

**Minutes of the meeting of the Development and Regulation Committee,
held in Committee Room 1 County Hall, Chelmsford, CM1 1QH on
Friday, 26 July 2019**

Present:

Cllr C Guglielmi (Chairman)	Cllr D Harris
Cllr J Aldridge	Cllr M Mackrory
Cllr M Durham	Cllr M Maddocks
Cllr M Garnett	Cllr J Moran
Cllr M Hardware	Cllr J Reeves

1 Apologies for Absence

Apologies were received from Cllr D Blackwell, Cllr S Hillier (substituted by Cllr Maddocks) and Cllr A Wood.

2 Declarations of Interest

There were none.

3 Minutes

The minutes of the meeting held on 28 June 2019 were agreed and signed.

4 Identification of Items Involving Public Speaking

There were no public speakers.

Minerals and Waste

5 Bradwell Quarry, Bradwell

The Committee considered report DR/21/19 by the Chief Planning Officer.

The situation regarding the potential enforcement of planning control was noted, as set out in the report.

With regard to the legal agreement, it was noted that the agreement was likely to be completed within a few days.

There being no points raised, the resolution was proposed and seconded. Following a unanimous vote of 10 in favour, it was

Resolved

a) Enforcement Action

That, taking into account the results of harm assessment carried out on 9 April 2019, it is not considered expedient to take enforcement action at this time, however the situation will be reviewed with 3 months of the date of this report, should planning permission have not been formally issued, and:

b) Legal agreement

a) That within 3 months of the date of this report, Legal Agreements under the Planning and Highways Acts are completed to secure obligations covering the following matters:

- Submission and approval of a Landscape and ecological management plan for 25 years for the areas of priority habitat and in the event any of the priority habitats are disturbed/relocated a further 25 years of management to be provided
- Commitment to adhere to Master Plan in term of phasing and restoration, delivering 31.2ha of priority biodiversity habitat on a prorate basis if sites A6 and A7 are permitted.
- Accruing of a fund or financial bond to cover the costs of management of the priority habitats. The developer to submit a schedule of the likely costs arising over the management period
- Deeks Cottage and Haywards not be used as residential properties whilst machinery is within 100m of the properties
- 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
- Disciplinary measures to be enforced by the company if drivers found using minor roads and the crossing points to access the site
- Removal of access road if the IWMF is not progressed, or not required with respect to Waste Local Plan preferred sites or future potential mineral permissions
- Commitment to enter into appropriate PRow Orders to extend timescale for current diversions and upon restoration Extension of PRow Bradwell 24 to PRow Bradwell 55, upgrading of footpaths to bridleway status upon completion of restoration to create a bridleway route between Sheepcotes Lane and Pantlings Lane.
- Continuation of site liaison group
- Programme of works to be undertaken to Woodhouse Farm Cottage to provide suitable habitats for bats

to thereafter enable planning permission ESS/03/18/BTE to be issued in accordance with the resolution of the committee taken on 27 July 2018.

6 Sheepcotes Farm, Little Waltham

The Committee considered report DR/20/19 by the Chief Planning Officer.

Members noted the addendum to the agenda.

Members noted that this application had previously been presented in January 2019 when it was resolved to grant planning permission subject to a Legal Agreement, requiring the provision of a right-hand turn lane within the A131, prior to commencement of operations, and the removal of these works following restoration of the site.

Members were informed of the revised information which had been submitted since this resolution (updated Transport Statement) and the access arrangements now proposed. The Committee, in respect of this, noted the appraisal section of the report on 'Transport' and updated recommendation.

Policies relevant to the application were detailed in the report.

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

Several Members voiced their approval of the new proposal, believing it likely to improve the safety situation.

In response to comments made by Members, it was noted:

- Highways had expressed no concerns over the proposed new layout, but would conduct a further safety audit of the site, as part of the S278 process, taking into account such factors as traffic speed, sight lines and signage
- The new entrance would be designed to prevent all right turns, operating in a left in, left out capacity only
- There would be a wheel wash on site, and some distance of hardstanding to the exit, to reduce the potential for mud deposits on the main road.

There being no further points raised, the resolution was proposed and seconded. Following a vote of 9 in favour and 1 against, it was

Resolved

That planning permission be granted subject to the following conditions:

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 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 following approved plans: 'Location Plan', drawing no. M16.181.D.001, dated November 2017; 'Block Phasing Proposals', drawing no. M16.181.D.003, dated Oct 2018; 'Concept Restoration', drawing no. M16.181.D.004, dated Oct

2018; 'Plant Specification Plan', drawing no. M16.181.D.005 (version: 1003/PP/1 v2), dated Sept 2017; and 'Weighbridge and Weighbridge Office Detail', drawing no. M16.181.D.008, dated October 2017 and in accordance with any non-material amendment(s) as may be subsequently approved in writing by the Minerals 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 S1, S3, S6, S8, S10, S11, S12, DM1, DM2 and DM3 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC2, DC4, DC6, DC13, DC14, DC21, DC25, DC28, DC29 and DC56 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S3, S5, S6, CO6, HE3, NE1, NE2, NE3, MP1 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

3. The development hereby permitted shall be limited to a period of 5 years from the notified date of commencement of the development by which the extraction and processing of mineral shall have ceased. Within a further 12 month period of this date (6 years in total) the site shall have been restored in accordance with the scheme approved and be the subject of aftercare for a period of 5 years.

Reason: To ensure development is carried out in accordance with submitted details, to minimise the duration of disturbance from the development hereby permitted and to comply with policies S1, S3, S6, S10, S11, S12, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC2, DC4, DC13, DC14, DC25, DC28 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S3, S5, S6, NE1, NE2, NE3 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

4. Any building, plant, machinery, foundation, hardstanding, roadway, structure, plant or machinery constructed, installed and/or 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. In any case this shall not be later than 6 years from the notified date of commencement, by which time the land shall have been restored in accordance with the restoration scheme.

Reason: For the avoidance of doubt as to the nature of the development hereby permitted, to enable the Mineral Planning Authority to adequately control the development and to ensure restoration of the site within the approved timescale and in accordance with policies S1, S10, S12, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC2, DC4, DC13, DC14, DC28 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the

Focussed Review (2013); and policies S2, S5, S6, NE1, NE2 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

5. Except in emergencies to maintain safe quarry working (which shall be notified to the Mineral Planning Authority as soon as practicable) the development hereby permitted shall only be carried out during the following times:

07:00 to 18:00 hours Monday to Friday
07:00 to 13:00 hours Saturday

and at no other times or on Sundays, Bank and/or Public Holidays

Reason: *In the interests of limiting the effects on local amenity, to control the impacts of the development and to comply with policies S1, S10, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, DC4 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).*

6. The total number of heavy goods vehicle movements* associated with the development hereby permitted shall not exceed the following limits:

100 movements (50 in and 50 out) per day (Monday to Friday); and
50 movements (25 in and 25 out) per day (Saturdays)

No movements shall take place outside the hours of operation authorised by this planning permission.

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

Reason: *In the interests of highway safety, safeguarding local amenity and to comply with policies S1, S10, S11, DM1, DM2 and DM3 of the Essex Minerals Local Plan (2014); policies CP1, CP13, CP14, DC2, DC4, DC28 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).*

7. A written record shall be maintained at the site office of all movements in and out of the site by heavy goods vehicles; such records shall contain the vehicle registration number and the time and date of the movement and shall be made available for inspection by the Mineral Planning Authority within seven days of written request.

Reason: *To allow the Mineral Planning Authority to adequately monitor activity at the site and to ensure compliance with permitted levels of intensity and to comply with policies S1, S10, S11, DM1, DM2 and DM3 of the Essex Minerals Local Plan (2014); policies CP1, CP13, CP14, DC2, DC4, DC28 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6 and PA1 of the*

Chelmsford Draft Local Plan – Pre-Submission Document (2018).

8. No development shall take place until details of woodland, tree and hedgerow retention and protection measures have been submitted to and approved by the Mineral Planning Authority. The details shall include indications of all existing woodlands, trees, shrubs and hedgerows on the site and on the immediate adjoining land together with measures for their protection including exact details of proposed stand-off distances and fencing/bunding. The approved details shall be implemented and maintained for the period of construction of the development hereby permitted.

Reason: Concerns have been raised about the submitted woodland, tree and hedgerow protection plan and revised details which seek to clarify stand-off distances and proposed fencing types is in the interest of visual amenity, to ensure protection for the existing natural environment and to comply with policies S1, S10, S12, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC2, DC13 and DC14 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6, NE1 and NE2 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

9. No development shall take place until a landscape scheme has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be based on drawing titled 'Concept Restoration', drawing no. M16.181.D.004, dated Oct 2018 and include detail of all areas to be planted with species, sizes, spacing, protection and programme of implementation. The scheme shall be implemented within the first available planting season (October to March inclusive) on the basis of the approved programme of implementation. The landscape scheme shall be implemented in full and maintained therefore in accordance with conditions attached to this permission.

Reason: To comply with section 197 of the Town and Country Planning Act 1990 (as amended), on the basis that insufficient detail is contained on the submitted plan, additional planting is required to account for the gapping up of hedgerows following the removing of the access road and to improve the appearance of the site in the interest of visual amenity and to comply with policies S1, S10, S12, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC2, DC13 and DC14 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6, NE1, NE2 and MP1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018). The condition is worded as pre-commencement as an aspect of advanced planting is required.

10. 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 Mineral Planning Authority.

Reason: In order to maintain the appearance of the site, in the interest of visual amenity and to comply with policies S1, S10, S12, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC2, DC13 and DC14 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6, NE1, NE2 and MP1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

11. With the exception of materials used to form the perimeter screening/noise attenuation bunds around the site, as approved by separate conditions as part of this permission, no materials shall be stockpiled or stored on-site unless within the areas labelled 'stocks' within the processing area; or within the temporary overburden storage bund within the extraction area, as shown on drawing titled 'Block Phasing Proposals', drawing no. M16.181.D.003, dated Oct 2018. Stockpiles within the aforementioned areas shall furthermore be no greater than 5 metres when measured from the adjacent ground level.

Reason: To minimise the visual impact of the development, in the interests of visual amenity and to comply with policies S1, S10, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP13, CP14, DC2, DC4 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

12. No development shall take place until details of the proposed lagoon system and associated dewatering sump and pond have been submitted to and approved in writing by the Mineral Planning Authority. That submitted shall include details of design, construction and management based on that outlined within the Hydrogeological and Hydrological Assessment, prepared by BCL Consultant Hydrogeologists Limited, dated December 2017. The proposed lagoons and sump shall be constructed and maintained in accordance with the details approved.

Reason: To ensure that the development does not give rise to significant hydrological impacts, to safeguard groundwater from pollution and to comply with policies S1, S3, S10, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP13, DC25 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S3 and NE3 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

13. No development shall take place until details of the proposed abstraction pipeline from Langleys to the site have been submitted to and approved in writing by the Mineral Planning Authority. That submitted shall include full details of the proposed specification of the pipe and any associated equipment; proposed routing; construction management and restoration post installation. The pipeline shall subsequently be installed in accordance with the details approved.

Reason: Limited detail has been submitted on the proposed abstraction pipeline and the required detail is to ensure that the proposed routeing and method of construction is environmentally suitable, does not give rise to significant impact and to comply with policies S1, S3, S10, S12, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC2, DC4, DC13, DC14, DC25, DC28 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S3, S5, S6, CO6, NE1, NE2, NE3, MP1 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

14. No excavation shall take place beyond the proposed 'Mineral Extraction Area' as shown on the drawing titled 'Block Phasing Proposals', drawing no. M16.181.D.003, dated Oct 2018. No extraction shall furthermore take place below 38m AOD.

Reason: To ensure development is carried out in accordance with submitted details, that the development does not give rise to unconsidered impacts and to comply with policies S1, S6, S10, S12, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC4, DC13, DC25, DC28, and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S3, S6, NE1, NE2, NE3 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

15. No development shall take place until a revised restoration plan has been submitted to and approved in writing by the Mineral Planning Authority. The restoration plan shall be based on the principles shown on drawing titled 'Concept Restoration', drawing no. M16.181.D.004, dated Oct 2018 but updated to reflect the removal of the access track from the site (and the subsequent restoration of this land) and the reinstatement of the existing access from the A131 to its former specification (full details to be provided). In addition to this, at least two complete cross sections through the reservoir shall be provided to supplement the proposed restoration scheme. The development shall be undertaken and the site restored in accordance with the details subsequently approved.

Reason: To ensure that all areas not representing a water body are restored to agriculture, that the reservoir is engineered in accordance with the suggested slope and base profiles within the 'Preliminary Engineering Review', submitted by Greenfield Associates, dated 20th November 2017, in the interests of landscape and visual amenity and to comply with policies S1, S6, S10, S12, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC2, DC13, DC14 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6, CO6, NE1, NE2, MP1 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018). This condition has been worded as pre-commencement on the basis that the proposed restoration will affect the volumes of soil and clay which are required to be retained on site.

16. An aftercare scheme detailing the steps that are necessary to bring the land which does not form a water body (agricultural reservoir), to the required standard for agricultural afteruse shall be submitted to and approved in writing by the Mineral Planning Authority prior to commencement of restoration works and the re-placement of soils on site. The submitted Scheme shall accord with that suggested with the Planning Practice Guidance and:
- Provide an outline strategy 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; and
 - Provide for a detailed annual programme to be submitted to the Mineral Planning Authority not later than two months prior to the annual Aftercare meeting.

Unless the Mineral Planning Authority approve 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.

Reason: To ensure the satisfactory restoration of parts of the site to agricultural in accordance with the details submitted and deemed to comply with policies S1, S6, S10, S12, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC2, DC13, DC14 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6, CO6, NE1, NE2, MP1 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

17. The free field Equivalent Continuous Noise Level (LAeq, 1 hr) at the below noise sensitive properties shall not exceed the following limits:

Sheepcotes Cottage: 49dB LAeq 1hr

Sheepcotes Farm: 47dB LAeq 1hr

Alsteads Farm, Longs Cottages, Alresford and Longs Farm: 45dB LAeq 1hr

Reason: In the interests of amenity and to comply with policies S1, S10, DM1, DM2 and DM3 of the Essex Minerals Local Plan (2014); policies CP1, CP13, DC4 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

18. For temporary operations, the free field Equivalent Continuous Noise Level (LAeq, 1 hr) at Sheepcotes Cottage; Sheepcotes Farm; Alsteads Farm; Longs Cottages; Alresford; and Longs Farm shall not exceed 70dB LAeq 1hr. Temporary operations 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 a temporary operation which shall, for the purpose of this condition, include site preparation, bund formation and removal, site stripping and restoration and any other temporary activity that has been approved in writing by the Mineral

Planning Authority in advance of such a temporary activity taking place.

Reason: In the interests of amenity and to comply with policies S1, S10, DM1, DM2 and DM3 of the Essex Minerals Local Plan (2014); policies CP1, CP13, DC4 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

19. Noise levels shall be monitored at three monthly intervals from the date of the commencement of development at the four location points shown in Appendix B of the Noise Assessment, undertaken by WBM Acoustic Consultants, dated 01 December 2017. In addition to this, a set of monitoring (in addition to the normal three monthly one, if timings do not collate) shall be undertaken at the start of extraction and clay lining closest to Sheepcotes Farm and Sheepcotes Cottage. 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 of 30 minutes separated by at least 1 hour during the working day and the results shall be submitted to the Mineral Planning Authority within one month of the monitoring being carried out (two weeks for the additional monitoring undertaken when operations are at their closest to Sheepcotes Farm and Sheepcotes Cottage). Should an exceedance in the maximum noise limits secured by condition be noted a scheme of additional mitigation shall be presented to the Mineral Planning Authority for review and approval in writing, as appropriate. The frequency of monitoring shall not be reduced, unless otherwise approved in writing by the Mineral Planning Authority.

Reason: In the interests of amenity and to comply with policies S1, S10, DM1, DM2 and DM3 of the Essex Minerals Local Plan (2014); policies CP1, CP13, DC4 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

20. The development hereby permitted shall be undertaken in accordance with the dust mitigation measures outlined within section 6 of the Dust Assessment, undertaken by Pde Consulting Limited, dated December 2017. Principally in this regard periodic wash down of the site access haul road and other areas of hardstanding shall be undertaken; stockpiled materials shall be regularly dampened down; and no loaded vehicle shall leave the site unsheeted.

Reason: In the interests of amenity and to comply with policies S1, S10, DM1, DM2 and DM3 of the Essex Minerals Local Plan (2014); policies CP1, CP13, DC4, DC28 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

21. Other than the floodlights shown on drawing 'Plant Specification Plan, drawing no. M16.181.D.005 (version: 1003/PP/1 v2), dated Sept 2017 and 'Light Spill Plan', drawing no. M16.181.D.009, dated March 2018, no fixed lighting shall be erected or installed on-site until details of the location, height, design, luminance and operation have been submitted to and approved in writing by the Minerals Planning Authority. That submitted shall include an overview of the lighting design including the maintenance factor and lighting standard applied together with a justification as why these are considered appropriate. The details to be submitted shall include a lighting drawing showing the lux levels on the ground, angles of tilt and the average lux (minimum and uniformity) for all external lighting proposed. Furthermore a contour plan shall be submitted for the site detailing the likely spill light, from the proposed lighting, in context of the adjacent site levels. The details shall ensure the lighting is designed to minimise the potential nuisance of light spillage on adjoining properties and highways. The lighting hereby and thereafter approved shall be erected, installed and operated in accordance with the approved details and only operated in accordance with the hours of operation as controlled by condition.

Reason: In the interests of amenity and to comply with policies S1, S10, DM1, DM2 and DM3 of the Essex Minerals Local Plan (2014); policies CP1, CP13, DC4 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

22. No development shall take place, including any groundworks, until a Construction Method Statement has been submitted to and approved in writing by the Mineral Planning Authority. The Statement shall provide for:
- Areas proposed for staff and visitor parking both during initial site set up and then during operations;
 - Areas proposed for the loading and unloading of plant and materials during initial site set up;
 - Storage of plant and materials during initial site set up; and
 - The proposed location and specification of the wheel and underbody vehicle washing facilities both during initial site set up and then during operations.

Without prejudice to the foregoing, no commercial vehicle shall leave the site unless the wheels and the underside chassis are clean to prevent materials, including mud and debris, being deposited on the public highway

Reason: In the interests of highway safety, to prevent material being taken onto the public highway and to comply with policies S1, S10, S11, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, DC4 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

23. All vehicle access and egress to and from the site shall be from the A131, as

indicated on drawing titled 'Block Phasing Proposals', drawing no. M16.181.D.003, dated Oct 2018. No development shall nevertheless take place until full details of the improvement works proposed at the access junction, including the design of the splitter island, have been submitted to and approved in writing by the Mineral Planning Authority. No material shall leave the site until the works approved have been implemented in full and junction visibility splays shall be maintained to measure a minimum of 2.4m x 215m at the site access, for the duration of the development hereby permitted. The improvement works shall subsequently be removed, and the access returned to its former specification, as part of the restoration of the site.

Reason: In the interests of highway safety and to comply with policies S1, S11, DM1 and DM2 of the Essex Minerals Local Plan (2014).

24. Access and egress to and from the site shall be left turn only, with the prohibition of right turns across the A131. No material shall leave the site until details of proposed signage and lining, together with information of how this access arrangement will be managed, monitored and enforced, have been submitted to and approved in writing by the Mineral Planning Authority. The development shall be implemented in accordance with the approved details and maintained thereafter for the duration of the development hereby permitted.

Reason: In the interests of highway safety and to comply with policies S1, S11, DM1 and DM2 of the Essex Minerals Local Plan (2014).

25. No development shall take place until full details/specification of the proposed internal access road from the A131 to the site have been submitted to and approved in writing by the Mineral Planning Authority. That submitted shall include details of construction; design (finish/surface); and proposed landscaping of the access road to the processing plant area. That submitted shall furthermore clarify details proposed to manage surface water run-off including, as appropriate, detail of the swash as suggested within the Hydrogeological and Hydrological Assessment, prepared by BCL Consultant Hydrogeologists Limited, dated December 2017. The access road shall subsequently be installed and maintained in accordance with the details approved until removed as part of restoration.

Reason: In the interests of highway safety, landscape and visual amenity and to ensure the development is not constructed without appropriate mechanism to manage surface water run-off and to comply with policies S1, S3, S10, S11 DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC2, DC13, DC14, DC25, and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S3, S6, NE1, NE2 and NE3 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 or any Order amending, replacing or re-enacting that Order), no gates shall be erected at the vehicular access unless

they open inwards from the public highway towards the site and be set back a minimum distance of 18 metres from the nearside edge of the carriageway.

Reason: In the interests of highway safety and to comply with policies S1, S11, DM1 and DM2 of the Essex Minerals Local Plan (2014).

27. No development or preliminary groundworks shall take place until a written scheme and programme of archaeological investigation and recording has been submitted to and approved in writing by the Mineral Planning Authority. The scheme and programme of archaeological investigation and recording shall be implemented prior to the commencement of the development hereby permitted or any preliminary groundworks

Reason: To ensure that any archaeological interest on-site has been adequately investigated and recorded prior to the development taking place and to comply with policies S1, S10, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, and DC21 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S5 and, HE3 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

28. No development or preliminary groundworks shall take place until a further badger survey, to include all areas on and off-site within 30m of any development/disturbance area, has been undertaken. The survey shall be undertaken within two months of the proposed commencement date and the results of the survey together with any actions or mitigation, as may be required, shall be submitted to the Mineral Planning Authority for approval in writing prior to formal commencement of the development.

Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and to comply with policies S1, S10, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13 and DC13 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6 and NE1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

29. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken an ecological assessment to confirm that no birds would be harmed and/or appropriate measures are in place to protect nesting bird interest on site. Any such written confirmation or ecological assessment shall be submitted to the Mineral Planning Authority for approval prior to any removal of hedgerows, trees or shrubs during this period.

Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and to comply with policies S1, S10, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13 and DC13 of the Chelmsford Core Strategy and Development Control Policies (2008) as

amended by the Focussed Review (2013); and policies S2, S6 and NE1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

30. No development shall take place until a Biodiversity Management Plan has been submitted to and approved in writing by the Mineral Planning Authority. The Plan shall include provision for habitat creation and management during construction of the development and post restoration and include:
- a) The aims and objectives of the plan and management;
 - b) A description and evaluation of features to be managed;
 - c) Ecological trends and constraints on site that might influence management;
 - d) Appropriate management options for achieving the aims and objectives of the project;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule (including an annual work plan capable of being followed during the five year aftercare period) inclusive of on-going monitoring and remedial measures and timings; and
 - g) Details of the body or organisation responsible for implementation of the plan.

The development hereby permitted shall be implemented in accordance with the approved plan and shall be maintained during construction and through the five year after care period.

Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and to comply with policies S1, S10, DM1 and DM2 of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13 and DC13 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6 and NE1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

31. No stripping or handling of topsoil or subsoil shall take place until details for the forming, planting and maintenance of all perimeter screening/noise attenuation bunds and a scheme of machine and soil movements for the stripping and replacement of soils has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall:
- a) Be submitted at least three months prior to the expected commencement of soil stripping and be based on that shown on the drawing titled 'Block Phasing Proposals', drawing no. M16.181.D.003, dated Oct 2018;
 - b) Provide detail on the quantities of topsoil and subsoils to be retained on-site and that to be exported (based on submitted detail of the quantum of soils required to facilitate restoration);
 - c) Detail how soils will be handled during construction, bunds planted and maintained, and soils re-spread for restoration;
 - d) Define the type or machinery to be used to strip and replace soils; and include
 - e) Confirmation that soil will only be stripped and handled when in a dry and friable condition*; and that no area of the site traversed by heavy goods vehicles of machinery (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 of the site.
The development shall be implemented in accordance with the approved scheme.

**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.*

Reason: To ensure the retention of existing soils on the site for restoration purposes, to minimise structural damage and compaction of the soil to aid final restoration works, to protect the amenities of local residents and screen the development and to comply with policies S1, S3, S10, S12, DM1 and DM2 and of the Essex Minerals Local Plan (2014); policies CP1, CP9, CP13, CP14, DC4, DC13, DC28 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6, NE2 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

32. With the exception of clay which may be required to be imported for the purpose of lining the reservoir, no material or other aggregate shall be imported to the site. The processing plant shall only be used to process material extracted from within the approved extraction area.

Reason: To ensure that there are no adverse impacts on the local amenity from the development not assessed as part of the application details and to comply with policies S1, S6, S8, S10, S11, DM1, DM2 and DM3 of the Essex Minerals Local Plan (2014); policies CP1, CP13, CP14, DC2, DC4, DC13, DC28 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6, NE1 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

33. There shall be no retailing or direct sales of soils or bagged aggregates to the public from the site.

Reason: To ensure that there are no adverse impacts on the local amenity from the development not assessed as part of the application details and to comply with policies S1, S6, S8, S10, S11, DM1, DM2 and DM3 of the Essex Minerals Local Plan (2014); policies CP1, CP13, CP14, DC2, DC4, DC13, DC28 and DC29 of the Chelmsford Core Strategy and Development Control Policies (2008) as amended by the Focussed Review (2013); and policies S2, S6, NE1 and PA1 of the Chelmsford Draft Local Plan – Pre-Submission Document (2018).

Enforcement Update

7 Enforcement of Planning Control

The Committee considered report DR/22/19, updating members of enforcement matters for the period 1 April to 30 June 2019 (Quarterly Period 1), and received an update from Mrs Armstrong, Enforcement Officer.

The Committee NOTED the report and commended the work of Mrs Armstrong, on the Authority's behalf.

8 Applications, Enforcement and Appeals Statistics

The Committee considered report DR/23/19, applications, enforcement and appeals statistics, as at the end of the previous month, by the Chief Planning Officer.

The Committee NOTED the report.

9 Date of Next Meeting

The Committee noted that the next meeting would be held on Friday 23 August 2019, at 10.30am in Committee Room 1, County Hall.

There being no further business, the meeting closed at 10:55 am.

Chairman