

# Report to Planning Services Planning Scrutiny Panel

**Date of meeting: 10/01/2011**

**Portfolio: Leader**

**Subject: Essex County Council Minerals Development  
Document: Preferred Approach Paper**

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## Recommendations/Decisions Required:

- (1) **To consider the potential impacts of the proposals from the Essex County Council Preferred Options Mineral Development Document and to formulate a response to the Consultation based on officers' comments.**

## Report:

1. Essex County Council (ECC) is currently in the process of producing a Mineral and Waste Development Framework (MWDF) as required under the Planning and Compulsory Purchase Act (2004). This will replace the Essex Mineral Local Plan (adopted 1996) and the Essex Waste Local Plan (adopted 2001). The focus of this report is the Minerals Development Document. The document will set out the authority's vision, objectives, Core Strategy policies and plans (and how they will be delivered) for the area with respect to mineral related development over a 15 year period from the date of final adoption (estimated to be in 2013). The Mineral Development Document (MDD) Preferred Approach will be available for consultation between the 9th December 2010 to 17th February 2011.

2. Prior to the publication of this document Essex County Council had previously undertaken consultation on the following documents:

- (i) MDD: Site Allocations – Issues & Options Paper (December 2005)
- (ii) MDD: Additional Site Allocations – Issues & Options Paper (March 2006)
- (iii) MDD: Further Issues & Options Paper (January 2009)
- (iv) MDD: Site Allocations– Issues & Options Paper (August 2009)

3. In all of their previous consultation documents, ECC had identified that an additional 39.025 million tonnes (mt) of sand, gravel, silica sand and brick clay aggregate were required within the County between 2007 – 2026. The MDD Preferred Approach Paper however now estimates that 42.225mt will need to be identified for the 20 year plan period (2009 - 2028 inclusive). This takes into account existing permitted reserves and subsequent permissions and committee resolutions to grant planning permission since 31 December 2008. The increased amount of aggregate required compared to the 39.025mt identified in the Further Issues and Options (2009) reflects a fall in reserves due to a recent reassessment at two sites and a longer Plan period to 2028.

4. To address this need, ECC issued two 'Call for Sites' in 2005 and 2009 from which 43 potential new or existing sand and gravel extraction sites were suggested, providing a potential 118mt of sand and gravel. Two of these suggested sites were located directly within or partly within Epping Forest District Council (EFDC) at *Patch Park Farm, Abridge* (Site A41) and *Land at Shellow Cross Farm, Elm Farm and Newland Hall Farm, Willingale, Ongar* (Site

A40). The suitability of all 43 sites were subject to public consultation between 17 September and 12 November 2009. Representations were considered at LDF Cabinet Committee (09/11/09) and Planning Scrutiny Panel (12/11/09) stating the Council's **objection** to both of the two proposed sites within the District. (See Appendix A for report).

5. Taking into consideration all of the consultation responses received in the previous rounds of consultation, the MDD: Preferred Approach Paper has now identified 20 new or existing sand and gravel extraction sites which ECC view as their preferred choices for future mineral extraction. This was achieved through the application of a site selection methodology described by ECC as being designed to provide an environmentally friendly set of evenly dispersed sites across the county, with an emphasis on extensions. (See Appendix B for site selection methodology details).

6. Looking at this selection methodology, one point of interest is the fact that at stage 4, ECC have indicated that when scoring each of the forty-three sites, those located in the west of the county were given an extra positive weighting. This method has been used by ECC in their bid to try and tackle what they perceive as a relative shortage of sites to serve the western part of the county, including areas defined for significant future growth, particularly Harlow.

7. Of the 20 sites initially selected as the preferred options to meet future mineral need within the county, the site known as *Land at Shellow Cross Farm, Elm Farm and Newland Hall Farm, Willingale, Ongar* (Site A40) has been included. Within the site assessment (see Appendix C to view this), ECC state that they currently view this site as suitable for consideration and anticipate that (if given the go ahead) it would be located to the west of Roxwell, and comprise of two parcels of land linked by a cross-country haul route. A new processing plant would be located within the northern parcel of land and a new access created onto the A1060. No access would be permitted from Elm Road to the south.

8. In response to these findings it is suggested that EFDC should therefore **object** again to the identification of this site for sand and gravel extraction. Whilst the Council note a decrease in the estimated yield of the site from 4.95 million tonnes to 3.5 million tonnes and a subsequent decrease in site lifespan from 23 to 14 years since the Site Allocations – Issues & Options Paper (August 2009), it is still wholly inappropriate to locate what would be the second biggest mineral extraction site in Essex in terms of its area, in a heavily rural area of Greenbelt which the Council believe to be highly environmentally and historically sensitive.

9. As highlighted in the Council's previous response a variety of key issues exist with this site which make it entirely inappropriate for development into a mineral extraction site. It is important to reiterate that none of these issues have been resolved since the last response to ECC in November 2009. Officers therefore find it extremely disappointing that despite recognising all these problems within the site assessment, ECC currently still intend to use site for mineral extraction. Officers are furthermore disappointed by the fact that the site is considered acceptable despite ECC having still not undertaken a number of vital assessments on the site. This includes an ecological assessment, a hydrological survey and assessment, a transport assessment, an environmental assessment and a historic environment. Officers are very keen to see these completed as they should highlight further to ECC the unsuitability of this site.

10. Another point officers wish to make is that ECC's plans to mitigate any negative impacts upon the site during extraction (should it go ahead despite the Council's objection) will need to be much more comprehensive and detailed than they currently are. The same can also be said for those plans to enhance the site once mineral extraction from it has been completed. Whilst officers appreciate that some of these matters will be dealt with through any subsequent planning application, the Council will be extremely resistant to any plans for mineral extraction in the area should we believe that the County Council have not fully addressed the significant negative impacts which such a proposal will cause.

11. The Council understands that those sites selected as 'Preferred Sites' at this Preferred Approach stage may not remain as 'Preferred Sites' when the final version of the plan emerges at the submission stage. We therefore remain hopeful that future detailed studies will confirm to the County Council the unsuitability of this site.

12. The Council similarly notes that sites currently rejected could later be included as 'Preferred Sites'. In light of this, officers suggest stressing our approval of the exclusion of the site known as *Patch Park Farm, Abridge* (Site A41) as one of the initial 20 preferred sites. Officers are keen to ensure that this decision is permanent as the site is highly unsuitable given the negative impact it would have on the local landscape and local ecology of this part of the Roding Valley, and the high risk of flooding, to name a few issues. None of the issues raised in November 2009 have changed and therefore this site should not be used for mineral extraction purposes.

13. Finally, officers still feel that the issue raised to ECC regarding the belief that the methodology for obtaining sites for mineral extraction within the county was flawed, has never been satisfactorily answered. ECC freely admit that neither they nor the British Geological Survey 'hold sufficient detailed geological data on the county to enable identification of potential mineral extraction sites' themselves. ECC have therefore been relying on an incomplete evidence base to locate potential mineral extraction sites. Officers are therefore very concerned that ECC may not have located the most appropriate deposits of sand and gravel within the this district which consequently has led to them selecting the site at *Land at Shellow Cross Farm, Elm Farm and Newland Hall Farm, Willingale, Ongar* (Site A40) which officers feel should not be included in the final list of 20 sites.

**Reason for decision:** To ensure that the comments and concerns raised by Forward Planning officers with regards to Essex County Council's consultation on its Mineral Development Document: Preferred Approach (December 2010) are noted and approved by members. Once approved these comments and concerns will then be sent to Essex County Council.

**Options considered and rejected:**

To not respond to the consultation period.

Not to accept the comments made by Council officers

**Consultation undertaken:**

None undertaken by Epping Forest District Council

**Resource implications:**

Consultation considered by Forward Planning officers

**Community Plan/BVPP reference:**

EP3

**Relevant statutory powers:**

N/A

**Background papers:**

The Mineral Development Document (MDD) Preferred Approach (December 2010). Hard copies are available in the members room. The document can also be accessed online [here](#).

Minerals Development Document: Site Allocation – Issues & Options Paper (August 2009)

**Environmental/Human Rights Act/Crime and Disorder Act Implications:**

Sand and gravel extraction from either site would have significant local environmental impacts, and would increase HGV movements on some unsuitable roads.

**Key Decision reference: (if required)**

N/A