

**ADDENDUM FOR THE MEETING OF DEVELOPMENT AND REGULATION
COMMITTEE 26 AUGUST 2022**

Item 4.1 (DR/30/22) Rivenhall IWMF, Bradwell/Kelvedon

Page

REPRESENTATIONS

Change number of representations received to “30” One additional representation raised no new issues that had not been made by previous representations.

A representation has also been received from Priti Patel MP, the comments received are set out below:

I was not notified in advance of the above referenced planning matter being considered by the Development and Regulation Committee on Friday 26 August 2022, but have received representations expressing serious concerns with this proposal. Given the significant levels of public interest in the Rivenhall Incinerator, the widespread opposition, and the controversial nature of this development, it would have been helpful if there was a full public consultation process on the proposals to amend Condition 8. While consulting with local councils was welcome, the impacts and concerns would have justified a wider consultation exercise taking place.

However, despite the limited consultation exercise undertaken, the application amend Condition 8 has provoked a high number of responses from local residents, Parish Councils and County Councillors. The fact that this variation is being requested once again demonstrates that the plans for the Rivenhall Incinerator were ill-thought through and that this site is not suitable for the development.

Concerns have been raised about the impact on road safety of the abnormal loads being transported along the proposed route. There is a significant risk of damage to property as well as the huge and disproportionate levels of disruption that will be caused. Parked vehicles will need to be removed – and many of those residents affected would not have been informed of this application. Local residents and businesses would face significant disruption from the use of the proposed route for the abnormal loads and it is unacceptable for this application to be approved.

The applicant should not need to cause further disruption and inconvenience to the local area with this application.

I therefore urge members of the Committee to consider the objections raised and refuse this application.

CONSULTATIONS

Add response from CRESSING PARISH COUNCIL: Object:

The Parish Council and its residents strongly object to this further amendment to the original consent for the waste incinerator in 2009. Since that time there have been numerous amendments which each time have been granted to support the developers by allowing a big increase in the size of the incinerator, whilst at the same time reducing the recycling elements. There has already been the removal of old woodland and this new amendment can only make this situation worse.

If ECC grants this latest application, it will be a breach of the planning agreements on all previous consents that stated that both the waste site and quarry must use ONLY use the existing dedicated private haul road from the A120 for HGVs.

The first load is expected in mid-September with further loads though October and the Committee is urged to consider the impact this will have on the communities that will be affected by this route. For those members who are unfamiliar with the B1018 we would bring to your attention that when leaving the A120 to proceed along the B1018, these loads will have to navigate:

1. the narrow width of the road;
2. the sharp bends just after the roundabout at Millennium Way – vehicles of the size now proposed will have great difficulty in the face of oncoming traffic, already two large vehicles navigating the bend at the same time results in one vehicle and the following traffic having to stop to allow the other to proceed. Currently any large vehicle (including buses) traverse the white central line due to the angle of the bend;
3. the new roundabout close to Cressing Primary School that has short, sharp angles. Again, the vehicles being proposed to use this road will find it extremely difficult to navigate without driving over kerbs and verges.

The developers - Indaver - say that the reason for using local village roads is that the concrete abutments for the bridges over the River Blackwater on the haul road are not strong enough to take the width or weight of the loads. This bridge is well-known to Cressing Parish Council and we would agree this statement. However, this is not a new development in the project. Indaver have known this was needed since their first involvement in this project, but they have totally FAILED to provide the appropriate means for vehicles to access the site. They should have applied to put in a stronger bridge as soon as they took control when they would have known that large abnormal constructions loads would be accessing the site.

Moreover, Indaver state that more abnormal and very large loads will have to come through local villages in the future. This is totally unacceptable.

In summary, Indaver has not only failed to put in a bridge they knew they would need several years ago, they cannot assure Crossing that yet more huge loads will not come through this community on roads that are unsuitable and often congested.

We urge the Development & Regulation Committee to consider the views of those who will be most affected by this application and refuse permission until such time an appropriate route has been strengthened and measures put in place to prevent loads travelling through villages where roads are not suitable for this purpose.

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APPRAISAL – NEED

2nd complete paragraph replace second sentence with

The piling rigs would arrive between mid-September and October 2022 and the first would leave in late September 2022, the reminder leaving over the course of 2023, the last likely to leave in November 2023.

Item 4.2 (DR/31/22) Bulls Lodge Quarry, Boreham, Chelmsford.

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REPRESENTATIONS ESS/148/20/CHL (Airfield Permission) &
REPRESENTATIONS ESS/147/20/CHL (Park Farm Permission)

Replace references to “Countryside Properties” to Countryside Zest (CZ)

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APPRAISAL – E - ARCHAEOLOGY AND CULTURAL HERITAGE

1st full paragraph, penultimate sentence replace with

In view of the loss of these heritage assets the ES concluded that with respect to cultural heritage there would be medium adverse impact.

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LEGAL AGREEMENT

Replace 2nd and 3rd paragraph with the following

It is intended that the new S106 legal agreement would address the need for a legal agreement with respect to all four planning applications and replace the previous S52 agreements.

Those elements of the previous legal agreement to be retained but modified as necessary to take account of the passage of time and are summarised below:

- Obligations with respect to the Chelmsford North East Bypass
- Requirement for a liaison group

An additional obligation to secure that Park Farm house and cottage are not occupied during the working and restoration of the Park Farm extraction area would also be required..

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RECOMMENDED

Part A of the recommendation be amended to:

A - That subject to:

I. the prior completion, within 6 months (i.e. 28 February 2023 unless otherwise agreed with the Chairman of the Development and Regulation Committee) Legal Agreements under the Planning and Highways Acts to secure obligations as summarised below:

- S106 agreement to supersede the existing Section 52 Agreements dated March 1990 and June 1990
- Dedication of land required for CNEB Phase 1 and 2 (as shown on Space Proofing drawing NEB-JAC-GEN-P1_S1A-DR-Z-0001 Rev P00 dated August 2020 that lies within the application sites) at no cost or expense to ECC no later than the commencement of construction of CNEB, this obligation to be discharged when demonstrated to MPA that agreements between Hanson & Landowners with respect to the CNEB have secured the dedication/other acceptable mechanism to hand over the land to the Highway Authority.
- Temporary use of land on either side of the Space Proofing area as shown on drawing NEB-JAC-GEN-P1_S1A-DR-Z-0001Rev P00 dated August 2020 that lies within the application sites for construction of the CNEB at no cost or expense to ECC
- Not to carry out operations that would conflict with the construction of the CNEB
- To seek to obtain any necessary changes in phasing of working and restoration required to facilitate the CNEB
- To seek to obtain any necessary changes in the Airfield restoration scheme to facilitate the CNEB
- Requirement for a liaison group
- No occupation of Park Farm house and Park Farm Cottages throughout operations within Park Farm extraction area.

II. planning permission is granted for ESS/147/20/CHL subject to the conditions as set out in Appendix A, subject to any changes agreed by the Chairman of the Development and Regulation Committee.

and

III. planning permission is granted for ESS/148/CHL subject to conditions as set out in Appendix B subject to any changes agreed by the Chairman of the Development and Regulation Committee.