



20/12/2023

For the attention of: **Terry Burns**

ESS/34/23/COL: Proposed prior extraction of sand as enabling works associated with a future expansion of Colchester Zoo including the extraction of some 500,000 tonnes of sand; the construction of temporary soil screen mounds; the use of the adjoining Stanway Quarry processing plant, DSM plant and related infrastructure in conjunction with the prior extraction scheme; the establishment of a temporary conveyor link between the prior extraction area and Stanway Quarry, including a temporary conveyor bridge over Maldon Road; and cut and fill reprofiling works to establish the proposed restoration contours and proposed (interim) after uses.

Thank you for consulting us on this application at Land at Stanway Quarry and east of Colchester Zoo, Maldon Road, Stanway, Colchester, Essex, CO3 0SL.

The following response summarises the specialist views of Place Services' Landscape, Urban Design, Arboriculture, Ecology, Archaeology and Historic Buildings Teams.

1.0 Landscape (Megan Cowell) Impact/harm

- 1.1 Following our previous consultation response dated 02/10/2023 and a site visit dated 15/08/2023, additional information has been submitted outlining the formal revisions to the original scheme.
- 1.2 The submitted Mineral Extraction Plan (Dwg no. B030-00706-4A) outlines the proposed mineral extraction area, the proposed bunding and planting, field hopper and mineral slurry pipe that runs under Maldon Road into existing working Stanway Quarry, which operates to the north of the Site, but not directly adjacent.
- 1.3 We have reviewed the additional submitted information and have made the following comments:
 - The submitted plans introduce a 50m standoff buffer from Grymes Dyke which is located to the east of the Site boundary. In turn, a 50m buffer has been provided between the PRoW and the Mineral Extraction Area. The perceived visual impacts of the proposed extraction works are therefore reduced owed to proximity from the working area, as has been demonstrated in the submitted Photomontages (Landscape and Heritage Design Statement (November 2023)).
 - Photomontages of the Existing Situation, Proposed Temporary Operational Period(s) and Concept Restoration have been submitted within the Landscape and Heritage Design Statement (November 2023). Three photomontages have been submitted representing views from three sensitive viewpoints along the eastern PRoW. With the 50m standoff distance, the impacts of the perceived landform elevation changes from the neighbouring PRoW are reduced.
 - The submitted plans outline that a Mineral Slurry Pipe is proposed beneath Maldon Road in place of the Conveyor Bridge. The removal of this Conveyor Bridge will also negate the need for screening via Agricultural Straw Bales to the north of Maldon

Road. The proposal for a Mineral Slurry Pipe directly addresses our concerns raised in Paragraphs 1.12 and 1.13 of our previous response dated 02/10/2023.

- From a landscape perspective, we recognise that the proposed Mineral Slurry Pipe will mitigate against additional visual and noise impacts that may arise in the local landscape and along Maldon Road and reduce the perceived incongruous features introduced into the landscape associated with mineral extraction. The decision to introduce the Mineral Slurry Pipe is therefore supported on landscape grounds.
- We do however note that our original comment regarding requiring information on potential arboricultural impacts is still applicable. The introduction of the Mineral Slurry Pipe and associated construction requires will likely require some vegetation and tree removals.
- Step 4 (Cultural Heritage – 5 Step Assessment Process – Summary) of the Landscape and Heritage Design Statement outlines the proposed signage and interpretation along the Grymes Dyke corridor to provide information on the buried archaeology. The Concept Restoration plan identifies these within the scheme. We are supportive of the introduction of interpretation and signage to reconnect users of the footpath to the landscape.
- A species rich grassland corridor is proposed following the PRoW to the east of the Site, which may also contribute to protecting the archaeology beneath.

1.4 Notwithstanding the above, the following comments were raised in our previous consultation and are still applicable to this application:

- The application Site is located within South Colchester Farmlands (E2) Landscape Character Area (LCA) of the Essex Landscape Character Assessment. This LCA is characterised by a mix of small regular pasture and large arable fields, dense woodland in the Roman River valley, enclosed intimate character, nucleated and linear villages and farmsteads. The Roman River runs along the southern boundary of the Site, where the surrounding linear vegetation has a strong presence in this landscape, in combination with the dense woodlands which are concentrated within the river valley and to the north-east of the Site.
- The main parcel of the Site is also located within the Wooded Roman River Valley (A2) LCA of the Colchester Landscape Character Assessment (2005). Key characteristics of this LCA include steep wooded slopes of the Roman River valley, large areas of deciduous/coniferous woodland, small patches of Ancient Woodland and views across the valley. Land Management Guidelines are focused on conserving and managing the ancient and semi-natural woodlands and strengthening their recreational role.
- The site is also partially located within the Southern Colchester Farmland Plateau (B3) LCA, which possesses key characteristics including sloping farmland, arable fields, the wooded Roman River to the south, large patches of woodland and also provides “physical and visual separation between Colchester urban area and the Roman River Valley”. Notably, there are a number of historic features within this LCA which are present within or close to the site, namely the Iron Age dyke system and the Gosbecks Iron Age and Romano-British Site which defines the eastern boundary. Hanging Wood and Butchers Wood also part of this LCA and are in close proximity to the Site.
- As per the key planning and land management guidelines of the B3 LCA, there is currently “pressure on the landscape from urban-fringe related activities, such as sand and gravel extraction”. In combination with this, the LCA currently serves as a “physical and visual separation between Colchester urban area and the Roman River

Valley". We have concerns that the proposed mineral extraction works will further extend the impacts on the relevant local landscape character areas towards the boundary of the Roman River Valley.

- The Mineral Extraction Phase Plan demonstrates a rise in elevation from 22m AOD at the Roman River up to approximately 33m AOD along the northern boundary, positioning the Site as characteristically within the Roman River valley landscape. As a key characteristic of the LCA, the Roman River valley is an important local landscape feature and the linear surrounding vegetation is visible from surrounding receptors, i.e. Bridleway 17, 30 and Footpath 19. The proposed Site is also visible from receptors within the wider landscape, as has been demonstrated in the submitted LVIA, however receptors on Birch Road to the south-west have not been included. Owing to the elevation change, there are some opportunities for views between gaps in the vegetation across the valley to the northern section of the Site.
- Owing to the lower topography close to the Roman River, Colchester Zoo and surrounding associated paraphernalia is not visible or experienced from the southern section of Bridleway 17 (Stanway). This section of the bridleway close to the river has a sense of rurality and tranquillity that is not experienced once receptors travel north, where built features associated with Colchester Zoo are experienced. We therefore have concerns that the proposed mineral extraction works will reduce the tranquillity and rurality in the countryside and on the public right of way (PRoW) network.
- Existing mineral excavation is currently in operation on the northern side of Maldon Road, which extends north and west from the Site at Stanway Quarry, Colchester Quarry and Bellhouse Quarry. The combination of three active quarry sites will contribute to the disruptions in the surrounding countryside. Although there is little intervisibility between the extraction sites, the proposed extension contributes to the cumulative impact on users of the surrounding public right of way network, which are currently already impacted by the extraction works.
- Butcher's Wood is located directly adjacent to the Site, on the north-eastern boundary, where the northern and eastern part of the woodland is designated as Ancient Woodland. Butcher's Wood is also designated as a Priority Habitat (Deciduous Woodland). The woodland belt then connects to meet the Roman River which runs along the southern boundary and is surrounded by dense woodland (Ram Plantation and Aldercar) which is characteristic of the two LCA's for this area. Potential concerns regarding the impact of the extraction works on the Ancient Woodland will be dealt with by the ecologist.
- Gosbecks Iron Age and Romano-British Site (List entry: 1002180) is located within the site boundary and runs along the eastern site boundary. The scheduled monument is also marked by Bridleway 17 (Stanway) which runs along the eastern boundary and connects to Bridleway 30 (Stanway) and Footpath 19 (Stanway) which runs along the full extent of the northern boundary of the main parcel and crosses the proposed sunken conveyor. These footpaths also provide access from the south to Colchester Zoo and the Church of All Saints (Grade II*) which are located to the north-west corner of the Site.
- Policy S10 (Protecting and enhancing the environment and local amenity) of the Essex Minerals Local Plan (2014) states that proposals shall demonstrate that "appropriate consideration has been given to public health and safety, amenity, quality of life of nearby communities, and the natural, built, and historic environment" and "opportunities have been taken to improve / enhance the environment and amenity". Whilst the submitted Restoration Plan looks to enhance the landscape resulting from the extraction works, we have concerns that the amenity and quality of

life of the nearby communities may be adversely impacted, particularly in relation to the sequential impact on public right of way users.

- Overall, based on our desktop study and site visit (dated 15/08/23), in our professional judgement the proposed changes would have an adverse impact on the landscape character of the Roman River, the visual amenity of receptors and sequential impacts to people using the PRoW network and harm to the adjacent woodland and wider countryside. We also have concerns that the proposals would conflict with Policy S10 of the Essex Minerals Local Plan (2014), and that the proposals do not accord with the key planning and land management guidelines within the Southern Colchester Farmland Plateau (B3) LCA.
- Notwithstanding our concerns, if minded for approval, we recommend that conditions relating to hard and soft landscaping, landscape management and maintenance plan and advance planting are considered.

2.0 Urban Design (Elisha Belfon Thompson) **No comment**

2.1 No comment from an urban design perspective

3.0 Arboriculture (Emily Wood) **No comment**

3.1 No further arboricultural information provided, previous comments still stand. Please see comments from 14/09/2023.

4.0 Ecology (Emma Simmonds) **Can be mitigated through conditions**

4.1 Thank you for re-consulting the ecology team with regard to the additional information for the above proposals. This includes a Supplementary Planning Application Statement (Tarmac, November 2023) and revised extraction phasing plans and restoration plans. We have reviewed these submitted documents. There is no revised ecology appraisal as this is not considered necessary by the applicant.

4.2 The scheme has been revised to provide for:

- A 50m wide undisturbed margin between Grymes Dyke and the edge of the proposed extraction area.
- Consequential revisions to the limits of the prior extraction area.
- Additional landscaping proposals to define the alignment of Grymes Dyke; and
- The replacement of the proposed conveyor link and bridge over Maldon Road with a sand pumping system and small-bore tunnel beneath Maldon Road.

4.3 We are satisfied that there is still sufficient ecological information available for determination of this application. Our previous advice, as set out in Place Services response of 24th July 2023, still applies.

4.4 The shadow Habitat Regulations Assessment (Kedd Ltd, January 2023) indicated that impacts upon International and European designated sites can be screened out for the earlier proposal. Natural England's revised response of 11th December 2023 considers that the *"additional information... is unlikely to have significantly different impacts on the natural environment than the original proposal"*.

4.5 The hydrological and hydrogeological assessment has not been revised and we have no reason to believe that the revised plans would now create direct run-off into the Roman River, which would affect water quality of the river, and potentially the Habitats Sites downstream.

No other impact pathways are predicted. Therefore, we concur that the site can be screened out from further assessment.

- 4.6 We draw your attention to the need for the removal of an outlier Badger sett which will require a licence from Natural England. We therefore recommend that the additional condition below is appended to any planning permission.
- 4.7 It must also be ensured that this scheme does not affect the timescale for the restoration of the extant quarry area north of Maldon Road.
- 4.8 The grassland areas will be relatively narrow on the perimeter and some of which will be between hedgerows and woodland. These areas are therefore unlikely to be suitable for nesting Skylarks due to this ground nesting species' need for large open spaces to feel secure. Therefore, it should be ensured that phases of the site are retained with vegetation at all times to provide nesting habitat (as recommended in section 5.8 of the Breeding Bird Survey Report (Pleydell Smithyman Ltd, July 2021). The new perimeter species rich grasslands and hedgerows should be created during the first year of operation to ensure that they have time to mature. We also draw your attention to the potential need for soil manipulation of the areas for the proposed species rich grassland to ensure that it is suitable to support this habitat, especially if the soil is currently worked as arable land.
- 4.9 This will enable MPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.
- 4.10 Impacts will be minimised such that the proposal is acceptable, subject to the conditions below- and in our response of 24th July 2023- based on BS42020:2013.
- 4.11 We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Condition 1: PRIOR TO COMMENCEMENT OF ANY WORKS WHICH WILL IMPACT BADGERS ACTION REQUIRED: SUBMISSION OF A COPY OF THE MITIGATION LICENCE FOR BADGERS

"The following sett closure shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a. a licence issued by Natural England pursuant Badger Protection Act 1992 authorizing the specified activity/development to go ahead; or*
- b. a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence."*

Reason: To conserve protected species and allow the LPA to discharge its duties under and Badger Protection Act 1992 and s17 Crime & Disorder Act 1998.

5.0 Archaeology (Adrian Gascoyne)
Impact/harm

- 5.1 Place Services Historic Environment team provided advice (24 July 2023), relating to the original planning application. At the time we noted that additional information was required to form an opinion on the proposal. Paragraph 194 of the NPPF requires the applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It is our view that, given the importance of Grymes's Dyke, which forms part of the Gosbecks Scheduled Monument, the Landscape and Heritage Design Statement (November 2023) provided in support of the application does not provide an adequate assessment of the heritage asset's significance, including identifying the contribution made by its setting.

- 5.2 We have now considered the additional information that has been provided in support of the application and our advice relating to the additional submitted information, and in relation to the impact on the significance of the scheduled monument from the proposals, is set out below.
- 5.3 Grymes Dyke survives south of Maldon Road and to the east of the proposed development as a substantial linear earthwork running along the western side of Butchers Wood, and as below ground archaeological remains running down to the Roman River from the south-west corner of Butchers Wood. Guidance in the good practice advice note produced by Historic England on behalf of the Historic Environment Forum in GPA 3; “The Setting of Heritage Assets”. GPA 3 states, “heritage assets that comprise only buried remains may not be readily appreciated by a casual observer. They nonetheless retain a presence in the landscape and, like other heritage assets, may have a setting”. GPA 3 also states, “buried archaeological remains may also be appreciated...in relation to their surrounding topography”.
- 5.4 Topography, tranquillity, and the rural land use and landscape setting of the monument, including views out into the wider countryside, make positive contributions to the setting and significance of the designated heritage asset, and the appreciation of its significance through the way in which it is experienced. Topography and the position of Grymes Dyke in the landscape are particularly important to the appreciation of the Scheduled Monument’s strategic location. The land to the west of the Scheduled Monument, within the proposed extraction and restoration site, contributes to these aspects of the asset’s setting and significance.
- 5.5 Archaeological trial trenching on the main area of proposed extraction (described as the southern field) has identified the presence of late Iron Age and early Roman agricultural activity, comprising sequences of ditches and enclosures, with probable associated occupation to the north. These features fall within the setting of the Gryme’s Dyke scheduled monument. Evidence from the archaeological evaluation indicates that the remains are slightly earlier in date than Grymes Dyke, and that this activity probably ended following the Dykes construction (Colchester Archaeological Trust Report 1610, 2020). These features thus have a relationship with the scheduled monument and contribute to its setting and significance. Any below ground archaeological remains would require an appropriate level of preservation by record if the application was approved, requiring conditions to be applied.
- 5.6 It is stated on Sheet 14 of the Landscape and Heritage Design Statement (Nov 2023), that “During the operational period (without mitigation), mineral extraction will not significantly adversely affect the assessed heritage setting, nor landscape character”. However, during extraction, negative impacts on the setting and significance of the Scheduled Monument and the ability to appreciate that significance will include change of land use and industrialisation, increased noise, dust and movement, as well as changes to local topography and views from and to the heritage asset.
- 5.7 Existing mineral excavation is currently in operation on the northern side of Maldon Road, extending along the eastern edge of the Scheduled Monument, Gryme’s Dyke. This development would contribute to the cumulative impact on the setting and significance of the designated heritage asset, and the ability of users of the public right of way that runs along Gryme’s Dyke to appreciate the significance of the designated heritage asset, which is already impacted by existing extraction works.
- 5.8 It is stated on Sheet 14 of the Landscape and Heritage Design Statement (Nov 2023), that “at Post Restoration, the changes to the heritage setting and landscape character would not be discernible compared to the existing situation”. However, the concept restoration plan indicates post restoration changes to the present landscape form, including increased visibility of the built-up area of Colchester Zoo (seen in location 2 and 3), which would have a negative impact on the ability to appreciate the setting and significance of Grymes Dyke. Without a scheme/master plan for the zoo, the understanding of the final setting that the Scheduled Monument would be experienced in is incomplete, and so the full impact on the setting of the monument cannot be accurately defined. Notwithstanding this concern, on the

basis of current understanding, we recommend that if the proposed development of the quarry proceeds, the ground level across the extraction site is restored to the original (current and pre-extraction) ground level.

- 5.9 Post restoration, the addition of hedgerows, to the east and west of the monument and proposed stand-off from the scheduled Dyke (shown on Sheet 9 of the Landscape and Heritage Design Statement), are also likely to be harmful to the significance of the heritage asset through impacts on the ability to appreciate the surrounding topography, the loss of long-distance views from the monument towards the west and the visual connection between the designated heritage asset and its wider rural setting.
- 5.10 The addition of a species rich grassland corridor positioned over the below ground remains of the Scheduled Dyke has the potential to protect any surviving sub surface archaeological remains and would be beneficial to the appreciation of the monument, serving to demarcate the original position and alignment of the monument in the landscape. Interpretation of the Dyke would also be beneficial. If the proposed development proceeds, a minimum 50m standoff margin from the western edge of the scheduled Grymes Dyke and the eastern edge of the proposed extraction area is also welcome, as is the replacement of the originally proposed conveyor link and bridge over Maldon Road with a sand pumping system and small-bore tunnel beneath Maldon Road.
- 5.11 However, the proposed development has been conceived as a permanent change to the setting of the scheduled monument, Gryme's Dyke. This would result in harm to the significance of the heritage asset. The proposed development would result in harm to the appreciation and experience of this designated heritage asset, which is of national importance. This would be contrary to policy for sustaining and enhancing heritage assets, including Policy S10 (Protecting and enhancing the environment and local amenity) of the Essex Minerals Local Plan (2014). In terms of the National Planning Policy Framework (NPPF), this would result in less than substantial harm to the significance of a Scheduled Monument. We consider this should be given 'great weight' in the planning balance, in accordance with paragraphs 199 and 202 of the NPPF. If the development proceeds it will require conditions for open area excavation, appropriate publication, and conservation management of the Scheduled Monument.
- 5.12 Condition 1: No development or preliminary groundworks of any kind shall take place until a programme of archaeological excavation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To define a programme of excavation based on the result of the archaeological evaluation (trial trenching) that was submitted with the application.

Condition 2: No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological excavation identified in the WSI defined in 1 above.

Reason: To ensure that the programme of archaeological field work defined in the Written programme of archaeological investigation is undertaken.

Condition 3: The applicant will submit a final archaeological report or a Post Excavation Assessment report and an Updated Project Design for approval by the Local Planning Authority. This shall be done within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority. This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason: To ensure that the results of the archaeological excavation are appropriately processed, and a publication is produced defining the results. There will also need to be a programme of outreach to ensure that the public is appropriately informed on the results.

6.0 Historic Buildings (Luciana Rigano)
No impact/harm

- 6.1 The proposal site is in close proximity to Grade II* Listed Church of All Saints (List Entry Number: 1266610), which is also a Scheduled Monument (List Entry Number: 1019879). All Saints Church is a 13th Century building, mostly re-built in the 15th century and altered in 1605 when the church became the chapel to Great Stanway Hall. The church is a ruin since the 18th century and, together with the remains of Stanway Hall, has been included within the boundary of Colchester Zoo.
- 6.2 The revised proposal has removed the previously proposed conveyor bridge across Maldon Road connecting the Northern Field to the proposal site, which was considered to introduce an incongruous feature within the wider setting of the Grade II* Listed Church. The conveyor belt has now been replaced with an underground mineral slurry pipe system, which would remove the visual impact of the proposal on the setting of heritage asset.
- 6.3 It is noted that the proposal would still involve a change of use of the wider setting of All Saints Church, however intervisibility between the heritage asset and the extraction site are likely to be very limited due to distance and presence of intervening buildings and infrastructures within the boundary of the Zoo. Potential views are likely to be sufficiently screened by the proposed planting and screening bunds.
- 6.4 Overall, the proposed revised scheme is not considered to affect the setting of the identified built heritage.
- 6.5 As previously advised, at this stage, it is not possible to assess the impact of the proposed extension of Colchester Zoo following the reinstatement of the Southern Field at the end of the proposed extraction works.

If you have any queries regarding the above matters, please do not hesitate to contact me.

Kind Regards,

Jonathan Crane
Principal Planning Consultant
Place Services | Essex County Council

Email: jonathan.crane@essex.gov.uk
Web: www.placeservices.co.uk

Place Services provide and coordinate specialist planning advice on behalf of Essex County Council.

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.