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Submitted to Essex minerals local plan review
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Consent

Do you give consent for your response to this consultation to be published?

Yes

About you

What is your name?

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Are you.....

Not Answered

Organisation

Name of organisation:
Bradwell with Pattiswick Parish Council

Are you responding on behalf of another individual or organisation?

No

If Yes, who?:

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Section 1.0 Introduction

Do you agree or disagree with this section?

Disagree

Do you have any comments on the introduction?

comments:

1.3 "This plan sets out how our future mineral needs will be met."

This plan should quantify the future mineral needs up front, otherwise how can it set out how our future mineral needs will be met?

The figures are buried on page 56 in the draft Plan!!!

"The economic importance of minerals

1.4 "Every new home requires an average of 60 tonnes of mineral products. In short, we could not maintain our current way of life without them."

3.1f "The Council promotes sustainable procurement and construction techniques and the use of alternative building materials in accordance with national and local policies."

Therefore, it should be safe to assume Essex County Council is already working through Local Planning Policies etc to significantly reduce this figure and produce truly sustainable development in the context of conserving and enhancing the natural and historic environment.

This is a requirement if strategic objective 3a is to be met.

"Strategic objective 3a

"To reduce reliance on primary mineral resources in Essex, firstly through promoting the mineral supply hierarchy to reduce the need for primary extraction of minerals and, secondly, by minimising waste by requiring that as much demolition, construction and excavation waste is re-used and/ or recycled, as far as is practicable."

Section 2.0 Spatial Portrait

Do you agree or disagree with this section?

Disagree

Do you have any comments on the Spatial Portrait?

comments:

"Spatial Portrait

2.1 "Local authorities are preparing Local Plans to deliver approximately 150,500 new homes in Essex up to 2036 and beyond.

"The population of Essex stands at 1.5 million (2021). The county's population is expected to increase to 1,666,077 by 2043/4"

The population will increase by 166,077 over the period 2021 to 2043, during which time local authorities will deliver 150,500 new homes, so that means every new individual will be provided with a new home – really?

Alternatively, if old homes are being demolished to create new homes, recycling should reduce the need for new aggregate for the new homes and this has not been factored into the forecast.

Section 3.0 The Strategy - Aims, Strategic Objectives and Spatial Priorities

Do you agree or disagree with this section?

Not Answered

Do you have any comments on the spatial vision, aims, strategic objectives, and spatial priorities?

comments:

3.1d "d) Protecting Amenities and Communities

"All minerals development will be well-designed to afford protection to local communities and to contribute to the enhancement of the built, natural and historic environment. Mineral developers will engage with communities to create the most appropriate local solutions."

There has been no engagement with the local community for sites A89, A92, A93 and the local communities are opposed to the development of these sites.

There has been engagement with the local community for site A6 (previously allocated), A47 and A48 and the local community is cautiously supportive as the planned extraction will be sequential, there will be no additional traffic onto the A120 (above that which is already tolerated), Blackwater Aggregates provides support to the local community and local employment which will continue and there is a liaison group so any issues can be raised and resolved quickly

3.1g "g) Protecting Mineral Resources and Facilities

"Existing, permitted and allocated mineral sites, and mineral supply infrastructure, will be safeguarded to ensure that sensitive or inappropriate development that would conflict with the effective operation of these sites is not established in close proximity. Mineral Infrastructure Consultation Areas (MICAs) will be designated to prevent incompatible development taking place close to existing or allocated minerals development to prevent significant adverse impacts on future occupants or operators of the existing minerals infrastructure."

Therefore, Blackwater Aggregates sites A3-7, A6, A47 and A48 should be allocated where not already permitted

Policy S1 – Presumption in favour of sustainable development

Do you agree or disagree with Policy S1?

Disagree

Do you have any comments on Policy S1?

comments:

S1 "It [the MPA] will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure minerals development that improves the economic, social, and environmental conditions in the area.

There should be a balance between the applicant and the local community which is impacted by the mineral development. The wording of this policy implies that the MPA will favour applicants over the local community which is impacted by the development. This policy therefore contradicts policy S10 and DM1.

Policy S2 - Strategic Priorities for Minerals Development

Do you agree or disagree with Policy S2?

Not Answered

Do you have any comments on the Policy S2?

comments:

S2 "2 Ensuring there are no unacceptable adverse impacts arising from proposed minerals development for public health and wellbeing, public safety, amenity, the quality of life of nearby communities, and the environment; "

Who determines what is acceptable and what is unacceptable? How is the local community involved?

Policy S3 - Climate Change

Do you agree or disagree with Policy S3?

Agree

Do you have any comments on the Policy S3?

comments:

This policy is welcomed.

Policy S4 - Reducing the Use of Mineral Resources

Do you agree or disagree with Policy S4?

Agree

Do you have any comments on the Policy S4?

comments:

However, the effect of this policy does not appear to have been taken into account when determining the forecast demand for the period

Policy S5 - Creating a Network of Aggregate Recycling Facilities and New Transshipment Sites

Do you agree or disagree with Policy S5?

Agree

Do you have any comments on the Policy S5?

comments:

However, the failure of the Plan to Quantify the issue of recycled aggregate even if only by copy of the data in the Waste Local Plan (2017) leaves the reader unclear as to whether more, and if so how much more, recycled aggregate will be required to meet policy S4

Some context would be helpful, for example, in the overall consumption of aggregate / sand and gravel what proportion is currently CDE. What is the profile of aggregate recycling capacity if no additional sites are granted and existing sites cease production when their temporary licences expire?

Policy S6 - General Principles for Sand and Gravel Provision

Do you agree or disagree with Policy S6?

Disagree

Do you have any comments on the Policy S6?

comments:

The Plan does not quantify the problem until para 3.89 - 3.91, which makes comment on the proposed solution difficult.

There are already 20 active sand and gravel quarries. All of these sites already have planning permission for sand and gravel extraction. How much sand and gravel remains to be extracted from these sites? There are no figures in the Plan

There appear to be sites which have been allocated in the 2014 Plan which are not yet operational, what is the total capacity for these sites?

For how many years will these sites provide adequate sand and gravel to meet forecast demand?

What is the forecast demand? The figure being used is 3.98Mt per year

Average demand for previous 10 years plus 20%

Using the forecast demand (plus 20%) the total demand can be satisfied by between 54.04 and 66.49Mt allowing for a seven year landbank in 2040. 3.91 The amount of provision actually required is the total amount needed to satisfy a Plan period of 15-years (plus seven years at the end of the plan period to maintain an adequate landbank), based on a provision rate of 3.98mtpa (87.56mt), minus the amount forecasted to remain in reserve at the anticipated Plan adoption date of 2025. The provision paper sets out a number of scenarios for forecasting the volume of permitted reserves in 2025 ahead of forecasting this permitted reserve value to be 22.95mt. This value is to be subtracted from the total identified need of 87.56mt. the Plan needs to identify an additional 64.56mt of sand and gravel through new site allocations

However, over the years there have been windfall sites for eg agricultural reservoirs. Since 1991 there has, on average, been an increase in the number of applications, submitted to ECC each year, associated with the construction of an agricultural irrigation reservoir. Between 1990-1995, 18 reservoir applications were submitted. However, between 2000-2005, 28 reservoir applications were submitted.

In the ten years 2009-2019, 37 applications were approved; the mean mineral extraction proposed for the approved agricultural reservoirs is 370,130 tonnes. 13.69Mt in total over 10 years. If historic sales are to be used to forecast demand, then it is safe to say there will be windfall supply of 20Mt over the next 15 years.,

The Plan now needs to identify an additional 44.56Mt of sand and gravel through new site allocations.

Given the experience of the previous Plan, where there was a significant shortfall in demand (Forecast demand 2014 – 2022 was 4.31Mt per year, Actual demand 2014 – 2022 3.44Mt per year) there should be a down-side risk as well as the up-side risk proposed.

5.141 "Across the nine years since the MLP was adopted, the Plan provision rate exceeded the annual sales rate to the extent that 8.68mt of 'expected' sales were not made. It is important to note that this resource is not 'lost'. At the [then] current plan provision rate of 4.31mtpa, the 'saved' sand and gravel amounts to just over an additional two years of provision."

Or three years at the new provision rate of 3.44Mt per year. So the Plan starts with a landbank of 10 years.

Has any market research been done to suggest that there is an up-side risk to the current level of demand? The justification for the 3.98Mt per year figure appears to be based on the figure of 150,000 new homes for 166,000 additional people. These figures need to be challenged. The Plan should be based on the 3.44m tonnes per year extrapolation of the past ten years with a plus/minus 20% risk analysis.

Furthermore, with Policy S4 – Reducing the Use of Mineral Resources and Policy S5 – Creating a Network of Aggregate Recycling Facilities.. and Strategic objective 3a "To reduce reliance on primary mineral resources in Essex, firstly through promoting the mineral supply hierarchy to reduce the need for primary extraction of minerals and, secondly, by minimising waste by requiring that as much demolition, construction and excavation waste is re-used and/ or recycled, as far as is practicable" the demand forecast should show a significant decline over the Plan period.

If all of the extensions to existing quarries are allocated, 94.2Mt would be available for extraction.

If all of the sites were allocated, 148.35Mt would be available.

In addition, windfall supply from agricultural reservoirs can be expected of around 20Mt over the plan period.

The requirement then becomes a site allocation to meet demand for a maximum 45Mt for the plan period.

There may be no need to allocate any new sites, sympathetic extensions to existing sites should be adequate - representing 200% of projected demand.

Policy S9 - Safeguarding Mineral Extraction Sites and Other Mineral Infrastructure

Do you agree or disagree with Policy S9?

Agree

Do you have any comments on the Policy S9?

comments:

While the draft Plan states that no site allocations have been made, this policy makes clear that existing sites and extensions to existing sites will be favoured over brand new sites. For continuity of employment, to allow existing contractors certainty that they can realise their investment and to maintain good relations with the industry and the community this approach is welcomed.

3.178 The Agent of Change Principle

Mineral development may create impacts on their immediate surroundings and local communities through, for example, dust or noise emissions and vehicle movements. Development that is sensitive to such impacts, and therefore potentially incompatible in close proximity to minerals development, can include facilities such as hospitals and clinics, retirement homes, residential areas, schools, offices, horticultural production, food retailing and certain types of industry (such as painting and furnishing), food processing and high-tech industries.

One hopes this principle applies to new mineral development when considering site evaluation / allocation ie new mineral development close to existing residential areas is potentially incompatible.

Policy S10 - Protecting and Enhancing the Environment and Local Amenity

Do you agree or disagree with Policy S10?

Agree

Do you have any comments on the Policy S10?

comments:

Who defines "unacceptable" in the context of adverse impacts? How is the local community involved?

Policy S11 - Access and Transportation

Do you agree or disagree with Policy S11?

Agree

Do you have any comments on the Policy S11?

comments:

Who defines "unacceptable" in the context of adverse impacts? How is the local community involved?

Policy S12 - Mineral Site Restoration and After-Use

Do you agree or disagree with Policy S12?

Agree

Do you have any comments on the Policy S12?

comments:

Policy DM1 - Development Management Criteria

Do you agree or disagree with Policy DM1?

Not Answered

Do you have any comments on the Policy DM1?

comments:

Who decides what is "unacceptable impact" and what criteria are used in this assessment?

Policy DM3 - Primary and Secondary Processing Plants

Do you agree or disagree with Policy DM3?

Not Answered

Do you have any comments on Policy DM3?

comments:

Who decides what is "unacceptable impact" and what criteria are used in this assessment?

Plan Assessment and Wider Evidence Base

Do you have any comments on any of the full plan assessments or wider evidence base documents?

comments:

What meaning can be attached to the RAG status? Are there individual Red flags which alone would prevent a site being allocated, for example, no suitable road access or SSSI location?

There appears to be little consistency between the RAG assessment and the comments supporting the assessment, for example....

LANDSCAPE CHARACTER

A6 The Site possesses few characteristic features of the Blackwater/Brain/Lower Chelmer Valleys (C6) Landscape Character Area (LCA), which includes the predominantly arable farmland and well hedged fields. The River Blackwater and associated valley features have limited presence within the immediate landscape, and therefore reduces the sensitivity of the Site to minerals extraction.

Red/Amber..... should be Amber or even Green/Amber

A22 The Landscape Character Area (LCA) is Central Essex Farmlands (B1) and possesses some characteristic features of the LCA, which includes the arable farmland landscape. The works would erode the existing attractive features of the small, secluded valley, (which is most attractive at the east) and the views of it from the public footpath. Overall, sensitive Mitigation for visual impact toward public receptors will be required to keep in context with the local landscape character.

Amber

A47 The Site possesses few characteristic features of the Blackwater/Brain/Lower Chelmer Valleys (C6) Landscape Character Area (LCA), which includes the predominantly arable farmland and well hedged fields. The River Blackwater and associated valley features has limited presence within the immediate landscape, and therefore reduces the sensitivity of the Site to minerals extraction.

Amber

A49 The Site is very characteristic of the Blackwater/Brain/Lower Chelmer (C6) Landscape Character Area (LCA). Located on the edge of the River Blackwater, the western parcel of the Site comprises linear willow and poplar plantation which is a strong local feature of the landscape. The remainder of the Site comprises arable fields separated by established hedgerows, also located on the valley sides. With open views of the river, appropriate consideration is required to protect the characteristic features of the LCA, particularly on the setting of the River Blackwater valley floor, and mitigate the impacts on the landscape.

Red/Amber

A54 The Site comprises several characteristics of the Central Essex Farmlands (B1) Landscape Character Area (LCA), including the medium sized arable fields marked by hedgerows, with woods and copses providing structure and edges in the landscape. Appropriate consideration is required to protect characteristic features of the LCA, particularly the woodland on the southern boundary, which would require an adequate buffer to mitigate potential impacts on the landscape

Green/Amber

A57 The Landscape Character Area (LCA) is Central Essex Farmlands (B1) of which the Site possesses a number of distinct characteristic features of the LCA including the irregular field pattern of arable farmland intersected by hedgerows. Appropriate consideration is required to protect the characteristic features of the LCA and mitigate the impacts on the landscape.

Green/Amber

A89 The Site bridges two Landscape Character Areas (LCA), and possesses features of both areas, including arable farmland with well-hedged medium to large fields (Blackwater/Brain/Lower Chelmer Valleys, C6) and small woods and copses that provide structure and edges to the landscape (Central Essex Farmlands, B1). [There is an ancient hedgerow and (partly dry ditch) – which is Priority habitat - on the eastern boundary adjacent to the plantation woodland. The internal hedgerow is Priority habitat and has a single significant mature boundary Oak tree. The internal hedgerow and broadleaved deciduous plantation woodland would be removed. There is another ancient hedgerow and associated ditch on the south of the woodland plantation that is located on the northern boundary. The eastern boundary contains ancient Field Maple trees and a locally notable Oak tree that is a prominent boundary feature of the Site.]

Appropriate consideration is required to protect the characteristic features of the LCA, particularly the effect on the established tall hedgerows and trees that line the field boundaries.

Green/Amber Should be Red/Amber

A92/93 The Site is graded Red/Amber because it could have a serious impact upon Priority habitats and species; this includes potential impacts to the River Blackwater and its associated riparian habitats. In addition, the Site could have major impacts upon irreplaceable habitats, i.e. the Ancient tree situated within the Site. There would also be a direct loss of two Hedgerows and dissection through another; loss of a Notable tree and a watercourse. There could be potential hydrological impacts to retained habitats and loss of- and disturbance to- habitats for Priority farmland species.
Red/Amber Agreed

BIODIVERSITY

A6 Storey's Wood (reference Bra178) Local Wildlife Sites LoWS is situated immediately beyond the southern boundary. This is an Ancient Woodland and is therefore classed as irreplaceable habitat. Upney Wood LoWS is c.216 to the east.
Red/Amber...should be Amber

Site A22 is within the Site of Special Scientific Interest (SSSI) Impact Risk Zone for Hatfield Forest SSSI and National Nature Reserve (NNR), c.3.1 kilometres west and High Wood Dunmow SSSI, c.2.4 kilometres east. Hatfield Forest is one of the largest woodlands in Essex and includes a wide range of habitats including Woodpasture and Parkland Priority habitat. High Woods, Dunmow SSSI which is an ancient woodland site, with sections which comprise ancient replanted woodland. Additionally, Flitch Way Local Nature Reserve (LNR) is c. 812 metres north and Elsenham Wood SSSI is c. 4.9 kilometres north. The Site is 115 metres south of an existing, active minerals site; Crump's Farm.
Amber should be Red/Amber

Site A23 is within the Site of Special Scientific Interest (SSSI) Impact Risk Zone for Hatfield Forest SSSI
Red/Amber

A57 Chalk Spring is located west of the Site and is a designated priority habitat. The woodland demonstrates a significant contribution toward the local green infrastructure and visual amenity.
Green/Amber

A89 comprises three arable fields bounded by deciduous plantation woodland and an internal ancient hedgerow and strip of broadleaved deciduous plantation woodland. There is an ancient hedgerow and (partly dry ditch) – which is Priority habitat - on the eastern boundary adjacent to the plantation woodland. The internal hedgerow is Priority habitat and has a single significant mature boundary Oak tree. The internal hedgerow and broadleaved deciduous plantation woodland would be removed. There is another ancient hedgerow and associated ditch on the south of the woodland plantation that is located on the northern boundary.
The eastern boundary contains ancient Field Maple trees and a locally notable Oak tree that is a prominent boundary feature of the Site.
Green/Amber ... should be Red/Amber

A92/93 Site A92 is within the Site of Special Scientific Interest Impact Risk Zone for Belcher's and Broadfield Woods Site of Special Scientific Interest (SSSI). This is located c.2.5km to the north of the Site and is an ancient woodland.
The closest Local Wildlife Site (LoWS) is Blackwater Plantation West (reference Bra 158) which is less than 60 metres to the south of the Site, downhill. The ancient woodlands of the Marks Hall estate are just over 2.2km north of the Site and include several ancient woodland Local Wildlife Sites.
Red/Amber Agreed

Any other comments

Do you have any other comments?

comments:

Six of the proposed 52 sites lie within the Parish of Bradwell and Pattiswick and the adjoining Parish of Stisted, which is also impacted by proposed sites in the former Parish.

3.13 The aim of the spatial strategy is achieved ..."by ensuring an appropriate geographical distribution of allocations"

The allocation of three extension sites within a single Parish should be more than enough to satisfy the spatial strategy without the addition of any new sites within that or adjoining Parishes.