

committee DEVELOPMENT & REGULATION

date 26 June 2015

MINERALS AND WASTE DEVELOPMENT

Proposal: **Contractors site compound for mineral Sites A3 and A4 and maintain existing access and egress via Woodhouse Lane for private vehicles used by the contractors staff, light goods vehicles used by maintenance staff, fuel deliveries and general site compound support vehicles.**

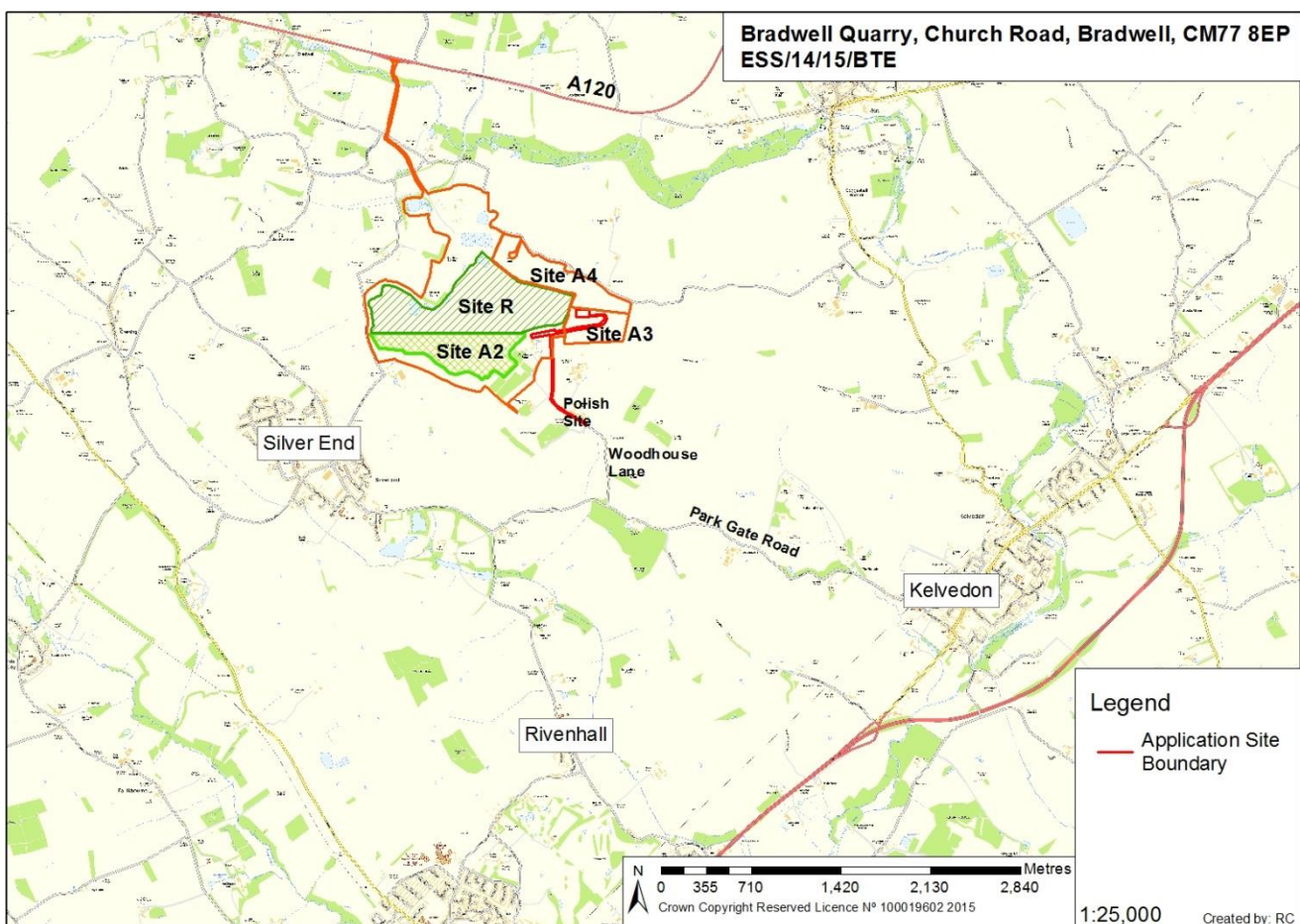
Location: **Land on Rivenhall Airfield, within site A3 & A4 of Bradwell Quarry, Bradwell, Essex, CO5 9DA Ref: ESS/14/15/BTE**

Applicant: **Blackwater Aggregates**

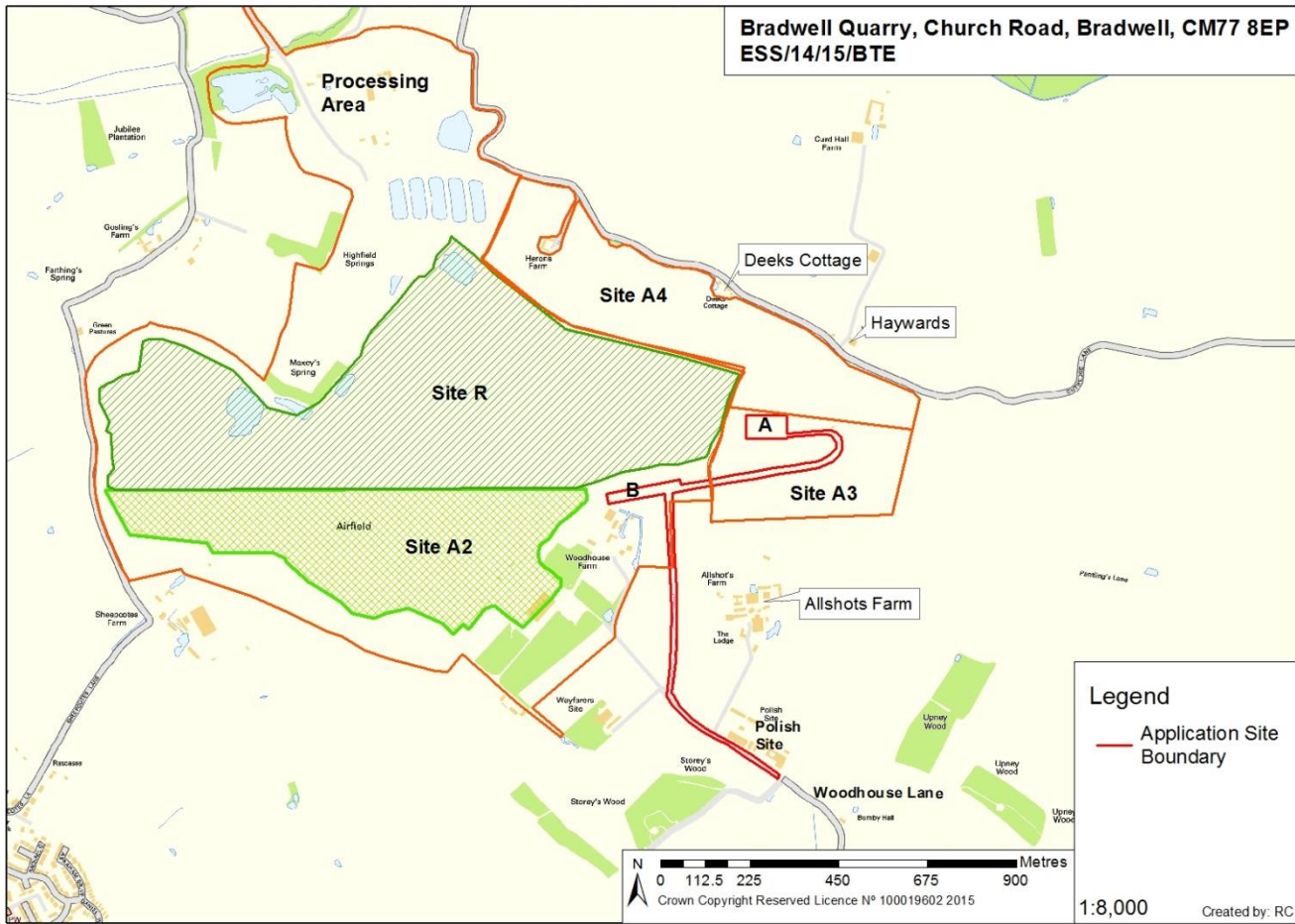
Report by Director of Operations: Environment and Economy

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The full application can be viewed at www.essex.gov.uk/viewplanning



Bradwell Quarry, Church Road, Bradwell, CM77 8EP
ESS/14/15/BTE



1. BACKGROUND

There has been a quarry at Bradwell since the 1940s; however, the quarry with its existing access and processing plant has been operational since 2000. The site has been the subject of various planning permissions. Planning permission ESS/07/98/BTE was granted in 1999. This permission was for sand and gravel extraction within site R a preferred site with the Minerals Local Plan 1996 as well as the private access road to the A120 and the processing area and other supporting infrastructure including internal haul roads and silt lagoons.

In 2011 planning permission ESS/32/11/BTE was granted for an extension to the site to the south (site A2 in the then emerging replacement Minerals Local Plan). In 2015 planning permission ESS/24/14/BTE was granted for extensions to the site to the east and south east (sites A3 and A4 of the adopted Minerals Local Plan), implementation of this permission commenced in May 2015. At the current time the operations are utilising the site compound previously used in connection with site A2.

In addition to the main extraction applications there have been various applications for additional secondary plant including a bagging plant and dry silo mortar plant and amendments to such.

With respect to the earth movers' compound it is acknowledged that the contractors undertaking the earthmoving and extraction have had a compound on the existing airfield runways since 2001. The location of this compound has varied over time as the operations have moved. Under the 2011 permission the location of the compound was controlled through the conditions of the planning ESS/32/11/BTE and limited to two locations on the southern edge of the void, with access by the earth movers' staff and maintenance vehicles to the south via Woodhouse Lane.

2. SITE

The Bradwell Quarry itself lies 6km east of Braintree. The quarry 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 is located on the south east of the quarry, partly within site A3 & A4. The site includes two areas for the contractors' compound: location "A" (approximately 7,600m²) on part of the main redundant airfield runway on the northern edge of site A3; and then when this area is required to be extracted relocated to location "B" (approximately 4,000m²) south of A3 on part of the redundant airfield taxiways.

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

The processing area is linked to the current extraction area by an unmade haul road which heads due south from the processing area approximately 1km to the extraction face.

The access to the application site would be via Woodhouse Lane a minor no through road that links to Park Gate Road giving access to the A12 either through Rivenhall or Kelvedon. Woodhouse Lane ceases to be public highway at the Polish Camp, which is now an employment area, with various industrial uses, now known as Allshots Enterprises, located on the north side of Woodhouse Lane. Beyond Allshots Enterprises the private road is initially a concrete road (previously part of airfield infrastructure) topped with chippings. The concrete road continues towards where Hangar 2 used to be before it was demolished, but the proposed route to the compound branches north east approximately 320 along the private section of Woodhouse Lane, utilising an existing hardcore track that links across to the redundant airfield runways and taxiways.

The nearest residential properties to the proposed sites for the compounds are Bumby Hall, on Woodhouse Lane approximately 200m south east of the application site, with the compounds located approximately 1km from the property. In addition there are residential properties to the north on Cuthedge Lane, including Deeks Cottage to the north west at 300m and Haywards on the north side of Cuthedge Lane approximately 300m to the north east. Allshots Farm (Grade II Listed Building) lies approximately 400m to the south east; a scrap yard lies between the sites for the compounds and the Allshots Farm house.

Woodhouse Farm and buildings (Grade II Listed) are located south of the proposed compounds approximately 120m away, but are separated from locations for the compounds by existing buildings and existing established vegetation. The house is currently unoccupied and has been for a number of years.

Footpath Bradwell 68 is aligned north to south and located on the west side of location A for the compound. Footpath Kelvedon 8 links with Footpath Bradwell 68 heading west just south of the taxiway before passing through the buildings of Woodhouse Farm, from where it links to Woodhouse Lane, sharing the lane and provides a link to the public highway at the Allshots Enterprises.

The airfield and surrounding land is situated on a plateau approximately 50m AOD with a very slight fall from northeast to southwest. There are limited elevated viewpoints from which to oversee the proposed sites for the compound, but there are some views from higher ground to the north east.

3. PROPOSAL

The application is for a site compound for the earth moving contractors who are moving soils, overburden and extracting the sand and gravel from sites A3 and A4 permitted under planning permission ESS/24/14/BTE.

The compound would be used to park the earth contractors own vehicles and park the contractors plant, also to locate a site office, welfare facilities for contractors staff, a generator unit, water tank (for site office/welfare facilities), a skip for any waste generated from the compound and bunded oil and fuel tanks to supply the

contractors' vehicles. These facilities would be relocated from the current compound associated with site A2.

The extraction of sites A3 and A4 is to be undertaken in 6 phases. Two locations are proposed for the site compound, firstly location "A" on the main runway which is on the northern edge of A3 phase 2. The compound could remain in this location for the first 5 phases of extraction and then when phase 2 of site A3 is to be worked would be relocated to location "B" just south of the workings on the former perimeter airfield taxiway.

The anticipated number of staff vehicle movements is a maximum of 60 movements a day (30 in 30 out) during intense periods of material movements, but on average 28 movements (14 in, 14 out) are anticipated. With an average of 2 LGV or HGV movements (1 in 1 out) a day associated with maintenance staff, fuel delivery (HGV) and other support vehicles. It is not proposed that there would be any HGV movements associated with the delivery or removal of the earth contractors' plant and machinery which would all be via the existing site access via the A120.

A 3m bund is proposed on the north side of compound location "A" to screen any distant views of the compound from the north east. In addition bunds associated with the permitted mineral workings would further screen views of the compound.

The hours of operation would be those as for the quarry that is 0700 to 1830 hours Monday to Friday and 0700 to 1300 hours Saturdays, no vehicle movements or operations Saturday afternoons, Sundays or Public Holidays.

Access to both locations for the compound would be from the south via Woodhouse Lane, and then a private hard-surfaced haul road before joining with the airfield runways/taxiways to provide access to the compound.

The applicant has justified the location of the earth movers' compounds on the basis that the haul road between the processing area and the extraction area, which is approximately 1km long, while suitable for site vehicles and plant, is not suitable for road going vehicles, particularly in winter when the route can be impassable even in a 4 wheel drive. In addition while there is adequate space within the processing area for staff parking associated with the processing plant, bagging plant, concrete plant and dry silo mortar plant, there is not adequate space for the parking of the earth movers' plant and staff vehicles. The earth movers compound has during the extraction of site R and site A2 been located adjacent to the extraction area and accessed from the south via Woodhouse Lane, which the applicant states provides the best operational arrangement.

4. POLICIES

The following policies of the Mineral Local Plan adopted 2014, the Braintree District Council Local Development Framework Core Strategy 2011 (BCS) and Braintree District Local Plan Review 2005 (BDLP) provide the development framework for this application. The following policies are of relevance to this application:

	<u>MLP</u>	<u>BCS</u>	<u>BDLP</u>
Presumption in favour of sustainable development/ Sustainable development locations	S1		
Protecting and enhancing the environment and local amenity	S10		
Access and transportation	S11		
Development management criteria	DM1		
Countryside		CS5	
Built and Historic Environment		CS9	
Industrial & Environmental Standards			RLP 36
Minor industrial and commercial development in the countryside			RLP40
Pollution control			RLP 62
External Lighting			RLP 65

The National Planning Policy Framework (Framework) was published on 27 March 2012 and sets out the Government's planning policies for England and how these are expected to be applied. The Framework highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state that there are three dimensions to sustainable development: economic, social and environmental. The Framework places a presumption in favour of sustainable development. However, paragraph 11 states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

For decision-taking the Framework states that this means; approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

In respect of the above, paragraph 215 of the Framework, which it is considered is applicable to the BCS and BLP, states that due weight should be given to relevant policies in existing plans 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). Consideration of this, as such, will therefore be made throughout the appraisal section of this report.

With regard to updates/replacements or additions to the above, the Framework (Annex 1, paragraph 216) states from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be

given), and;

- The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Braintree District Council originally intended to create a Local Development Framework which it was envisaged would supersede the Local Plan Review in its entirety. In this regard, the BCS was adopted on 19 September 2011 and it was anticipated that the remaining BLP policies would be replaced by those to be contained in a Site Allocations and Development Management Plan. At the Full Council meeting on 30 June 2014, Braintree District Councillors took the decision to not submit the Site Allocations and Development Management Plan (ADMP) to the Planning Inspectorate for examination but to instead begin work immediately on a New Local Plan. At its Full Council meeting on 15th September 2014, Braintree District Councillors agreed that the ADMP as amended by Further Changes be adopted for use within development management decision making. Braintree District Council's view is that the document should be given appropriate weight in all matters under consideration and that these are material considerations for the Council. The new Local Plan will ultimately replace the BLP and BCS however at the current time it is not considered to be at a sufficient stage to have significant weight in the determination of this application.

5. CONSULTATIONS

BRAINTREE DISTRICT COUNCIL – No comments received.

HIGHWAY AUTHORITY: No objection subject to a condition requiring signage at the crossing points of the route to the compound with footpath 8 Bradwell.

HIGHWAY AUTHORITY (Public Rights of Way): No objection, subject to appropriate signing at the crossing points with PRoWs.

PLACE SERVICES (Landscape): No objection.

BRADWELL PARISH COUNCIL – No comments received

KELVEDON PARISH COUNCIL: No objection. The Parish Council has a long history of working with Blackwater Aggregates and their development are always positive, realistic and improve the environment.

SILVER END PARISH COUNCIL: No comments received

RIVENHALL PARISH COUNCIL (adjacent): Object on the following grounds

- All access and egress should be via the A120 as required by ESS/24/14/BTE
- During site A2 when access was allowed via Woodhouse Lane resulted in HGVs passing through local villages due to unclear reasons with respect to the bridges on the private haul road.
- The use of Woodhouse Lane would see users of Footpath 8 Kelvedon sharing the route with traffic to the compound, spoiling enjoyment by walkers and cyclists.

- The access track from Woodhouse Lane to the airfield runways was last year surfaced having been grass previously. This track was then used by contractors working for ECC to deliver road materials being stored on the runways, resulting in HGVs using the same route as Footpath Kelvedon 8, putting users at risk.
- Keeping contractors' cars and LGVs separate is stated to improve conflicts between heavy plant using the same haul road, until the operator provides an adequate haul road between the processing area and the excavation the need for access via Woodhouse Lane is likely to be necessary for all the preferred sites located at Bradwell Quarry.
- Concern will set a precedent as to potential for second access to the Rivenhall IWMF, for the same health and safety reasons.
- The existing condition 13 on ESS/24/14/BTE requiring access and egress via the A120 should be upheld.
- Sites A3 and A4 were put as part of MLP subject of Examination in Public where access was proposed via A120, the operator should design the site to ensure all access can be via the A120. The adopted MLP requires "1 Mineral from the site would be processed through the existing processing plant, 2 Mineral traffic would use the existing main site access"

LOCAL MEMBER – BRAINTREE – Witham North – Requests the application be determined at committee and makes the following comments

- All access and egress should be via the A120 as required by ESS/14/14/BTE
- Use of Woodhouse Lane would create a secondary access for the quarry.
- The previous use of Woodhouse Lane in association with site A2 was not subject of proper consultation with the local community.
- Woodhouse Lane is a narrow lane from the Polish Camp and is the route of footpath Kelvedon 8.
- In the past HGV traffic has used the route via Woodhouse Lane to deliver plant, due to weight controls on the bridges on the main haul road.
- The access track from Woodhouse Lane to the airfield runways was last year surfaced having been grass previously. This track was then used by contractors working for ECC to deliver road materials being stored on the runways, resulting in HGVs using the same route as Footpath Kelvedon 8, putting users at risk. Neither ECC nor BDC intend to require planning permission for this track.
- An access to the site via Woodhouse Lane would see additional traffic in Rivenhall & Silver End both have primary schools.
- Concerned will set a precedent as to potential for second access to the Rivenhall IWMF
- Sites A3 and A4 were put as part of MLP subject of Examination in Public where access was proposed via A120, the operator should design site to ensure all access can be via the A120. The adopted MLP requires " 1 Mineral from the site would be processed through the existing processing plant, 2 Mineral traffic would use the existing main site access"

LOCAL MEMBER BRAINTREE – Braintree Eastern – any comments received will be reported.

6. REPRESENTATIONS

16 properties were directly notified of the application; it should be noted that only 2 of these were residential properties the rest were businesses within Allshots Enterprises. No letters of representation have been received.

7. APPRAISAL

The key issues for consideration are:

- A. Need,
- B. Traffic, Highways & Public Rights Of Way
- C. Landscape Impact, Visual Impact and Restoration;
- D. Water Environment
- E. Local Amenity
- F. Historic Environment
- G. Social Impacts.

A NEED

MLP Policy S1 (Presumption in favour of sustainable development) reflects the presumption in favour of sustainable development contained within the NPPF. The principle of mineral extraction within sites A3 and A4 was established through the grant of permission for application reference ESS/24/14/BTE.

BCS policy CS5 seeks to ensure development outside town development boundaries, village envelopes and industrial development limits is restricted to uses appropriate to the countryside in order to protect and enhance landscape character, biodiversity, geodiversity and amenity of the countryside.

There is no specific policy within the MLP with respect to ancillary services associated with mineral extraction. The BDLP policy RLP 40 with respect to minor industrial and commercial development in the countryside supports minor development in the countryside subject to it either being an extension to existing activity or being of a small scale securing significant benefits. However, the development is required to be of good design and include mitigation to limit impact on landscape character.

The applicant has justified the need for the compounds adjacent to the extraction area on the basis of a number of factors. The internal haul road between the processing area is a 1km long unmade road suitable for heavy plant, but not road vehicles. Use of this by the earth moving contractors' staff would mean cars using the same route as heavy plant, which is not ideal in health and safety terms. In addition in winter, at times, the haul road becomes almost impossible for even 4 wheel drive vehicles, which would prevent the earth moving staff being able to access the extraction area. While the quarry processing area has adequate parking for staff associated with the sand and gravel extraction and secondary processing including dry silo mortar plant, bagging plant and ready mix concrete plant, there is no space to accommodate either the parking or welfare facilities for the earth moving contractors. These facilities have historically been located adjacent to the workings in various locations on the redundant runways and taxiways and have been accessed from the south via Woodhouse Lane.

While it would be preferable that the facilities for the contractors compound are located in the processing area this is some distance (1km) from the working face, which isn't very practical and there isn't space to accommodate the compound. It is considered that there are both benefits for the contractors' staff if their parking and welfare facilities are located close to where they are working, i.e. at the quarry face and negates the need for the staff to use the unmade haul road avoiding conflict with heavy plant vehicles. In considering the principle of the compound in its proposed locations it is considered that as the compounds are associated with the mineral development the proposals would accord with the principles of BRLP policy RLP40, subject to it not having adverse environmental effects.

The NPPF states that there are 3 dimensions to sustainable development: economic, social and environmental. It goes on to state, in summary, that these roles should not be undertaken in isolation but should be sought jointly and simultaneously through the planning system.

It is therefore considered that the proposal would fulfil the economic and social dimensions of the NPPF. The environmental dimension will be considered further throughout the report.

B TRAFFIC, HIGHWAYS & PUBLIC RIGHTS OF WAY (PRoW)

Planning permission ESS/24/14/BTE requires all traffic to access and egress the site via the private haul road that links to the A120. The application seeks to allow a maximum of 30 cars and vans a day (30 in movements and 30 out movements) with an average of 14 cars and vans (14 in movements and 14 out movements) and average of one LGV or HGV a day (1 in movement 1 out movement) to access the quarry from the south for the earth moving contractors only. Vehicles would include maintenance vehicles and fuel vehicles (fuel vehicle maximum size 32 tonnes) to access the site from the south via Woodhouse Lane and a private haul road.

Policy S11 states as set out below

Proposals for minerals development shall be permitted where it is demonstrated that the development would not have unacceptable impacts on the efficiency and effective operation of the road network, including safety and capacity, local amenity and the environment.

Proposals for the transportation of minerals by rail and/ or water will be encouraged subject to other policies in this Plan.

Where transportation by road is proposed, this will be permitted where the road network is suitable for use by Heavy Goods Vehicles or can be improved to accommodate such vehicles. The following hierarchy of preference for transportation by road shall be applied:

(i) Access to a suitable existing junction with the main road network, as defined in Section 7, via a suitable section of an existing road, as short as possible, without causing a detrimental impact upon the safety and efficiency of the network.

(ii) Where (i) above is not feasible, direct access to the main road network involving the construction of a new access/ junction when there is no suitable existing access point or junction.

(iii) Where access to the main road network in accordance with (i) and (ii) above is not feasible, road access via a suitable existing road prior to gaining access onto the main road network will exceptionally be permitted, having regard to the scale of the development,

All access for HGV mineral traffic associated with the quarry would not be affected by the proposals and would remain via the A120 and private haul road to the processing area. This includes the delivery and removal of any heavy plant or machinery required by the earth moving contractors which would be delivered by HGVs or low loaders via the existing access from A120 and private haul road. This is in accordance with MLP policy S11.

Woodhouse Lane is public highway up until the Allshots Enterprises. The Allshots Enterprises is a small area of commercial/industrial buildings and encompasses a number of workshop buildings built when it was a Polish Camp as well as new industrial units permitted by Braintree District Council. Traffic to the Allshots Enterprises includes car, LGV and HGV traffic. Beyond the Allshots Enterprises Woodhouse Lane is private road and from it there is an access track to Allshots Farm, which is an active farm as well as providing access to Allshots scrap business. Woodhouse Lane continues north and in the past provided access to Hangar 2 which has now been demolished as part of the extraction of mineral within site A2.

An access track heading north from Woodhouse Lane was surfaced last year to provide a link from Woodhouse Lane to the remaining runways and adjacent agricultural area, the previous route for the landowner having been lost due to mineral extraction with site A2. This track was used last year by HGVs delivering road materials by contractors working on behalf of ECC, the materials were temporarily stored on the old runways prior to use in road repairs. Concern has been expressed that planning permission should have been required for this track and the storage of materials. These matters were referred to Braintree District Council as the appropriate planning authority and it is understood no action was considered necessary. Neither the surfacing of the track nor the storage of the road materials were associated with the quarry operator.

The Highway Authority and PRow have both raised no objection to the application, subject to a condition requiring warning notices at the points where the access route to the compound crosses footpath Bradwell 8.

Rivenhall PC has raised objection and the Local County Council Member raised concern regarding the application namely on the basis that all traffic should be via the haul road which links to the A120 as required by planning permission ESS/24/14/BTE.

It is stated and acknowledged by the mineral planning authority that there have been contractors compounds accessed from Woodhouse Lane during both extraction within site R as well as site A2. The impact of movements associated with the contractors' compounds became subject of concern following the

additional HGV movements associated with delivery of road materials. Prior to this there had been no complaints with respect to the location of the compounds on the airfield or the traffic they generated. At that time there were occasional deliveries of heavy plant to the quarry via Woodhouse Lane. This was done to avoid the need to manage extra heavy HGV movements over the bridges on the haul road, but once concern was raised all HGV movements associated with the movement of heavy plant ceased and only cars and LGV and the occasional HGV to deliver fuel and collect the waste skip continued to use the Woodhouse Farm access to reach the compound and continue to date.

All HGV mineral traffic and other HGV traffic would continue to utilise the existing access via the A120, except the occasional HGV required to deliver fuel (about one a week) to the compound and collection/delivery of waste skip to the compound (once a month). Only the contractors staff and maintenance and fuel vehicles would use the route via Woodhouse Lane. The number of movements is considered limited and it is not considered this level of movement would have a significant impact on the highway safety or capacity. In addition at this level of activity it is not considered there would be significant impact on users of Kelvedon footpath 8. The crossing points could be signed as is the case within the existing quarry where public rights of way cross the haul road and has resulted in no safety incidents. Woodhouse Lane is a relatively wide road where shared with Kelvedon footpath 8, such that a pedestrian could be passed by a vehicle safely. As a footpath cyclists should not be using this route.

Concern has also been raised that this application could set a precedent for potential access to the Rivenhall IWMF from the south. The applicant has confirmed this is not the intention. If developed the IWMF would see a surfaced haul road suitable for all road traffic constructed to the IWMF, such the justification for the current proposals would no longer exist. In any event if access to the IWMF was proposed from the south this would need to be subject of a separate planning application which would have to be considered on its individual merits.

C LANDSCAPE IMPACT, VISUAL IMPACT & RESTORATION

MLP Policy DM1 (Development Management criteria), in summary, requires no unacceptable impact on public open space and the appearance, quality and character of the landscape, countryside and visual environment.

BCS policy CS5 seeks to protect the countryside, by locating development within town boundaries except uses appropriate to the countryside, in order to protect and enhance the landscape character of the countryside.

MLP Policy S12 (Mineral site restoration and afteruse), in summary, permits mineral development if it can be demonstrated that the land is capable of being restored at the earliest opportunity to a beneficial afteruse. It requires progressive restoration, restoration at low level as a first preference, and an aftercare period of not less than 5 years.

Compound A would be screened in part by bunds forming part of the mineral working and existing vegetation, an additional bund is proposed to the north to screen views from Cut Hedge Lane and from the north east. Compound B would

be screened by existing vegetation north of Woodhouse Farm and bunds of the mineral working. No objection has been raised by the County's landscape advisor. It is not considered the compounds would give rise to adverse landscape or visual impact and therefore the proposals are in accordance with DM1, CS5 and RLP40.

Compound A would be located on existing concrete hard standing forming part of the runway. The compound would be removed when the mineral beneath the compound is to be worked as part of permitted operations of site A3 and A4 and the area would be restored to agriculture as part of the restoration of the mineral working. Location B is also on an existing concrete hardstanding and upon completion of the mineral extraction permitted by ESS/24/14/BTE the compound would be removed leaving the existing concrete hard standing.

The compound A would be satisfactorily restored and compound B returned to its previous condition and therefore it is considered the proposals are in accordance with policy S12.

D WATER ENVIRONMENT

MLP Policy DM1 (Development Management criteria), in summary, requires no unacceptable impact on quality and quantity of water within water courses, groundwater and surface as well as no impact upon drainage systems.

BDLP policy RLP 36 seeks to ensure there is no unacceptable impact from development on the water environment.

BDLP policy RLP 62 seeks to ensure sites do not give rise to pollution or the risk of pollution.

In both locations the compound would both be located on existing concrete hard standings and fuel and oil tanks would be bunded, which could be controlled by condition. It is considered there would be no adverse impact on ground or surface water and therefore the proposals are in accordance with policies DM1 and RLP36 and RLP 62.

E LOCAL AMENITY

MLP Policy S10 (Protecting and enhancing the environment and local amenity), in summary, requires that consideration is given to public health and safety, amenity and quality of life of nearby communities (among other requirements), that appropriate mitigation measures are included, that no unacceptable impacts would arise and that opportunities have been taken to improve/enhance the environment and amenity.

MLP Policy DM1, in summary, requires there should be no unacceptable impact on local amenity.

BDLP policy RLP 36 seeks to ensure there is no unacceptable impact resulting from noise and dust, policy, RLP 62 protects the environment from pollution with respect to air, water and land and requiring preventative measures and RLP 65 protects against light pollution.

It is not considered the proposals would give rise to excessive noise, but the maximum noise levels imposed on ESS/24/14/BTE could be imposed, such that all operations associated with the extraction of mineral within A3 and A4 are required to be within acceptable limits and monitored to ensure compliance.

No lighting is proposed or is necessary for the compound and in any case would be restricted by condition should planning permission be granted.

Subject to such conditions, it is considered the proposals would not give rise to adverse impact on local amenity and would be in accordance with policies S10, DM1, RLP 36, RLP 62 and RLP 65.

F HISTORIC ENVIRONMENT

MLP Policy S10 (Protecting and enhancing the environment and local amenity), in summary, requires appropriate consideration of the historic environment.

MLP Policy DM1 (Development Management Criteria), in summary, requires that the development would not have unacceptable impact on the historic environment, including heritage and archaeological assets.

BCS policy CS9 seeks to protect the setting of Listed Building and the NPPF seek to protect the settings of Listed Buildings.

Due to existing building and vegetation the compounds and access routes would not be within the settings of either Woodhouse Farm or Allshots Farm (both Listed Buildings); therefore there would no adverse impact on these heritage assets in accordance with MLP S10, DM1, CS9, the NPPF and the Listed Buildings & Conservation Areas Act.

G SOCIAL IMPACTS

The provision of staff parking and welfare facilities close to the working face would be a benefit to the earth moving contractors' staff and provide a practical solution for the quarry operator avoiding the need to try and accommodate these facilities within the processing area and then needing to find a solution to transporting the staff safely to the working face.

8. CONCLUSION

The provision of a contractors' compound near the working extraction place has taken place for a number of years without complaint. While it is appreciated that it might be preferable for these facilities to be accommodated within the quarry processing area, this is located some distance from the working face and presents practical difficulties, including health and safety issues for the quarry, which would be overcome by placing these facilities closer to the active face. The compound is a relatively small area and would have minimal impact upon the surrounding amenity of the area and therefore is considered to be in compliance with BCS policies CS5 & CS9, BDLPR policies RLP 36, RLP 40, RLP 62, RLP 65 and MLP policies DM1 and S10. It is also considered that the proposals are

sustainable development with respect to the economic and social dimensions as set out in the NPPF.

The proposals do result in additional car/van and LGV movements and occasional HGV movements not via the main quarry entrance, instead from the south such that the associated movements would potentially pass through Rivenhall, Silver End or Kelvedon. However, due to the low number of movements involved it is not considered the proposals would have an adverse impact on either the highway network or the PRow network. The proposal would not see significant HGV movements and/or mineral traffic accessing the site from this direction. The highway network is considered adequate to accommodate the proposed levels of traffic without adverse impact and would not warrant refusal of the application. It is therefore considered the proposals accords with MLP policy S11 and DM1.

9. RECOMMENDED

That planning permission be **granted** subject to conditions relating to the following matters;

1. Comm 1 commencement
2. COMM3 Compliance with submitted details
3. CESS2 Cessation of development upon completion of ESS/24/14/BTE
4. CESS3 Removal of ancillary development
5. HOUR2 Hours of working
Monday to Friday 7am to 6:30pm, Saturday 7am to 1pm
With no working at all on Saturday afternoon, Sunday, Bank and Public Holidays.
6. HIGH 2 – Vehicular access
7. HIGH3 Maintenance of Access Road
8. HIGH 4 Prevention of mud and debris on highway
9. HIGH 5 Vehicle movements limits
10. HIGH7 Pedestrian/PROW Signage
11. NSE1 Noise Limits
12. NSE3 Monitoring Noise Levels
13. NSE5 White noise alarms
14. NSE6 Silencing of Plant and Machinery
15. LGHT1 Fixed Lighting Restriction
16. LGHT2 Use of Lighting Restriction
17. DUST3 Spraying of Haul Road
18. POLL4 Fuel/Chemical Storage
19. POLL8 Prevention of plant and machinery pollution

BACKGROUND PAPERS

Consultation replies
Representations
Planning Application ESS/14/15/BTE

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010

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

Therefore, it is considered that an Appropriate Assessment under Regulation 61 of The Conservation of Habitats and Species Regulations 2010 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

Throughout the determination of the application, the applicant has been kept informed of comments made on the application and general progress. Additionally, the applicant has been given the opportunity to address any issues with the aim of providing a timely decision.

LOCAL MEMBER NOTIFICATION

BRAINTREE – Witham North

BRAINTREE – Braintree Eastern