

<b>Key Decision Required:</b>	<b>NO</b>	<b>In the Forward Plan:</b>	<b>NO</b>
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## REPORT OF PLANNING PORTFOLIO HOLDER

### CABINET

**28 SEPTEMBER 2011**

#### **A.2 ECC MINERALS DEVELOPMENT DOCUMENT: SITE ALLOCATIONS – ISSUES AND OPTIONS PAPER**

(Report prepared by Derek Walker)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

This report provides a summary overview of, and proposed response to, the Essex County Council (ECC) Minerals Development Document (MDD): Site Allocations – Issues and Options Consultation Paper (the Paper) August 2011. This report seeks Cabinet's approval to:

- Strongly object to the new Suggested Site for Mineral Extraction and associated/stand alone Suggested Mineral Transhipment Site, at Ardleigh.

##### **EXECUTIVE SUMMARY**

In December 2010, ECC published its MDD Preferred Approach, including a Schedule of Preferred Sites which identified three sites for minerals development within Tendring District, including an existing site at, Ardleigh (Park Farm) - where a relatively small extension (6.07 ha.) was proposed to the existing minerals workings.

In addition to those three sites, a second site at Ardleigh (Slough Farm), whilst not selected, scored highly in terms of the "Not selected" lower scoring sites. As it is possible for sites which are "Not selected" at that stage to be selected at a later stage, your Officers considered it prudent to also consider the possible inclusion of the site as a Preferred Site.

In respect of the Ardleigh sites considered, this Council:

- Did not object to the proposed small extension of the existing site at Ardleigh; and
- Raised concerns over the possible inclusion of extensions to the second existing site at Ardleigh regarding the concentration of minerals workings in the north eastern part of the county, within the western part of Tendring District.

Following publication of its Preferred Approach, local landowners and the minerals industry have put forward a number of new suggested sites, including two within Tendring District, at Ardleigh.

This is a significant change to what was previously commented on in that the new Paper identifies a large area (89 ha in total) for sand and gravel extraction at Ardleigh, along with

an additional 13.5 ha of land forming an associated Mineral Transshipment Site (including a Processing/Stockpiling Area) - which would later function as a 'stand alone' facility. The suggested new minerals extraction site and use of land for transshipment, processing and stockpiling would both raise significant issues of concern in terms of possible adverse impact upon Ardleigh village, including residential, local, recreational and rural amenities.

## **RECOMMENDATION(S)**

- (a) That Cabinet agrees that having regard to the scale of new mineral extraction proposed and the site's proximity to Ardleigh village, the Council would strongly object to the inclusion of Site A 45 (including Rail Siding and Processing/Stockpiling Area) due to the impact of the proposal upon the landscape, public footpaths and local and residential amenity.**
- (b) That Cabinet agrees that having regard to the location of the suggested railway siding and processing/stockpiling area and their proximity to Ardleigh village, the Council would strongly object to the inclusion of Site D 6 (Rail Siding and Processing/Stockpiling Area including new Accesses and internal road) as a 'stand alone' facility.**
- (c) That Cabinet agrees that Essex County Council be asked to ensure, if either new site being considered at Ardleigh is selected subsequently as a "Preferred Site" that it will be subject to full publicity and consultation.**
- (d) That Cabinet agrees that having regard to the submission date for any comments to be made to Essex County Council (20 October 2011), the Planning Portfolio Holder be authorised to make any additional comments which may be considered necessary subsequent to the meeting.**
- (e) That Cabinet agrees that Essex County Council be requested, when carrying out any such public consultations in future, to specifically inform any local ward members in the affected and neighbouring areas.**

## **PART 2 – IMPLICATIONS OF THE DECISION**

### **DELIVERING PRIORITIES**

It is a key priority of the Council to ensure the economic well-being of the district. In that respect, the development of new sites for mineral extraction purposes will contribute to employment. However, although the activity is large-scale in nature, the MDD Preferred Approach acknowledged that mineral production represents a small proportion of the County's economic output and relatively few people are employed directly in the industry.

Minerals extraction underpins the construction industry and there are extensive deposits of sand and gravel in the north of the county, including within Tendring District. The Preferred Approach considered that with the need for ongoing construction, regeneration and development many towns in Essex will continue to rely upon locally sourced supplies of aggregate. As Tendring District forms part of the Haven Gateway and the development of Bathside Bay represents a significant infrastructure project, in addition to any proposed planned growth for housing and other employment, new mineral workings may be considered in terms of sustainable development, if the output is used locally.

It is also a key priority of the Council to protect the quality of the environment for both residents and visitors. Tourism is important to the local economy and, in addition to the

traditional coastal resort destinations, maintaining an attractive countryside is an important factor in presenting an attractive image of the district. The Preferred Approach acknowledged that protecting valued countryside may constrain where minerals development can take place.

Although minerals extraction is a temporary activity, it often occurs over a long period and both actual and perceived harmful effects therefore may represent serious issues which can impact adversely upon Council priorities, although after-use may result in benefits. Once extraction has occurred, quarries can present opportunities for environmental enhancement including biodiversity, recreation, agriculture, surface water storage and potential to alleviate flood risk.

#### **FINANCE, OTHER RESOURCES AND RISK**

There are no financial costs, other resource or risk implications resulting.

#### **LEGAL**

The proposed actions are within the discretionary powers of the Council.

#### **OTHER IMPLICATIONS**

None.

### **PART 3 – SUPPORTING INFORMATION**

#### **BACKGROUND**

Tendring District forms part of the Haven Gateway growth area and construction aggregates are required to deliver new and improved buildings and infrastructure. These aggregates are used in the manufacture of concrete, mortar, asphalt and construction fill required to deliver new growth. Bathside Bay is an example of a planned major construction project within the district which will require significant amounts of natural resources. Transporting minerals by road places a strain upon the highway network and can add to congestion and climate change. By sourcing as many of these as possible from the local area, transport distances, and therefore carbon emissions, are minimised thereby increasing the relative sustainability of new developments (75% of aggregate extracted in Essex is used within the county – most of the remainder going to London). Use of rail as alternative to road for transporting aggregates will also reduce carbon emissions and thereby help to tackle climate change.

In order to ensure access to minerals to meet future needs, in the interests of sustainability, it is necessary to identify suitable sites for mineral extraction and ensure that potential sites are not sterilised by development taking place over mineral-bearing land.

ECC, as the Minerals Planning Authority for the County, is responsible for producing a Minerals Development Document which will replace the current Minerals Local Plan (1996). One of the main purposes of the MDD is to identify future quarry and transshipment sites to meet the County's needs up to 2028.

The MDD Preferred Approach Consultation Paper (December 2010) identified eleven potential sites, in total, for minerals development within Tendring District. Of these, the Schedule of Preferred Sites listed three sites, including an existing minerals site at Park Farm, Ardleigh where a relatively small extension was proposed (6.07 ha.).

In addition to the three sites listed, a second site at Ardleigh (Slough Farm), whilst not selected, scored highly in terms of the “Not selected” lower scoring sites. As it is possible for sites which are “Not selected” at that stage to be selected at a later stage, your Officers considered it prudent to also consider the possible inclusion of the site as a Preferred Site.

As proposed in the previous Consultation Paper, in addition to the small extension at Ardleigh, Tendring District would be expected to provide a major extension to an existing site at Alresford and may be expected to provide a major new site for minerals extraction at Frating. The proposed new site at Frating and extended site at Alresford would both raise significant issues of concern in terms of possible adverse impact upon the residential amenities of a large number of residential properties nearby.

In respect of the Ardleigh sites, this Council:

- Did not object to the proposed extension of the existing site at Ardleigh; and
- Raised concerns over the possible inclusion of extensions to the second existing site at Ardleigh (regarding the concentration of minerals workings in the north eastern part of the county, within the western part of Tendring District).

## **CURRENT POSITION**

The MDD: Site Allocations Issues and Options Paper Consultation runs from 25 August to 20 October 2011. Tendring District Council has been consulted and its opinions are being sought. There are two suggested new sites within the district, at Ardleigh.

The Paper identifies a large area (89 ha.) of possible new sand and gravel workings at Ardleigh, along with an additional 13.5 ha of land forming a Mineral Transshipment Site (including a Processing/Stockpiling Area). The suggested new minerals extraction site and use of land for transshipment, processing and stockpiling would both raise significant issues of concern in terms of possible adverse impact upon Ardleigh village, including residential, local, recreational and rural amenities.

The Proposed Extraction Area would be approximately 950m from the village at its nearest point. The Tendring District Landscape Character Assessment identifies the area as being within the Bromley Heaths Heathland Plateau, which is visually sensitive as a result of its open and rural character and long views. Public footpaths run through and near to the site and a private landing strip exists adjacent, to the north.

The Minerals Extraction Proposed Method of Restoration would be low level, predominantly water-based, with After-use comprising a mixture of landscaped lakes for quiet recreation/irrigation, nature conservation areas, woodland and agriculture. The potential future benefits, including to local amenity and biodiversity, should therefore be considered alongside the disruption and other disbenefits, including any diversions of existing footpaths, which would occur during the site’s 20 year estimated life.

The Minerals Transshipment Site would enable the movement of minerals by rail, which is

preferable to road in terms of congestion, carbon emissions and other harmful effects. However, there is stated to be potential for hard rock imports which would then be transported by road. New access points are shown from Little Bromley Road and Frating Road, which would include a new internal HGV road. The Transhipment Site would operate beyond the estimated 20 year lifespan of the new extraction site, as a 'stand alone' facility, and would add new HGVs to local roads causing additional local impacts.

#### **FURTHER HEADINGS RELEVANT TO THE REPORT**

None

#### **BACKGROUND PAPERS FOR THE DECISION**

Essex County Council Minerals Development Document: Preferred Approach, December 2010

Essex County Council Minerals Development Document: Site Allocations – Issues and Options Paper, August 2011

#### **APPENDICES**

- Appendix 1:** Issues and Options Introduction
- Appendix 2:** Issues and Options Background
- Appendix 3:** Map 1 All suggested sites at August 2011
- Appendix 4:** Suggested Sites for Mineral Extraction
- Appendix 5:** Site A 45 Ardleigh Rail 2
- Appendix 6:** Map 2 Site A 45: Ardleigh Rail 2
- Appendix 7:** Suggested Mineral Transhipment Site
- Appendix 8:** Picture 2 Site D 6: Ardleigh Rail Sidings

## 1 Introduction

**1.1** Essex County Council is the Minerals Planning Authority for the County, and is responsible for the production of local minerals and waste planning policy documents - known as Development Documents - and the determination of minerals and waste planning applications.

**1.2** Production of the Minerals Development Document began in 2005 and is well underway. This document will, once adopted, replace the current Minerals Local Plan (1996) and become the new basis for protecting the County's mineral assets, enabling appropriate mineral development and determining local minerals planning applications.

**1.3** One of the main purposes of the Minerals Development Document is to identify future quarry sites to meet the County's needs up to the year 2028. These quarries will supply sand and gravel (aggregates), silica sand and brick clay - all essential materials to the construction industry and to the County's future economic prosperity. The Development Document must also make provision for sufficient aggregate recycling facilities - so mineral already quarried can, whenever possible, be used again - and ensure there are adequate mineral transshipment facilities (rail depots and wharves) to accommodate the importation of non-indigenous minerals essential for the County's future.

**1.4** The Mineral Planning Authority is reliant on local landowners and mineral companies to identify sites for consideration as future quarry sites. Sites were put forward in response to the initial Call for Sites in 2005 and the more recent Call in 2009. The Mineral Planning Authority has assessed all these sites – 46 in total - and consulted on the results and the future approach to local minerals planning in the Minerals Development Document: Preferred Approach consultation, held in late 2010 and early 2011.

**1.5** The responses to the Preferred Approach consultation included details of three further suggested quarry sites: one a new quarry site at Whitehouse Farm, Woodham Walter; one a major revision to the Ardleigh Rail site, south-east of Ardleigh village (A42), and one a major revision to the Appleford and Coleman's Farm site at Rivenhall End (A1). These three new sites are now being consulted upon, for the first time, through this document.

**1.6** A potential location for a Strategic Aggregate Recycling site has also been submitted on which views are sought. This is located at Weald Hall Commercial Centre in Thornwood, Epping.

**1.7** And finally, the suggested Ardleigh Rail mineral transshipment facility is being consulted upon as a separate facility, to gather views as to whether this has potential as a standalone facility which should be safeguarded for the future.

### Who is being consulted and why

**1.8** Our purpose in undertaking this consultation is to ensure all sites have been subject to a comparable and appropriate degree of stakeholder and public consultation. We want to give consultees and those living and working in the vicinity of the sites opportunity to comment and bring information about the sites to our attention.

**1.9** We have not previously undertaken public consultation on suggested Strategic Aggregate Recycling Sites (SARS), for the reasons set out in Appendix D of the MDD: Preferred Approach Document. However, the current submission is located in the west of the County and may be able to meet the suggested SARS criteria, and is therefore included in this document.

**1.10** All Parish Councils with a site in their area, or in a Parish adjoining their area, have been notified of this consultation and invited to respond.

**1.11** The following District and Borough Councils have also been consulted:

- Epping Forest District Council;
- Harlow Council;
- Maldon District Council;
- Chelmsford District Council;
- Braintree District Council;
- Tendring District Council;
- Colchester Borough Council

**1.12** No judgement has been made on the suitability of any of the sites. The detailed site assessment work will be informed by the responses received to this consultation.

## 2 Background

**2.1** National minerals planning policy requires that we identify sufficient mineral extraction sites to maintain landbanks of permitted sand and gravel, silica sand and brick clay reserves across the County. For sand and gravel a minimum of 7 years worth of reserves is needed; for silica sand 10 years of reserve for an individual silica sand quarry site; and for brick clay, twenty-five years worth of reserves for any brick manufacturing plant.

**2.2** By far the largest landbank requirement, by tonnage, is for sand and gravel, and a significant number of quarries will be needed to meet future needs. Silica sand and brick clay landbank requirements are, by contrast, relatively modest, and in each case could be met by a single quarry site.

**2.3** In selecting future quarries, the Mineral Planning Authority must have regard to a wide range of environmental considerations, and take account of the views of consultees, local residents and businesses. The Planning Inspector will find the document sound at Examination in Public, only if it is clear that all the relevant issues have been addressed, all the relevant parties have been involved throughout the plan production process, and the document has been prepared in accordance with statutory requirements and the adopted Statement of Community Involvement.

**2.4** The total quantity of mineral reserves needed, the most appropriate distribution of future quarry sites, and the methodology used to select Preferred Sites were three of the issues addressed in the recent Minerals Development Document (MDD): Preferred Approach consultation. This went out on countywide consultation between December 2010 and February 2011 - you may have been aware of it, or taken part in a consultation event.

**2.5** The MDD: Preferred Approach set out, for the first time, the Council's views on the full range of local mineral planning issues, and identified the sites currently emerging as Preferred Sites for future extraction.

**2.6** Some 2400 written consultation responses were submitted in response to this document, and analysis of these responses is on-going at the time of writing.

**2.7** The responses contained a handful from Site Promoters who wished to make revisions to their sites. Where the revision appeared so significant as effectively to create a new site, further public consultation was considered essential. Those sites are contained in this document.

**2.8** Where the revision did not fundamentally alter the extent of the site, further public consultation was not felt necessary, however, further assessment work will be undertaken in discussion with relevant specific consultees to factor these revisions into the site assessment.

**2.9** In one instance a significant revision was proposed to a site which failed to address a fundamental issue with the original submission. This site (A33 Armigers Farm, Thaxted) does not feature in this document.

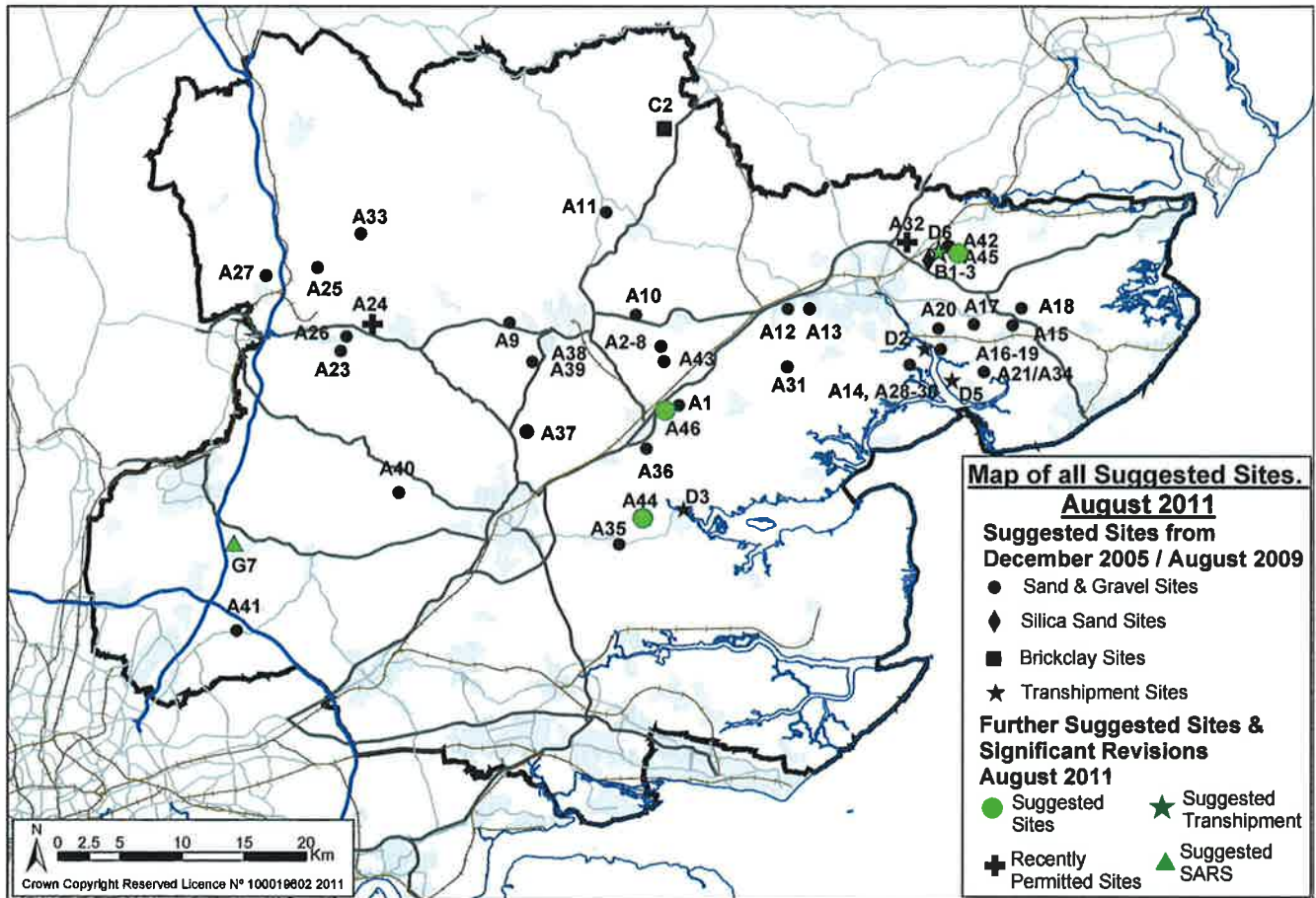
**2.10** The new sites now being consulted upon will be added to the total pool of suggested quarry sites from which the final Preferred Sites will be identified.

**2.11** Appendix A provides information on how to view previous consultation documents and find details of other suggested sites.



2.12 Map 1 shows the distribution of sites across the County, and highlights in green the sites included in this document.

**Map 1 All suggested mineral extraction, transhipment and strategic aggregate recycling sites at August 2011**



### 3 Suggested Sites for Mineral Extraction

**3.1** The following pages contain plans and details of three new or significantly revised suggested sand and gravel extraction sites.

**3.2** The sites are:

- A 44 – Whitehouse Farm, Woodham Walter
- A45 – Ardleigh Rail 2
- A46 – Coleman's Farm, Witham

#### Interpretation of Site Plans

**3.3** The site boundaries outlined in red denote the area that would be the subject of a planning application, if that site were to progress for mineral extraction.

**3.4** The boundary encompasses all the land needed for that site to operate as a quarry, and includes any land needed for stockpiles, plant, silt lagoons and soil storage bunds for example, in addition to the area for extraction.

**3.5** The proposed extraction areas are marked by shading, but are for illustrative purposes only at this stage. Extraction areas may change as more detailed site planning and investigation is undertaken.

**3.6** Access points to the highway / railway network are shown.

**Ardleigh Rail 2**

Site:	A 45
Address:	Ardleigh Rail Siding and mineral extraction area, east of Ardleigh village
District:	Tendring
Estimated yield:	7 mt
Area:	89 ha
Estimated life:	20 years
Method of Exportation:	By rail.  (Road access would be for personnel, delivery of plant etc, not for mineral HGVs)
Method of Restoration:	Low level restoration predominantly water-based, using on-site silts
After-use:	Mixture of landscaped lakes (for quiet recreation / irrigation), nature conservation areas, woodland and agricultural land.

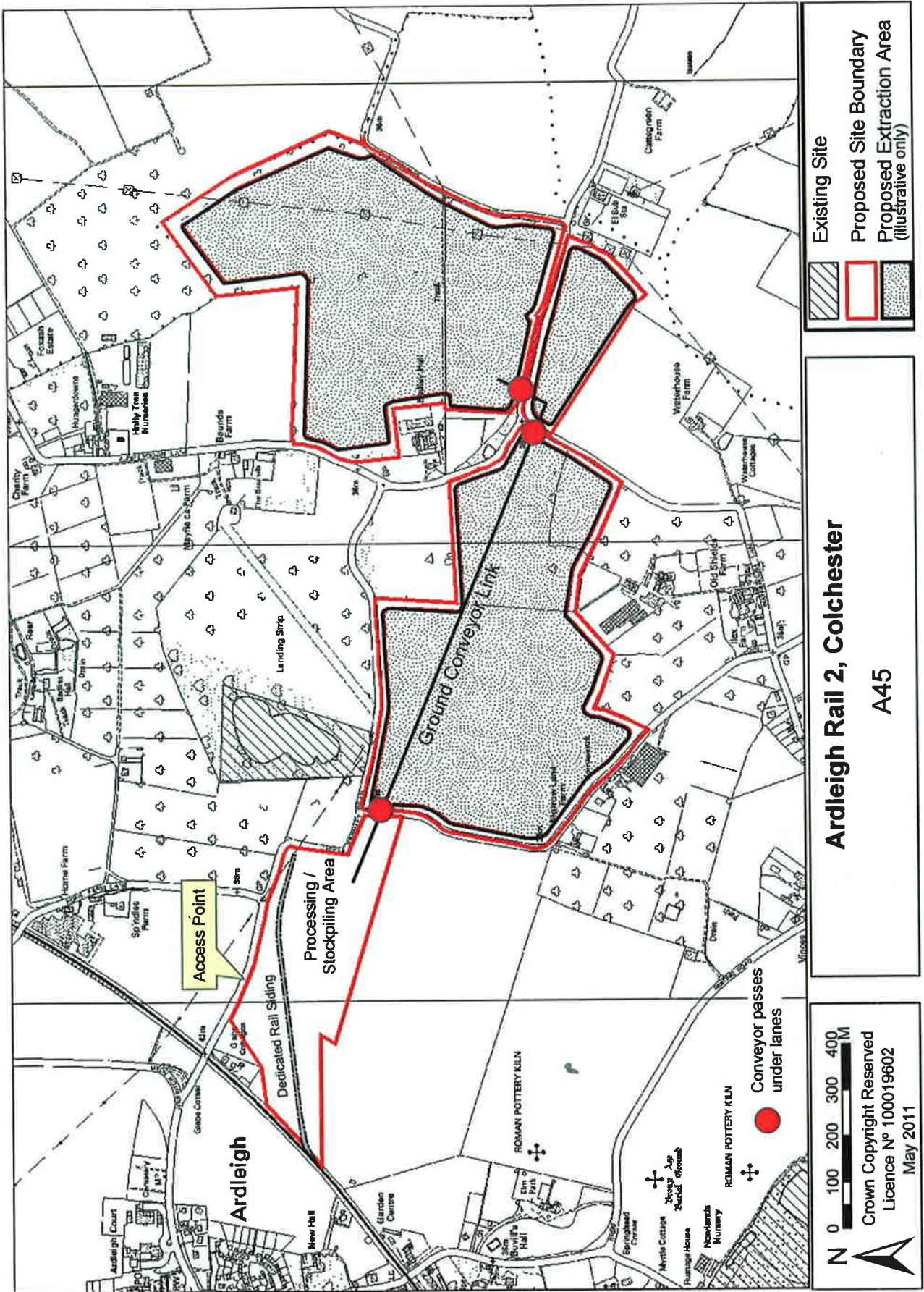
**Notes:**

1. A new dedicated rail siding would be created.
2. Vehicular access would be from Little Bromley Road.
3. A conveyor running under Little Bromley Road, Waterhouse Lane and Morrow Lane would connect all parts of the site to the mineral processing plant and stockpiling area located near the rail siding.

**Question 2****Site A45**

- a. Do you support this potential site for sand and gravel extraction?
- b. Do you object to this potential site for sand and gravel extraction?
- c. If b), are there any changes that could be made to this proposal that would make it acceptable to you?
- d. Is the proposed after-use acceptable to you? If not, what do you consider to be appropriate after-use at this location and why?

Map 2 Site A45: Ardleigh Rail 2



**Ardleigh Rail 2, Colchester**

**A45**

## 5 Suggested Mineral Transshipment Site

### Ardleigh Rail Sidings

Site:	D6
Depot:	Rail
Address:	Vinces Farm, Ardleigh
District:	Tendring
Site Area:	13.5 ha
Estimated life:	20+ years
Exports:	300,000 – 500,000 tonnes per year
Imports:	Potential for limited hard rock imports – 30,000 tonnes per annum
Onward movement of imports:	By road
Points of access to public highway:	Via A120 and B1029

#### Notes:

1. This site could be linked to a dedicated mineral reserve (see Site A45) or could import mineral from other quarries in the area eg the new Crown Quarry (Wick Farm) and Martells Quarry.
2. A new internal access road across / on the edge of the agricultural land would provide access to the siding. The route shown is indicative at this stage.

### Question 5

#### Site D6

- a. Do you support this potential mineral transshipment site?
- b. Do you object to this potential mineral transshipment site?
- c. If b), are there any changes that could be made to this proposal that would make it acceptable to you?

Picture 2 Site D6: Ardleigh Rail Sidings

