1/1 Rev A	Ecological Habitat Map	12-02-18
1075/1/2 Rev A	Ecological Territories of Red list Farmland Birds 2015	12-02-18
1075/1/3 Rev A	Ecology Constraints Map	12-02-18
A5-21	A5 Restoration and Wetland Details	17-05-18
A5-22 Rev B	A5 Simplified Restoration Details	14-06-18

As amended by Planning Application reference ESS/35/20/BTE, application form dated 20 March 2020, supporting letter from Honace date 20 March 2020, letter from Blackwater Aggregates and letter from It does Lighting Ltd

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:

Condition 9 – operational hours

Except in emergencies to maintain safe quarry working, which shall be notified to the Mineral Planning Authority as soon as practicable:-

(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 HGV 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 18:30 hours Monday to Friday
07:00 hours to 13:00 hours Saturdays

Except that the DSM may in addition be operated 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.

A full set of conditions is set out in Appendix A

BACKGROUND PAPERS

Consultation replies
Representations

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)

The proposed development would not be located adjacent to a European site

Therefore, it is considered that an Appropriate Assessment under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended) is not required.

EQUALITIES IMPACT ASSESSMENT

This report only concerns the determination of an application for planning permission. It does however take into account any equality implications. The recommendation has been made after consideration of the application and

supporting documents, the development plan, government policy and guidance, representations and all other material planning considerations as detailed in the body of the report.

STATEMENT OF HOW THE LOCAL AUTHORITY HAS WORKED WITH THE APPLICANT IN A POSITIVE AND PROACTIVE MANNER

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

LOCAL MEMBER NOTIFICATION

BRAINTREE - Braintree Eastern
BRAINTREE - Witham Northern