

**DRAFT ADDENDUM FOR THE MEETING OF DEVELOPMENT AND
REGULATION COMMITTEE 24 SEPTEMBER 2021**

Item 4.1 DR/16/21 Land at Martells Quarry, Slough Lane, Ardleigh, Essex, CO7 7RU

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Condition 39 replace with:

"No site preparation works shall take place, as defined in Condition 2 until a Dust Management Plan for the land has received the written approval of the Mineral Planning Authority. The scheme shall be implemented in accordance with the details as approved, in writing, by the Mineral Planning Authority. The submitted scheme shall make provision for:

- a) Confirmation based on a review of more recent Tendring District Council Local Air Quality Management publications and other available air quality data to confirm that PM10 concentrations are below 17µg/m³
- b) The Dust Management Plan to incorporate such dust mitigation, management and monitoring procedures as provided for within the extant dust monitoring/management/control schemes accommodated under ESS/61/19/TEN.
- c) Details of responsibilities and procedures for identifying the need for applying additional mitigation (i.e. under what circumstances would it be required, how would it be identified that dust has been emitted off-site etc) or to respond to complaints.
- d) Dust mitigation measures to include specific reference to the best practice techniques to be employed during enabling works (such as during initial soil stripping) and bund creation to minimise adverse impacts from dust emissions at nearby residential properties, particularly Coronation Cottages and Slough Farm.

Reason: In the interests of clarity, to ensure that the applicant has in place an appropriate plan to mitigate environmental nuisance arising on both neighbouring sensitive receptors and the rural environment as a result of their activities having regard to Policies DM1, DM2 and S10 of The Essex Minerals Local Plan Adopted July 2014; Policy 10 of the Essex and Southend Waste Local Plan (adopted July 2017) and Minerals Planning Practice Guidance and the National Planning Policy Framework that seeks to ensure that suitable control is in place in respect of emissions".

Item 4.1 (DR/17/21/) Land adjacent to Chelmsford City Racecourse, Great Leighs, Chelmsford, CM3 1QP

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CONSULTATIONS

Amend response from ENVIRONNEMENT AGENCY – 2nd paragraph first sentence should read “Incineration plants with a throughput of **less than** 3 tonnes/hour are regulated by the Local Authority under Schedule 13 ...”

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CONSULTATIONS

Add additional response

GREAT NOTLEY PARISH COUNCIL (neighbouring Parish Council): Object –

- The Pyrolysis method of energy production is the burning of waste products in the absence of oxygen and it is noted that the by product of the process is the generation of noxious gases and carbon. In view of the fact that both Braintree District Council and Chelmsford City Council have declared climate emergencies it would be thought that a process that has a by product of carbon should not be encouraged and there is a concern as to potential pollution in the area in the event that there were to be an escape of noxious gases.
- The proposals would also increase traffic in the area
- The site is inappropriate due to its proximity to the racecourse which attracts many people both for racing and events and more particularly next to the densely populated residential area of Great Notley and that the impact of potential pollution and increased traffic would be of considerable detriment to the area.

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REPRESENTATIONS

Delete first paragraph and replace with

3 properties were directly notified of the application. 1 letter of representation has been received from Chelmsford City Racecourse in support of the proposals, the points raised are summarised below. Although not directly consulted letters were also received from Braintree District Council, Black Notley Parish Council and Great Notley Parish Council which have been reported in the consultation section above.

RECOMMENDATION

Delete Condition 3 and replace with

The development hereby permitted shall be carried out in accordance with the details of the application dated 17 May 2021, together with drawings as set out below:

| Drawing No | Description | Last Revision Date |
|--------------------------------------|---|---------------------------|
| 300.03 | Proposed Site Layout Plan | 06.07.2021 |
| 306.01 | Prop Site Location Plan | 14.05.2021 |
| 107.00 | Ext Site Block Plan | 03.02.2021 |
| 301.04 | Prop Ground Floor Plan | 09.02.2021 |
| 302.03 | Prop First Floor Plan | 03.02.2021 |
| 303.04 | Prop Elevations | 09.02.2021 |
| 304.01 | Prop Section | 03.02.2021 |
| 305.02 | Prop Site Roof Plan | 03.02.2021 |
| 2114-E06-001 Rev 00 | Exterior Small Power & Lighting Layout | 25.01.2021 |
| 307.00 | Prop Site layout labels | 15.09.2021 |
| SK01.00 | Material Specification (ELE's) | 20.07.2021 |
| 406.06 | Site Plan – Fencing details | 17.12.2020 |
| SK3006 Rev 2 | General Arrangement of Double Membrane Gas Holder | |
| Rev 1 | Flare – Skid & Concrete Base – GA Drawing | 30.07.2021 |
| | Siemens Energy – Container – Part No. 2005016990 – Sheets 1 & 2 | 09.06.2021 |
| CHEL-ICS-01- XX-DR-C- 0200-T02 | Drainage Design | 16.07.2021 |
| CHEL-ICS-01- XX-DR-C- 0400-T02 | Construction Details Sheet 1 of 2 | 30.06.2021 |
| CHEL-ICS-01- XX-DR-C- 0401-T02 | Construction Details Sheet 2 of 2 | 30.06.2021 |

and in accordance with any non-material amendment(s) as may be subsequently approved in writing by the Waste Planning Authority, except as varied by the following conditions:

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RECOMMENDATION

Additional condition 68

With the exception of the site access road, the land, building and offices subject of this permission shall only be used for or in association with the operation of the Pyrolysis Plant a sui generis use as per the Town and Country Planning (Use Classes) Order 1987 (as amended). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any order revoking and re-enacting that Order with or without modification the land, buildings and offices shall be used for no other purpose.

Reason: For the avoidance of doubt as to the use of the site and building, to ensure the development does not give rise to environmental and local amenity impacts that have not been previously assessed, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with WLP policies 5, 10, 11 and 12 and CLP policies S4, S8, S11, DM8, DM17, DM18, DM19, DM23, DM25, DM27, DM29 and DM30.

Item 4.2 (DR/18/21/) Bradwell Quarry, Church Road, Bradwell, CM77 8EP, and land south of Cuthedge Lane.

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Heading – Location: should read

Bradwell Quarry, Church Road, Bradwell, CM77 8EP, and land south of Cuthedge Lane

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RECOMMENDATION

Condition 22

Delete third paragraph as quoted below. This requirement is addressed in planning permission ESS/03/18/BTE for Site A5.

In addition the frequency of monitoring shall be increased in the following circumstances:

- a) *during periods of operations within Site A5 that are within 475 to 590m (Amber Zone on drawing 1 dated 11 July 2018 Ref.B3910) from Sheepcotes Farm noise levels shall be monitored on a monthly basis and the results submitted to the Mineral Planning Authority within 2 weeks of the date of monitoring.*
- b) *during periods of operations within Site A5 that are less than 475m (Red and Black zone on drawing 1 dated 11 July 2018 Ref B3910) from Sheepcotes Farm noise levels shall initially be monitored on a fortnightly basis and the results submitted to the Mineral Planning Authority within 1 week of the date of monitoring*
- c) *during periods of the construction and removal of New Field Stockpile (the area of which is defined on drawing 20/01/07 Rev B) noise levels shall be monitored at two monthly intervals and the results submitted to the Mineral Planning Authority within 2 weeks of the date of monitoring.*

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RECOMMENDATION

Delete condition 41 and replace with

No movement of soils or soil making materials shall take place except when the full depth of soil to be stripped or otherwise transported is in a 'suitably dry soil moisture condition". No movement of soils shall take place between November and March unless a field assessment has been undertaken and it has been agreed with the MPA that the soils are in a "suitably dry soil moisture condition"

"Suitably dry soil moisture condition" is determined by a field assessment of the soil's wetness in relation to its lower plastic limit. The field assessment should be made by attempting to roll a ball of soil into a thread on the surface of a clean plain glazed tile (or plate glass square) using light pressure from the flat of the hand. If the soil crumbles before a long thread of 3mm diameter can be formed, the soil is dry enough to move. The assessment should be carried out on representative samples of each major soil type.

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RECOMMENDATION

Delete Condition 36 and condition 67 and replace with revised merge wording for condition 36.

Within 3 months of date of commencement of the development hereby permitted as defined by condition 1 a Landscape and Ecological Management Plan (LEMP) for the Site shall be submitted to for approval in writing of the Mineral Planning Authority. The LEMP shall include:

- a) A description and evaluation of features to be managed and proposed enhancement measures for Protected and Priority Species, in particular for stag beetles, skylarks and bats;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management including reference to the Mineral Site Restoration for Biodiversity Supplementary Planning Guidance June 2016;
- d) Appropriate management options for achieving the aims and objectives;
- e) Locations of proposed enhancements measures by appropriate maps and plans
- f) Prescriptions for management actions;
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- h) Details of the body or organisation responsible for implementation of the plan; i) On-going monitoring and remedial measures in line with requirements of the Mineral Site Restoration for Biodiversity Supplementary Planning Guidance
- j) details of initial aftercare.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity and landscape objectives of the originally approved scheme.

The LEMP shall be implemented in accordance with the approved details. .

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the NPPF and s40 of the NERC Act 2006 (Priority habitats & species). and in accordance with MLP policy DM1 and BDLPR policies RLP 80, RLP 81 and RLP 84