



**SUBMISSION IN RESPECT OF SITE D7 - POND FARM
AS IDENTIFIED UNDER THE EMERGING ESSEX MINERALS
LOCAL PLAN**

APRIL 2024

**PREPARED BY
DAVID L WALKER LIMITED**

CONTENTS

| | |
|------------------|----------------------------|
| Section 1 | Introduction |
| Section 2 | Baseline |
| Section 3 | Outline Development Scheme |
| Section 4 | Site Assessment |
| Section 5 | Transport and Access |
| Section 6 | Cultural Heritage |
| Section 7 | Summary and Conclusions |

LIST OF PLANS

| | |
|-------------|-----------------------|
| C45/8/1101A | Revised Location Plan |
| C45/8/1102A | Revised Site Plan |

<<<<<<>>>>>>

LIST OF APPENDICES

| | |
|------------|--|
| Appendix 1 | Site Assessment profile as presented by Essex CC |
| Appendix 2 | Updated ProForma |
| Appendix 3 | Access Appraisal prepared by DTA dated March 2024 |
| Appendix 4 | Heritage Advice Note provided by HCUK dated April 2024 |

SECTION I

INTRODUCTION

- I.1 Brice Aggregates Limited (“BAL”) have been promoting the allocation of a potential site for Mineral Transshipment known as land at Pond Farm, under the Emerging Essex Minerals Local Plan.
- I.2 The site which has been designated the site reference D7 by Essex County Council (“the Council”) has been promoted as a proposed road to rail mineral transshipment site on land to the north of Colemans Farm Quarry near Witham.
- I.3 Under the Emerging Minerals Local Plan Review the council have identified the need to identify appropriate locations to transport minerals across the county. Policy S2 of the adopted and emerging Minerals Local Plan amongst other matters seems “**to safeguard transshipment sites within the county to provide appropriate facilities for the importation and exportation of minerals**”. The policy goes on to note that “**Additional transshipment ... capacity will be supported in principle when proposed in locations that are in conformity with the Development Plan**”.
- I.4 As part of the emerging MLP, the county has developed and approved a detailed Site Selection Methodology (“SSM”) and implemented this to apply a traffic light scoring system to all fifty two candidate sites promoted through this exercise.
- I.5 The SSM considered sixteen different categories and developed a specific scoring system for each of the sixteen categories. Site D7 has scored Green in six categories; one as Amber/green; four in Amber, three in Red/Amber and two in Red.
- I.6 BAL have commissioned works to examine the application of the SSM relative to this site and consider what mitigation measures could potentially be required to manage identified impacts (including the re consideration of the site boundary), and thereby reduce the potential scoring under the given category, in particular where a red or red/amber score was identified.
- I.7 This submission will provide the following:
- i. Detailed consideration of baseline setting;
 - ii. Presentation of an outline development scheme; and
 - iii. a detailed review of the criteria used on the SSM, in particular on the five criteria where a high level of scoring has been identified.
- I.8 BAL is providing this information on a proactive basis, consistent with the requirements of front loading under the NPPF. It is also beneficial to the company to identify potential constraints and high-level mitigation measures at the site albeit in high level terms in order that detailed schemes of working and restoration can be developed.
- I.9 The SMM summary/site assessment profile presented by the Council is reproduced at Appendix I.
- I.9 The technical reviews provided as part of the submission consider the scope for impact but are in no way intended to provide a comprehensive Environmental Impact Assessment at this time.

- I.11 BAL would like to secure a Preferred Site status the under the emerging plan and have therefore provided this detailed information to allow a more developed understanding of the baseline and scope for impact.
- I.12 It is recognised that size and scale of the site will be of concern to a wide number of interested parties, but if allocated and developed could have many benefits consistent with the objectives of the Minerals Local Plan as follows:-
- a) the site has the potential to provide significant and sustainable capacity for aggregate materials to support the growth and infrastructure requirements in the centre of the county;
 - b) the location of the site with long term access to the diverted/upgraded A12 is favourable to move the materials to the market in a sustainable manner as possible;
 - c) the site is located on the urban/rural fringe but would essentially represent a potential extension to the existing industrial setting situated east of the town of Witham.
- I.13 Whilst BAL are promoting the whole land parcel, for a transshipment use, it would be possible provide the facility on a smaller footprint should this be necessary both from a planning impact perspective and to avoid fettering parts of the site which may be suitable for future industrial development should this be required under future Braintree District Council Local Plans as an extension of the Eastways Industrial Estate in Witham, being a key local employment site. A railhead on Site D7 is considered to be compatible with other potential future industrial land uses.
- I.14 The current iteration of the MLP has been released with an extensive evidence base, including forecasts for the new mineral provision in the county, and a separate topic paper on Growth Locations and Projected Growth. The latter document confirms the site setting in the centre of the county with access to a number of "Growth Locations" including Braintree, Chelmsford, Witham, Kelvedon and Maldon.
- I.15 Development at such locations will require both indigenous construction materials sourced from sites such as Colemans Farm Quarry, as well as imported resources such as that envisaged at Site D7. The same applies to the range of transport and infrastructure projects noted in the Topic Papers.
- I.16 It is noted that the Council will be developing a new criteria led policy and this is evidenced in Policy S5 (2) of the emerging MLP. The county benefits from four transshipment sites, with the closest being at Chelmsford and Marks Tey.

SECTION 2

BASELINE

- 2.1 The proforma developed by the council in support of the promotion exercise set out a high level means by which to summarise the baseline setting of the given promotion.
- 2.2 The total site area and proposed development area was carefully considered in view of existing land uses; perimeter features such as the A12; and residential premises. The areas were also defined based on high level consideration of the need for soils bunds, haulage infrastructure and other ancillary facilities together with the identification of potential biodiversity enhancement areas.
- 2.3 The site is situated in a mainly rural context but has residential amenity in proximity, including (with reference to Plan C45/1101A):
- Various residential properties at Rivenhall End to the east of the site; and
 - Whitelands located along the southern perimeter.

It should be noted that the Burghey Brook Poultry Farm and adjoining Cottages have been demolished in advance of industrial and commercial development under the provisions of planning consent ref 22/02283/FUL as granted by Braintree Council on 27 April 2023.

- 2.4 In all cases in particular on residential development the proposed development area has been designed to be a minimum of 80m away from the nearest façade of the given receptor, but in most cases the standoff is significantly higher. Intervening land would to a degree be used for mitigation purposes including for advanced planting and/or the maintenance of soils bunds, and/or the provision of drainage infrastructure for the site all of which are non operational land uses.
- 2.5 Notwithstanding the above, given the identified methodology under the Health and Amenity scoring in particular the site boundary has been reviewed and adjusted to provide a minimum 60m stand off from the red line boundary to the given residential receptor. All of the receptors will remain post A12 works.
- 2.6 An updated proforma is presented at Appendix 2 confirming the revised site area of 13.24 hectares.
- 2.7 Site D7 is situated within the Pond Farm which is part of a wider ancestral estate, situated in the parish of Little Braxted in the centre of the county.
- 2.8 The site is located in a wider network of public highways, comprising the A12 which forms the southern site boundary under the current situation and post re development of the A12.
- 2.9 The northern perimeter of the site is secured by the rail line onto which it is proposed to establish rail link infrastructure.
- 2.10 In an historical context, the site is situated in a sensitive setting with Listed Buildings, in proximity to (but not on) the site and unscheduled but known archaeological remains within the site. Further detail in this regard is provided as part of this report.
- 2.11 The site extends over an area of approximately 12.90 hectares with a gently rising landform within the site rising from circa 17m AOD along the A12 to around 19m AOD along the rail line. The effect of this topography, along with surrounding vegetation and land use, serve to

- constrain the majority of views into the site, although the topography and land use around the site could become highly modified as a result of the A12.
- 2.12 In the context of Rights of Way, whilst no assets are found on site, there is the potential to supplement the Rights of Way network already in place in the vicinity of the site, subject to planning.
- 2.13 The site is not located in a sensitive hydrological setting, being wholly located in Flood Zone 1. Elements of the site associated with the route of the Burgey Brook are at higher risk of surface water flooding, as is a small drainage ditch next to the Whitelands perimeter. Both of these areas are on the periphery of the site.
- 2.14 The technical reports provided at Appendices 3 and 4 provide specific details on the baseline setting going beyond a purely desk-based approach.

SECTION 3

OUTLINE DEVELOPMENT SCHEME

- 3.1 It is considered that the proposed allocation is a logical and complementary land use to the existing operations at Colemans Farm Quarry. BAL has developed an outline development scheme which is illustrated on Plan C45/1102A. The aims and objectives of the scheme are as follows:
- to develop and operate the site in as most sustainable manner as possible;
 - to safeguard the amenity of adjacent residential premises and other sensitive land uses (note Burghey Brook Poultry Farm no longer in situ);
 - to make sure any woodland or other sensitive habitats remains and is un disturbed and not adversely impacted by the scheme;
 - to ensure that all soils associated with best and most versatile agricultural land is stripped handled and replaced sensitively;
 - to ensure that any features nature conservation value on and adjacent to the site are protected and managed as required;
 - to ensure that the setting or significance of adjacent and nearby heritage assets is affected as less as possible and less than significant harm is created;
 - ensure best use of all on site resources to minimise the need for imported materials to achieve restoration;
 - to make sure that water is used in an efficient and sustainable manner; and
 - to ensure all water run-off is maintained on site and only discharged in a controlled manner.
- 3.2 The site is promoted on the basis that the A12 Chelmsford to A120 widening scheme is built to plan. This scheme has passed through examination but is currently subject to a Judicial Review, the timescales for the resolution of which are as yet unknown.
- 3.3 On the assumption that the A12 is built to plan, Site D7 will benefit from an access onto the then de-trunked A12. This in turn will afford access to the newly aligned A12 via the new Junction 21 layout. In the event that the A12 isn't progressed, then BAL have the ability to access any highways infrastructure installed as part of the development of the Eastways Industrial Estate to the west of the site (refer to Plan C45/8/1102A).

Advance Planting

- 3.4 In view of the nature and scale of the proposals and the environmental (in particular visual) context of the site, a scheme of advanced planting and landscaping is outlined on Plan C45/1102A including for:-
- Provision of graded landscaping bund in the east of the site to maintain a pastoral setting to residences and cultural heritage assets in Rivenhall End;
 - broadleaf woodland block planting around the Whiteland's residence and at other areas of potential visual sensitivity;
 - management and enhancement of existing woodland and hedgerows along the southern perimeter of the site.

These areas are conceptual only, with the intention to develop the design of such areas with specialist input as part of any planning application.

- 3.5 To date BAL have developed a concept layout plan for the proposed Transhipment Facility. The intention would be to establish an approximate 590m rail siding off the mainline railway. The siding would enable trains to pull off the mainline and be unloaded/loaded using mobile plant and equipment.
- 3.6 Aggregate trains tend to have 24 waggons (each circa 14m in length), and on this basis it would appear that there is sufficient distance to accommodate such activity. The plans provide for a shunting line to enable the locomotive unit to change ends if the need arises.
- 3.7 The site has sufficient area to accommodate stocking for imported materials (and if the need arises export materials); with ancillary facilities including site accommodation, vehicle parking and site drainage. The site also has sufficient floor space to enable comprehensive schemes of mitigation for noise, dust and visual to be developed and implemented.
- 3.8 The pro forma reproduced at Appendix 2 has more details on proposed site capacity and throughput.
- 3.9 The site is promoted as a permanent facility and therefore no restoration proposals are provided.
- 3.10 Whilst BAL are promoting the whole land parcel, for a transhipment use, it would be possible provide the facility on a smaller footprint should this be necessary both from a planning impact perspective and to avoid fettering parts of the site which may be suitable for future industrial development should this be required under future Braintree District Council Local Plans as an extension of the Eastways Industrial Estate in Witham, being a key local employment site. A railhead on Site D7 is considered to be compatible with other potential future industrial land uses.

SECTION 4

SITE ASSESSMENT

- 4.1 The draft MLP is supported by a number of supporting documents including a Site Selection report. The report (prepared by BPP Consulting and Stantec on behalf of ECC) provides a methodology and review of the decision making process behind the assessment of each of the sites.
- 4.2 The scoring for Site D7 is detailed in the proforma reproduced at Appendix I and summarised in Table I below.

| Criteria | Scoring |
|--------------------------------------|-------------|
| Landscape and Visual Sensitivity | Amber/Green |
| Biodiversity | Green |
| Historic Buildings | Red/ Amber |
| Archaeology | Amber |
| Flooding | Amber |
| Transport | Red/Amber |
| Access | Red/Amber |
| Public Rights of Way | Green |
| Geo-Environmental | Green |
| Hydrology, Hydrogeology and Drainage | Amber |
| Air Quality | Green |
| Soil Quality | Amber |
| Services & Utilities | Red |
| Health & Amenity | Red |
| Green Belt | Green |
| Airport Safeguarding Zones | Green |

Table I: Summary of the Scoring for Site D7

- 4.3 As can be seen above of the sixteen criteria examined, five scored as high impact (i.e red or red/amber), including:
- Historic Buildings;
 - Transport;
 - Access;
 - Services and Utilities; and
 - Health and Amenity.

4.4 Furthermore, four criteria examined were scored as medium impact (i.e amber), including:

- Archaeology;
- Flooding; and
- Hydrology, Hydrogeology and Drainage; and
- Soil Quality.

4.5 Sections 5 and 6 below and the contents of Appendices 3 and 4 provide appropriate appraisals evidence to challenge these scores for Transport and Access and Historic Buildings, and where possible suggest mitigation measures to enable the scope for impact to be re-examined.

4.6 Of the five criteria identified as medium or high impact above, four have not been subject to detailed technical review at this time, namely:

- Services and Utilities; and
- Health and Amenity;
- Flooding; and
- Hydrology, Hydrogeology and Drainage

Addressing each in turn.

Services and Utilities

4.7 The site assessment (refer Appendix I) scored this element as a High Impact, as utilities are within the site. The reason for this scoring is understood to relate to the high-pressure gas that runs north to south through the site. The presence of the asset is known and understood and would be subject to appropriate design.

4.8 In the same regard there are other utility assets on site the presence of the asset is known and understood and would be subject to appropriate design.

4.9 The scoring criteria identified in Appendix I of the SSM Report provides for five tiers of scoring. On the basis of the above, BAL would agree that the site could be scored as Red but would propose that a lower level could also be warranted as these matters can be subject to appropriate design in liaison with the relevant undertaker.

4.10 In any event, the relationship between utility assets and development sites is clearly defined in statute law and is not something that a Minerals Planning Authority needs to be concerned with when allocating sites for minerals and waste development.

Health and Amenity

4.11 The site is situated in a mainly rural context but has residential amenity in proximity, including (with reference to Plan C45/1101A):

- Various residential properties at Rivenhall End to the east of the site; and
- Whitelands located along the southern perimeter.

It should be noted that the Burghey Brook Poultry Farm and adjoining Cottages have been demolished in advance of industrial and commercial development under the provisions of planning consent ref 22/02283/FUL as granted by Braintree Council on 27 April 2023.

- 4.12 In all cases in particular on residential development the proposed development area has been designed to be a minimum of 80m away from the nearest façade of the given receptor. Intervening land would to a degree be used for mitigation purposes including for advanced planting and/or the maintenance of soils bunds.
- 4.13 Notwithstanding the above, given the identified methodology under the Health and Amenity scoring in particular the site boundary has been reviewed and adjusted to provide a minimum 60m stand off from the red line boundary to the given residential receptor.
- 4.14 On this basis, it is proposed that the site scoring under this criterion can be changed to Amber as per the contents of table 2 of Appendix I of the SSM.

Flooding

- 4.15 In addition to the medium/high risk categories noted above, BAL would also wish to highlight the scoring under the Flooding Criteria. The site is currently scored as Amber, but under the sensitivity grading should be at worst scored Amber/Green.
- 4.16 The entirety of the site is in Flood Zone I and only very limited elements are at risk of surface water flooding, with low levels of mitigation required. This description better fits the Green level of sensitivity, but it is acknowledged that mitigation is required and therefore Amber/Green is perhaps the most appropriate.

Hydrology, Hydrogeology and Drainage

- 4.17 The site is currently scored as Amber. The site is not in a groundwater SP2 but is in a Drinking Water safeguarded zone. The site is mapped as being a Medium-Low level on Groundwater Vulnerability, with some elements on unproductive strata. The proximity of the site to the Burghey Brook is understood to be the main reason why the site is in the Amber category and on this basis agreed with.

SECTION 5

TRANSPORT AND ACCESS

- 5.1 The site has been scored as Red/Amber under the Transport Heading which means that **“(iii)Where access to the main road network in accordance with (i) and (ii) below is not feasible, road access via a suitable* existing road prior to gaining access onto the main road network will exceptionally be permitted, having regard to the scale of the development, the capacity and form of the road and an assessment of the impact on road safety”**.
- (*Mitigation is required to make minor road suitable for HGVs and likely to be achievable).**
- 5.2 The key findings of the assessment published by the Council in Appendix G of the SSM are as follows:-
- a) **It is unclear from the information provided as to the proposed access strategy having regard to the current road layout and future scenarios associated with the A12 DCO;**
 - b) **Access from the local highway network via Eastways Industrial estate is constrained and access to the current A12 would be contrary to Department for Transport Circular 1/2022 Strategic Road network;**
 - c) **The A12 Trunk Road forms part of the Strategic Road Network managed by National Highways. Whilst an initial conversation has taken place with National Highways to inform this RAG gradient is imperative that they are formerly consulted at the appropriate time.**
- 5.3 Under the Access criteria the site was also scored as Red/Amber meaning that **“The access is not acceptable in its current form and is likely to require high levels of mitigation to make the Site acceptable.”**
- 5.4 The key findings of the assessment published by the Council in Appendix H of the SSM are the same as outlined above.
- 5.5 An Access Appraisal has been commissioned in support of this submission is reproduced at Appendix 3 with a brief to review the highway access principles and capacity implications of the potential mineral transshipment site on land at Pond Farm.
- 5.6 Section 2 of the note provides details on baseline setting, with consideration of other sensitive receptors under Section 3 of the same. Options for site access are considered in Section 4, and Implications for Development – Traffic Impact is considered at Section 5 considering the scenario post A12 development.
- 5.7 Section 6 of the report addresses the key findings within the RAG assessment, accounting for the A12 DCO within the access options. Additionally, the existing A12 would no longer be part of the Strategic Road Network following the scheme, therefore opening the opportunity for construction of a new access on the downgraded A12 along the site frontage.
- 5.8 As the proposals follow on from a phase of development established by the A12 works, part of which a modern access would be provided to the now de-trunked A12 it is proposed that the site should be scored as ‘Green’ under the RAG methodology outlined as part of Appendices G and H of the SSM as the access would be formed from an existing junction without causing a detrimental impact upon the safety and efficiency of the network.

SECTION 6

CULTURAL HERITAGE

- 6.1 The site has been scored as Red/Amber which means that **“The impact is likely to be major, amounting to a MID level of less than substantial harm to the significance of heritage assets, and is likely to require high levels of mitigation to make the Site acceptable.”**
- 6.2 The key findings of the assessment published in Appendix D of the SSM by the Council are as follows:-
- **The allocation of the Site would likely result in ‘less than substantial’ harm at a mid-level to the significance of the Grade II listed Pond Farmhouse (List UID: I122597), and the Barn to the west of Pond Farm (List UID: I264934).**
 - **The impact on the Grade II listed Barn to the south of Pond Farmhouse at is likely to be at the lower end of ‘less than substantial.’**
 - **The undeveloped, agrarian landscape of the Site makes a positive contribution to the setting of these assets and enhances their significance. The fundamental change in land use, land character and environmental impacts would undermine the ability to understand and appreciate their significance.**
 - **A Heritage Impact Assessment would be required to understand the effect on the significance and settings of the heritage assets and could indicate potential mitigation measures.**
- 6.3 A desk based Heritage Appraisal has been commissioned in support of this submission (reproduced at Appendix 4) with a brief provide advice regarding the potential heritage constraints posed by a group of designated heritage assets adjacent to a proposed site for a railhead on land at Pond Farm.
- 6.4 The note confirms the receptors and relevant policy with Paragraphs 14-20 inclusive providing a detailed description of the assets, and Paragraphs 21-27 inclusive addressing the key findings within the RAG assessment.
- 6.5 The note acknowledges the changes in development areas and provision of landscaping areas that have been outline on the submitted plans, which have the potential to reduce the scope for impact.
- 6.6 The note reproduced at Appendix 4 concludes that with sufficient mitigation in the form of the landscape buffer and planting (in order to filter any visibility) the level of harm posed to this group of assets could potentially be reduced to a low level of less than substantial harm overall.
- 6.7 This would then equate to a “Amber” score based on the RAG methodology outlined at Appendix D of the SSM.

SECTION 8

SUMMARY AND CONCLUSIONS

- 6.1 In view of the above assessments it is considered that the scoring for the Site D7 should be amended, as summarised in Table 2 below. Rows shaded in green show areas where the scoring should be altered with the proposed level identified.

| Criteria | Scoring |
|--------------------------------------|-------------|
| Landscape and Visual Sensitivity | Amber/Green |
| Biodiversity | Green |
| Historic Buildings | Amber |
| Archaeology | Amber |
| Flooding | Green/Amber |
| Transport | Green |
| Access | Green |
| Public Rights of Way | Green |
| Geo-Environmental | Green |
| Hydrology, Hydrogeology and Drainage | Amber |
| Air Quality | Green |
| Soil Quality | Amber |
| Services & Utilities | Red/Amber |
| Health & Amenity | Amber |
| Green Belt | Green |
| Airport Safeguarding Zones | Green |

Table 2 – Proposed revised scoring for Site D7










Revised Plans

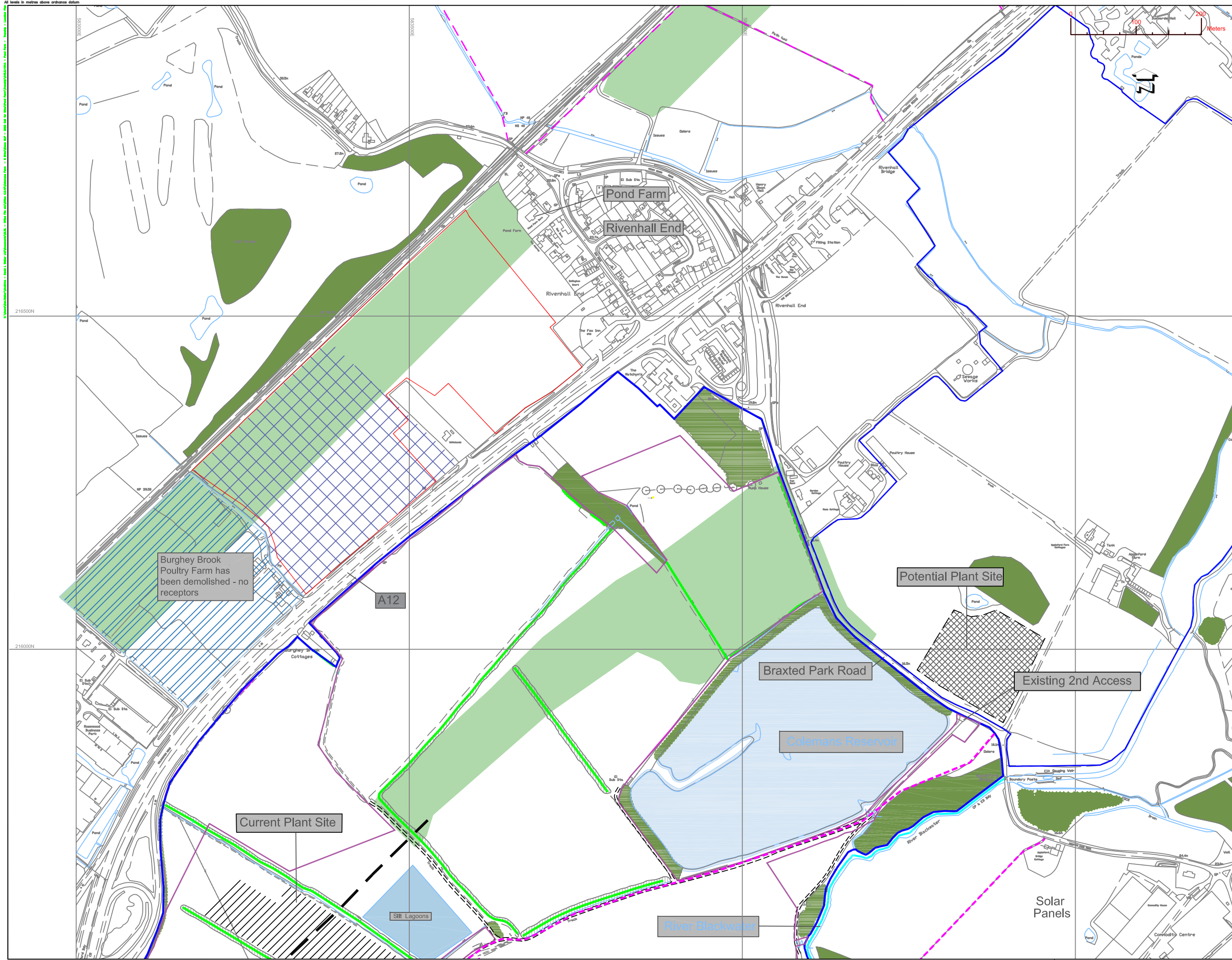
C45/8/1101A Revised Location Plan

C45/8/1102A Revised Site Plan

All levels in metres above Ordnance datum

Based upon the Ordnance Survey's digital mapping with the Permission of the Controller of Her Majesty's Stationery Office. Crown Copyright Reserved. Licence No: 100049850

- LEGEND**
-  PERMISSION AREA
 -  OTHER LAND UNDER APPLICANTS CONTROL
 -  PUBLIC RIGHT OF WAY
 -  PROPOSED ALLOCATION SITE
 -  RESOURCE BLOCK
 -  WOODLAND BLOCKS
 -  APPROXIMATE EXTENT OF A12 PREFERRED ROUTE AREA
 -  LAND ALLOCATED FOR INDUSTRIAL/COMMERCIAL DEVELOPMENT
 -  LAND SHOWN FOR USE AS A COMPOUND UNDER A12 DCO SCHEME



Burghey Brook Poultry Farm has been demolished - no receptors

Potential Plant Site

Current Plant Site

Braxted Park Road

Existing 2nd Access

Coleman's Reservoir

River Blackwater

Solar Panels

Silt Lagoons

BRICE AGGREGATES LIMITED

TRANSHPMENT SITE, WITHAM, ESSEX

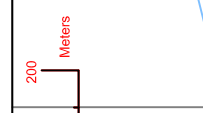
Land at Pond Farm Location Plan

| | | |
|-----------------|------------------|----------------------------|
| Scale 1:5000 | Date Mar 24 | Project No. C45/8/1101A |
| Drawn By CW | Checked By CW | |

Based upon the Ordnance Survey's digital mapping with the permission of the Ordnance Survey. All rights reserved. Ordnance Survey Licence No: 100048850



- LEGEND**
- PERMISSION AREA
 - OTHER LAND UNDER APPLICANTS CONTROL
 - PUBLIC RIGHT OF WAY
 - PROPOSED ALLOCATION SITE
 - RESOURCE BLOCK
 - WOODLAND BLOCKS
 - PROPOSED LANDSCAPING AREA
 - LAND ALLOCATED FOR INDUSTRIAL/COMMERCIAL DEVELOPMENT



Pond Farm

Rivenhall End

4m high landscaping bund formed from on site materials. Outer edge of bund to be formed at minimum 1:5 angle and planted with wildflower meadow mix.

Potential Second Site Access if required, post A12 works

HGV Parking Area

Landscaping Area

Export Stacking Area

Potential Site Access, utilising infrastructure installed as part of A12 works

Drainage Facilities

Advance Planting

Loading Area

Unloading Area

Rail Fed Stacking Area

A12

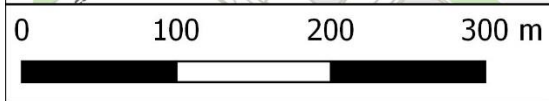
Additional potential to connect to adjoining employment area at some point in the future

Burghey Brook Poultry Farm has been demolished - no receptors

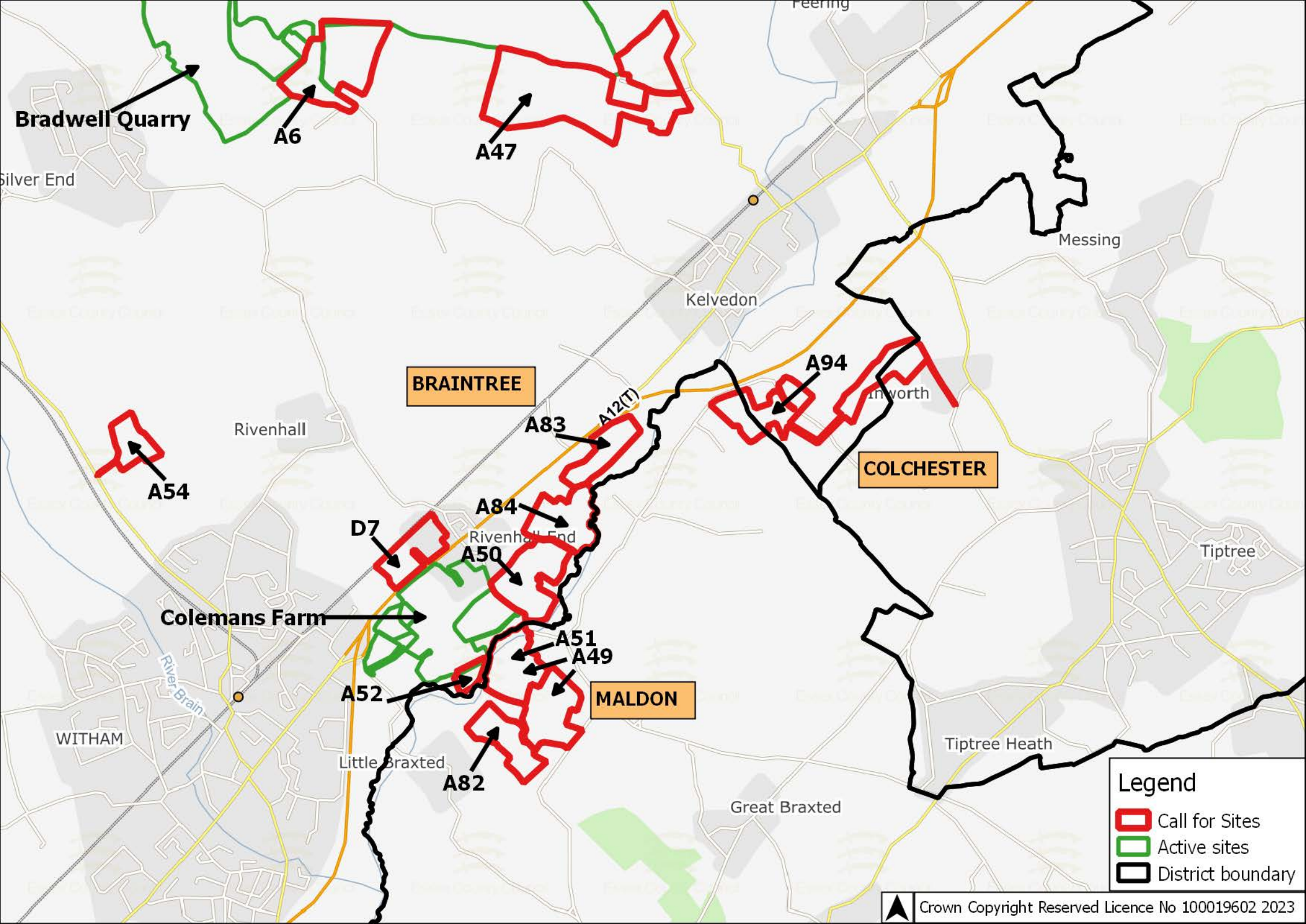
| | |
|--------------------------|----------------------------------|
| BRICE AGGREGATES LIMITED | |
| Site No | TRANSHIPMENT SITE, WITHAM, ESSEX |
| Site Name | Land at Pond Farm |
| Site Plan | |
| Scale | 1:2500 |
| Date | Apr 26 |
| Project No | C45/8/1102A |

Appendix I

Site Assessment profile as presented by Essex CC



| | |
|---------------------------------|---|
| Land at Pond Farm D7 | Legend |
| |  Site Boundary |



BRAINTREE

COLCHESTER

MALDON

Legend

-  Call for Sites
-  Active sites
-  District boundary

| <i>Candidate Site Reference</i> | <i>Candidate Site Name</i> | <i>District</i> | <i>Existing use</i> | <i>Site Area (ha)</i> | <i>Potential Yield (million tonnes)</i> |
|---------------------------------|--|------------------|---------------------|-----------------------|---|
| D7 | Land at Pond Farm (transhipment site) | Braintree | Agricultural | 15.38 | n/a |

The Site is promoted as a new Site at land to the north of London Road, Pond Farm, Witham. The Site area is approximately 15.38 ha and is promoted as a transhipment site for road and rail which would involve the import and export of hard rock within England. The estimated throughput is 0.4 million tonnes per annum. The adjoining uses include agricultural fields, woodland, a railway line, the A12, and residential and commercial buildings. The town of Witham is located to the west of the Site. The Site is potentially promoted as accessible utilising infrastructure installed as part of the A12 improvement works. See Appendix J for a detailed map of the Site.

Summary of RAG Assessment

The results of the technical and desktop RAG assessment are detailed below.

| | | | | | | | | | | | | | | | |
|----------------------------------|--------------|--------------------|-------------|----------|------------|------------|----------------------|-------------------|--------------------------------------|-------------|--------------|----------------------|------------------|------------|----------------------------|
| Landscape and Visual Sensitivity | Biodiversity | Historic Buildings | Archaeology | Flooding | Transport | Access | Public Rights of Way | Geo-Environmental | Hydrology, Hydrogeology and Drainage | Air Quality | Soil Quality | Services & Utilities | Health & Amenity | Green Belt | Airport Safeguarding Zones |
| Amber /Green | Green | Red/ Amber | Amber | Amber | Red/ Amber | Red/ Amber | Green | Green | Amber | Green | Amber | Red | Red | Green | Green |

Key findings of the assessment are as follows:

- The Site possesses few characteristics of the Brain/Blackwater/Lower Chelmer (C6) Landscape Character Area (LCA) with the exception of the arable farmland with well hedged boundaries. The limited number of characteristic features and the Site's disconnect from the wider characteristic landscape, owed to the A12 and railway separation, reduces the sensitivity of the Site.
- There are no important landscape features located within the immediate vicinity of the Site, however a number of small Priority Habitats (Deciduous Woodland) are located on the opposite side of the A12. The limited number of important designations reduces the overall sensitivity of the Site.
- The allocation of the Site would likely result in 'less than substantial' harm at a mid-level to the significance of the Grade II listed Pond Farmhouse (List UID: 1122597), and the Barn to the west of Pond Farm (List UID: 1264934).

- The impact on the Grade II listed Barn to the south of Pond Farmhouse is likely to be at the lower end of 'less than substantial.'
- The undeveloped, agrarian landscape of the Site makes a positive contribution to the setting of these assets and enhances their significance. The fundamental change in land use, land character and environmental impacts would undermine the ability to understand and appreciate their significance.
- The Site contains evidence recorded on the Essex Historic Environment record for a possible settlement enclosure. Prehistoric, Late Iron Age/Roman, and Roman settlement activity is recorded in the surrounding area. The Site also lies along a Roman road.
- The Site has potential to contain Palaeolithic archaeological remains and Pleistocene faunal and palaeoenvironmental remains.
- The Site has been partially evaluated and archaeological mitigation has been agreed in the western section as part of the A12-A120 widening scheme.
- The Site is assessed as having a 'medium' potential for surface water flood risk as identified within the SFRA.
- The Site has been identified as having a 'low' groundwater flood risk.
- The Site is entirely within Flood Risk Zone 1 and therefore is not at risk from fluvial flooding.
- It is unclear from the information provided as to the proposed access strategy having regard to the current road layout and future scenarios associated with the A12 DCO.
- Access from the local highway network via Eastways Industrial estate is constrained and access to the current A12 would be contrary to Department for Transport Circular 1/2022 Strategic Road network.
- The A12 Trunk Road forms part of the Strategic Road Network managed by National Highways. Whilst an initial conversation has taken place with National Highways to inform this RAG grade it is imperative that they are formally consulted at the appropriate time.
- It is unclear from the information provided as to the proposed access strategy having regard to the current road layout and future scenarios associated with the A12 DCO.
- Access from the local highway network via Eastways Industrial estate is constrained and access to the current A12 would be contrary to Department for Transport Circular 1/2022 Strategic Road network.

- The A12 Trunk Road forms part of the Strategic Road Network managed by National Highways. Whilst an initial conversation has taken place with National Highways to inform this RAG grade it is imperative that they are formerly consulted at the appropriate time.
- The Site has unproductive/medium to low groundwater vulnerability. The Site is within a Drinking Water Safeguard Zone (Surface Water) and is within Drinking Water Protection Areas (Surface Water). A water course is 90m north of the Site. Appropriate consideration would be required to mitigate potential impacts on hydrology, hydrogeology, and drainage.
- The Site contains Grade 2 quality soil (very good quality agricultural land) which is BMV land. Appropriate consideration would be required to mitigate the impacts on soil quality and agricultural land – this is likely to include removal of soils for stockpiling prior to reuse, potentially in site restoration.
- The Site contains 11kV overhead electricity lines within the Site boundary. Overhead Openreach BT power lines are within the Site boundary. The Site contains high pressure gas mains (Cadent Gas) within the Site boundary. Further investigation and consultation would be needed to determine appropriate mitigation measures to make the Site acceptable which would likely include diversion and/or protection. Diversion/protection may not be possible and/or may be cost prohibitive.
- Nine residential buildings are adjacent to the boundary of the Site (0m). Ten residential buildings, one commercial building, and one building of unknown use are outside the Site boundary less than or equal to 20m from the Site. Twelve residential buildings and one sports facility (golf course) are more than 20m but less than or equal to 50m from the Site. Seventy seven residential buildings, four commercial buildings and commercial activity (business park) are more than 50m but less than or equal to 250m from the Site, Given the proximity of sensitive receptors, mitigation would be required, however, the levels of mitigation required to ensure that there are no serious impacts on health and amenity would likely be difficult to achieve.

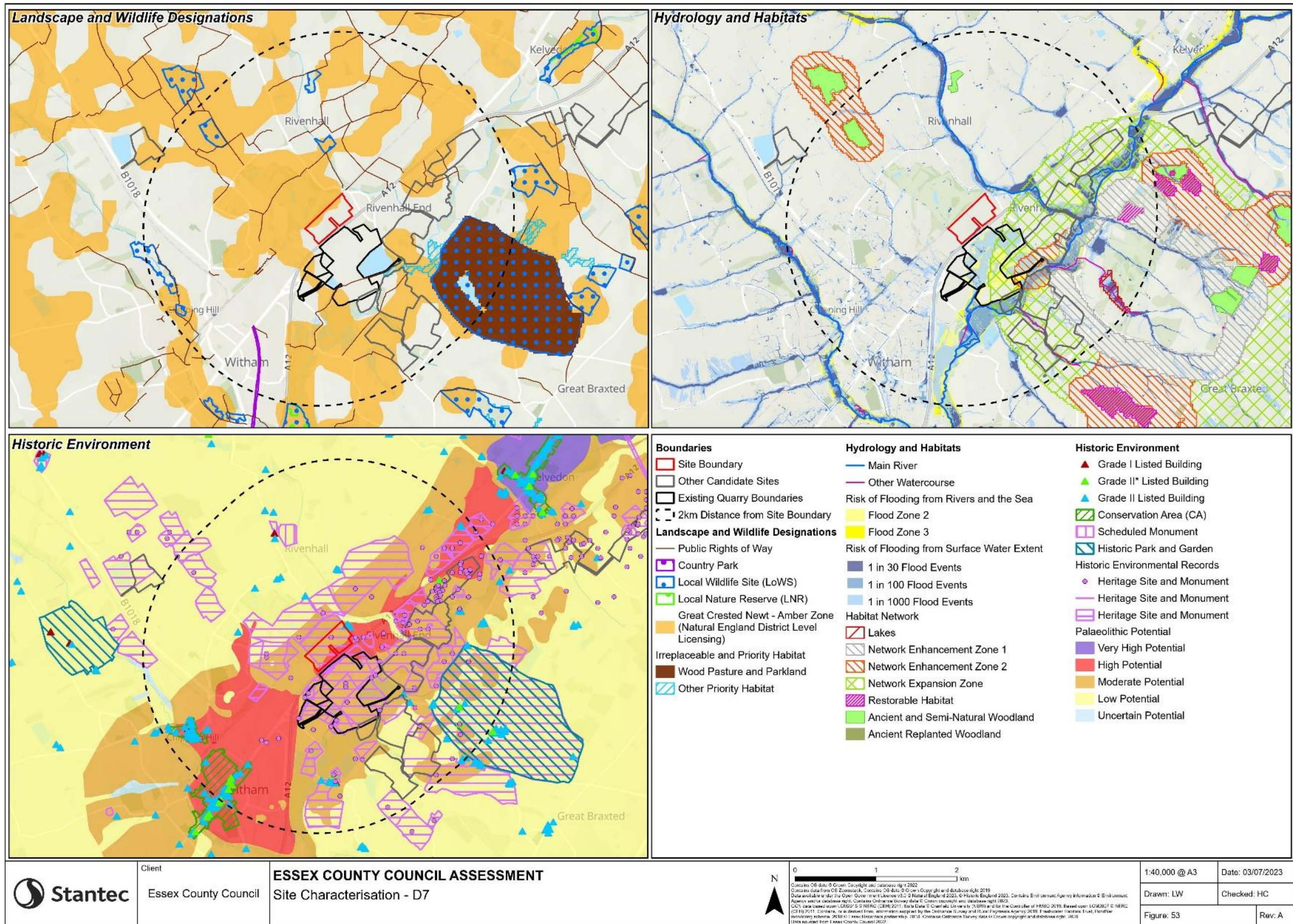


Figure 3.52: D7 - Land at Pond Farm (transshipment site)

The information and maps above represent a summary of the site assessment. You are encouraged to view the methodology and more detailed assessment for each site within appendices B-I. These can be found on the Candidate Sites Assessment webpage on our consultation pages:

www.essex.gov.uk/minerals-review

Appendix B - Landscape and Visual Sensitivity

Appendix C - Biodiversity

Appendix D - Historic Buildings

Appendix E - Archaeology

Appendix F - Flooding

Appendix G - Transport

Appendix H – Access

Appendix I - Public Rights of Way, Geo-Environmental, Hydrology, Hydrogeology & Drainage, Air Quality, Soil Quality, Services & Utilities, Health & Amenity, Green Belt, and Airport Safeguarding Zones

Appendix 2

Updated ProForma

ESSEX MINERALS LOCAL PLAN (2014) REVIEW 2040

Call for Sites Pro-forma – Potential Site for Mineral Transshipment **updates as at April 2024 shown in Red**

About You

Please indicate whether you are acting as the:

Agent.....Mr D Walker, DLWL.....

Landowner..... RA Brice & Partners.....

Operator/ Developer..... Brice Aggregates Limited.....

Other (Please specify)

Agent Details:

If you are an agent, please provide the following details of the person or organisation you are representing. If not, leave this blank.

Who are you representing?

Landowner.....

Operator/ Developer.....

Other (Please specify)

| | |
|---------------------|--|
| Name | Mr Daniel Walker |
| Job Title | Agent for Operator |
| Organisation | David L Walker Limited |
| Address | 89 Station Road, Eckington, Sheffield, |
| Postcode | S21 4FW |
| Telephone | 01246 431 749 |
| Email | dan.walker@dlwalker.net |

Landowner Details (to be completed by landowner or someone acting on their behalf:

| Landowner 1 Details | | Landowner 2 Details (Enter n/a if not appropriate) | |
|---|--|---|--|
| Name | Brice Aggregates Limited | Name | RA Brice & Partners |
| Address | Colemans Farm Little Braxted Lane Witham Essex | Address | Colemans Farm Little Braxted Lane Witham Essex |
| Postcode | CM8 3EX | Postcode | CM8 3EX |
| Contact Name | Oliver Brice | Contact Name | Oliver Brice |
| Telephone | 01376 511619 | Telephone | 01376 511619 |
| Email | oliver@briceaggregates.co.uk | Email | oliver@briceaggregates.co.uk |
| If the site is under additional multiple ownership please submit the name, address and contact details of all other landowners. Please see end of form. | | | |
| Please provide evidence that the landowner is aware of, and supports, this submission in response to the 'Call for Sites' for the Essex Minerals Local Plan Review. | | | |

Operator/ Developer Details (if different to the above):

| | |
|---------------------|--|
| Name | Oliver Brice |
| Job Title | Managing Director |
| Organisation | Brice Aggregates Limited |
| Address | Colemans Farm Quarry Little Braxted Lane Witham Essex |
| Postcode | CM8 3EX |
| Telephone | 01376 511619 |
| Email | oliver@briceaggregates.co.uk |

Site Plan:

Please provide, by way of an Appendix to this pro-forma, an OS based Site Plan, at a minimum scale of 1:5,000, identifying the:

- Extent of land under landowner/ operator control (blue line boundary);
- Site boundary including vehicular access, connection to highway network (red line boundary) and envisaged route to Main Road Network;

- Access point and envisaged route to Main Road Network
- Location of proposed/ existing processing plant (as applicable);
- Location of any proposed/ existing ancillary development;
- Indicative phasing of works, with timescale in years;
- Restoration proposal, including final contours and their deviation from the existing (if applicable)

Site Details:

| | |
|---|--|
| Site Reference: (ECC to provide on receipt of submission) | |
| Site Name: | Land at Pond Farm, Witham |
| Site Address | Land to the north of London Road Pond Farm Witham Essex |
| Postcode | CM8 3HA |
| District and Parish(s) | Braintree, Rivenhall |
| OS Map Reference (6 figures) | TL 834 164 |
| Total Site Area (hectares) | 13.25 ha (of which circa 11.22 hectares may be subject to operational use). |
| Current Land-use | Agricultural Land, but part of the promoted site may be subject to a temporary use as part of the A12 DCO. |
| Would this be a new site or extension/ part of an existing site | <input checked="" type="checkbox"/> New Site <input type="checkbox"/> Existing (Please set out below) |
| Is there confirmed mineral operator interest in operating the site? Please evidence. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Is the site currently vacant? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Agricultural Use <input type="checkbox"/> Other (please describe) |
| Are there permits or licences that apply to the use of this land and may impact on the deliverability of the site? (Please include reference numbers). | <input type="checkbox"/> Yes, please describe <input checked="" type="checkbox"/> No |

| | |
|---|--|
| <p>If the land is currently agricultural land, is it in an environmental stewardship scheme such as Higher Level Stewardship? (Please provide details of any agreements).</p> | <p><input type="checkbox"/> Yes, please describe</p> <p><input checked="" type="checkbox"/> No</p> |
| <p>Any other known commercial or deliverability issues, such as planning permissions, known ownership, legal or time related constraints that might prohibit or delay development? (Please provide details, if applicable)</p> | <p><input type="checkbox"/> Yes, please describe</p> <p><input checked="" type="checkbox"/> No</p> <p>Part of the promoted site is within the A12 widening DCO boundary and has earmarked by National Highways as a potential compound area to support the road construction project. The indicative extent of the compound area is shown cross hatched on Plan C45/8/1101A attached.</p> <p>The compound would include office and welfare space, car parking, material storage, a concrete batching plant, CCTV room and material testing lab.</p> <p>This land will be occupied by NH for the duration of the road works (possibly until Q4 2027) and thereafter will revert to the landowner and be available to be incorporated within this proposal.</p> <p>To aid the council in their understanding on the potential scope of the operations an indicative layout plan is shown on Plan C45/8/1102A. BAL would stress this is indicative and will in time be refined by further design work that may reduce the area required for such a use.</p> <p>It should be noted that the Burghey Brook Poultry Farm and adjoining Cottages have been demolished in advance of industrial and commercial development under the provisions of planning consent ref 22/02283/FUL as granted by Braintree Council on 27 April 2023.</p> |

| | |
|--|--|
| <p>Confirmation that the land subject to the red line boundary is not allocated or proposed to be allocated for any other form of development in existing and/ or emerging Local Plans.</p> | <p><input checked="" type="checkbox"/> Yes, please describe</p> <p><input type="checkbox"/> No</p> |
|--|--|

Nature of Operation:

| | |
|---|---|
| <p>Would the site import or export materials, or both?</p> | <p><input type="checkbox"/> Import</p> <p><input type="checkbox"/> Export</p> <p><input checked="" type="checkbox"/> Both</p> |
| <p>If exportation, means of transshipment (tick all that apply)</p> | <p><input checked="" type="checkbox"/> Road</p> <p><input checked="" type="checkbox"/> Rail</p> <p><input type="checkbox"/> Water</p> |
| <p>If importation, means of onward transshipment (tick all that apply)</p> | <p><input checked="" type="checkbox"/> Road</p> <p><input checked="" type="checkbox"/> Rail</p> <p><input type="checkbox"/> Water</p> |
| <p>If importation, sources of material, if known (tick all that apply)</p> | <p><input type="checkbox"/> Within Essex</p> <p><input type="checkbox"/> Within East of England</p> <p><input checked="" type="checkbox"/> Within England</p> <p><input type="checkbox"/> Outside England</p> <p><input type="checkbox"/> Outside UK</p> |
| <p>If importation, type of material, if known (e.g. sand and gravel (quarried or marine dredged), hard rock, other minerals, recycled aggregate)</p> | <p><input type="checkbox"/> Land-won Sand and Gravel</p> <p><input checked="" type="checkbox"/> Hard rock</p> <p><input type="checkbox"/> Marine Dredged Sand and Gravel</p> <p><input type="checkbox"/> Recycled Aggregate</p> <p><input type="checkbox"/> Other, please describe</p> <p>Hard Rock Imports of Type 1 MOT, General Fill Products and Graded Drystone materials.</p> |
| <p>Throughput (tonnes per annum) if known (import/ export)</p> | <p>Estimated 300,000 tonnes of drystone aggregates to be imported by rail for export off site via road going HGV's.</p> <p>Potential import by road of an estimated 100,000 tonnes of sand per annum from other operations under BAL control for export by Rail.</p> |

| | |
|--|---|
| Estimated hours of operation | <p>Arrival and departure of trains may need to be in nighttime hours, dependent on freight path availability.</p> <p>Loading and unloading of trains may also need to be in nighttime hours, dependant on freight path and rolling stock availability.</p> <p>HGV and other operational activity including any added value activities on site (except from emergencies) to and from the site will be restricted to between 0700 and 1800 Mon-Fri, and 0800-1300 on Saturdays.</p> |
| Estimated life of site (years) if not permanent | Permanent |
| When would the site be anticipated to come forward as a planning application following adoption of the MLP Review | During the first 5 years of the plan period or following completion of the A12 widening scheme (whichever sooner). |

Access and Transportation:

| | |
|---|---|
| Proximity and route to main route network | 0.00 kilometres |
| Any envisaged improvements required to access and/ or egress arrangements. | <p><input checked="" type="checkbox"/> Yes, please describe</p> <p>The A12 widening works currently being promoted by National Highways interact with both the permitted Colemans quarry site, and the promotion site under this submission.</p> <p>Under the DCO, some of the land at Pond Farm will be used as a compound to support the construction of the highways works. The indicative extent of the compound area is shown cross hatched on Plan C45/8/1101A attached.</p> <p>This will provide for a new access onto the current A12 (the approximate location of which is shown on Plan C45/8/1102 A attached), which should it be built in full, would no longer be the primary highway and would de-trunked</p> |

| | |
|---|---|
| | <p>to become a supporter/feeder road for the realigned A12.</p> <p>In the event that the A12 isn't progressed, then BAL have the ability to access any highways infrastructure installed as part of the development of the Eastways Industrial Estate to the west of the site (refer to Plan C45/8/1102A).</p> <p>Notwithstanding, the site will be in very close proximity to the new Junction 22, and therefore the site in the future will be well located relative to the primary road network.</p> <p>The temporary works access for the A12 scheme may need to be upgraded to facilitate the levels of HGV activity associated with minerals transshipment, but no design details are available at this time.</p> <p>An extract of the National Highways General Arrangement maps is appended to illustrate the interaction between the BAL site and the emerging A12 scheme.</p> <p>Refer to Appendix 3 of Supporting Statement dated April 2024 for further details.</p> <p><input type="checkbox"/> No</p> |
| <p>Number of daily vehicle movements, including staff, under standard operational hours, assuming no other restrictions (HGV and other vehicle movements to be specified separately)</p> | <p>Up to 30 general movements for staff and light vehicles.</p> <p>Typical HGV activity of the order of 82 HGV's in and 82 out per day.</p> <p>Maximum activity estimated to be up to 220 HGV movements (110 in and 110 out).</p> |
| <p>Likely market area for mineral</p> | <p>County wide to meet need for hard rock aggregates, though in particular the Central, Western and Southern Essex</p> |

| | |
|--|---|
| | markets along the A12, A130, A414 & A120 corridors. |
|--|---|

After-use (where facility not permanent) and Compliance with Mandatory Biodiversity Net-gain:

| | |
|---|--|
| Proposed method and form of restoration (if applicable) | N/A <input type="checkbox"/> Not Applicable |
| Proposed after-use(s) | N/A |
| Where infilling is proposed, is it necessary to achieve beneficial restoration, and why? | <input type="checkbox"/> Yes (please explain) N/A <input type="checkbox"/> No <input type="checkbox"/> N/A |
| Where the site will require importation of waste for restoration: please approximately quantify the tonnage (Mt) and type of waste envisaged (as applicable). | _____ Mt – Inert waste _____ Mt – Residual Non-Hazardous waste _____ Mt – Other waste please specify _____ <input type="checkbox"/> Not Applicable |
| Would development contribute to the creation of any of the following Priority Habitats? * Please approximately quantify hectares (ha) for each (as applicable). | _____ ha – Coastal and Floodplain Grazing Marsh _____ ha – Lowland Heathland & Lowland Dry Acid Grassland _____ ha – Lowland Meadows _____ ha – Open Mosaic Habitats on Previously Developed Land _____ ha – Reedbeds <input type="checkbox"/> Not Applicable Any further information: |
| How will it otherwise be ensured that the development would comply with mandatory biodiversity net-gain requirements? | _____ |
| The emerging MLP Review requires that mineral restoration schemes shall reflect strategies across Essex, including Local Plan objectives for growing natural capital and green and blue infrastructure Strategies where relevant. How will this proposal | _____ |

| | |
|---|--|
| <p>contribute to such strategies? In the absence of local standards, please refer to the Building with Nature Standards Framework 2.0 (here)</p> | |
|---|--|

* As specified in Essex County Council's [The Supplementary Planning Guidance: Mineral Site Restoration for Biodiversity \(June 2016, page 20\)](#).

Mitigating Potential Impact and Securing Enhancements as part of the Proposed Development:

Please identify what you consider to be the potential social, environmental and economic impacts of working the proposed site allocation, and any mitigation measures that you have considered to mitigate these potential impacts.

| Impact | Proposed Mitigation |
|---|---|
| <p>Soils and Agricultural Land Value</p> | <p>In respect of Soils and Agricultural Land Value, although site specific soils surveys are yet to have taken place, the experience of landowner would suggest that the soils resource within the proposed allocation could be of high quality best and most versatile value.</p> <p>Notwithstanding the above, the scheme has the potential to take up to 15 hectares of arable land out of cultivation, some of which (circa 7.5 hectares) will have already been impacted by the A12 DCO Temporary Works Comound.</p> <p>This will have no bearing on the function of the farm, as the viability of the farm will have already become at least in part compromised by the use of parts of the site during the A12 works.</p> <p>The loss of any BMV soils would need to be weighed against the very limited number of alternative locations which could host such a facility with appropriate connectivity to the road and rail network.</p> |
| <p>Ecology</p> | <p>With regard to Ecology, although field surveys have yet to have taken place the majority of the proposed allocation is in agricultural use, and therefore of limited ecological value. Appropriate measures can be put in place to safeguard sensitive habitats around the site perimeter, with schemes (such as a CEMP) to safeguard and manage existing and retained habitats provided through appropriately worded conditions.</p> <p>There are no designated areas of international or national significance on or in proximity to the proposed allocation.</p> |

| | |
|--|--|
| | <p>There are no designated areas of local significance within or in close proximity to the proposed allocation.</p> <p>It is recognised that there may need to be a suite of protected species surveys to inform understanding of the baseline setting of the proposed allocation, and such information would also be used to refine the proposed indicative layout presented on Plan C45/8/1102.</p> |
| <p style="text-align: center;">Landscape and Visual Amenity</p> | <p>In respect of Landscape and Visual Amenity, in common with the existing site it is anticipated that whilst there will be varying degrees of impact, none are of such magnitude to warrant refusal.</p> <p>It is noted that the site is located in a Green Buffer as defined in Local Planning Policy, and the policy content in this regard notes that <i>“Proposals for strategic infrastructure within green buffers would be supported provided suitable consideration is given to their impact on the surrounding area”</i>.</p> <p>It is considered that both the A12 DCO works, and the proposed establishment and operation of an aggregates railhead/transshipment site, would be viewed as strategic Infrastructure.</p> <p>It is recognised that in general terms the landscape around the site is of medium value, but it is located that site is located in close proximity of the A12, the mainline railway, and nearby industrial/commercial premises all of which can be viewed as significant landscape detractors. The erosion of landscape value will continue with the expansion of industrial/commercial land uses into land to the west of the proposed allocation.</p> <p>Given the existing and likely future context, it is considered that there is a lack of tranquilly in and around the promotion site.</p> <p>With reference to plan C45/8/1101 it is notable that the proposed allocation is framed in all directions by established lengths of hedgerow and shelter belt planting, including around the Whitelands residence. Such features serve to break up and filter views into the proposed allocation site when considering views from surrounding residential premises.</p> <p>Notwithstanding, in the event that the council were minded to favourably consider this proposal, it will be necessary for BAL to consider areas of advanced planting to strengthen the perimeter around the site</p> |

| | |
|---------------------------------|---|
| | <p>relative the users of the A12 situated to the northwest of the proposed allocation site.</p> |
| <p>Archaeology</p> | <p>With regard to Archaeology, it is recognised that the site is located within an area of archaeological sensitivity. There are no designated heritage assets within the boundary of the proposed allocation, nor are there any specific HER entries, although it is noted that the area does have potential value as an historic field enclosure.</p> <p>Any development of the proposed transshipment site would need to be supported by comprehensive phases of evaluation and reporting including for and not limited to a desk-based assessment, geophysical survey, trial trenching and suitable investigations in relation to potential palaeolithic archaeology that may be present on site.</p> <p>Again it should be noted that around 50% of the site may have already been disturbed should the A12 DC) plans come to fruition, and thus elements of such investigations may have already taken place and been reported.</p> <p>In the event that such work is completed, and the evaluation work proves acceptable levels of impact, it is proposed to continue to implement a mitigation strategy in order that any archaeological deposits that could possibly be affected by the proposed development are preserved by record in accordance with local and central government guidance.</p> |
| <p>Cultural Heritage</p> | <p>In respect of Cultural Heritage there are Listed Buildings (including a number of assets at Pond Farm itself), and other designated heritage assets in the wider locality including the Registered Parks and Garden at Braxted Park.</p> <p>The A12 works have the potential to adversely affect the setting of these assets, but as the setting is already affected by the rail line and the A12, a land use that seeks to optimise the use of such assets for freight movement is unlikely to generate any impact above “less than substantial harm”.</p> <p>It is recognised that any application will need to be supported by a comprehensive assessment examining the potential scope for impact on all the heritage assets (designated or not) within the zone of theoretical visibility relative to the proposed scheme. It is likely that there will be an interaction with the Landscape and Visual Impact Assessments and the schemes of mitigation promoted through such a document.</p> |

| | |
|--|---|
| <p>Hydrology and Flood Risk</p> | <p>In respect of Hydrology and Flood Risk, independent assessments undertaken by specialists for the current site confirm that with appropriate mitigation there will be no significant negative impacts in respect of surface or groundwater resources within or adjacent to the proposed allocation.</p> <p>All surface run-off will be properly managed to ensure that there are no uncontrolled discharges from the site, both during the extraction operations and in the long term.</p> <p>The entirety of the proposed site is situated in Flood Zone 1.</p> <p>In relation to other forms of flooding, it is noted that there is limited risk from pluvial events and no risk from flooding from reservoir sources. The potential for groundwater flooding is considered to be low consistent with the context on the current site.</p> <p>Notwithstanding this context, it is recognised that any application would need to be supported by a comprehensive Flood Risk Assessment to consider the scope for impact relative to each of these potential sources.</p> |
| <p>Transport</p> | <p>The A12 widening works currently being promoted by National Highways interact with both the permitted Colemans quarry site, and the promotion site under this submission.</p> <p>Under the DCO, some of the land at Pond Farm will be used as a compound to support the construction of the highways works.</p> <p>This will provide for a new access onto the current A12, which should it be build out in full would no longer be the primary highway and would be de-trunked to become a supporter/feeder road for the realigned A12.</p> <p>Notwithstanding the site will be in very close proximity to the new Junction 22, and therefore the site in the future will be well located relative to the primary road network.</p> <p>The temporary works access for the A12 scheme may need to be upgraded to facilitate the levels of HGV activity associated with minerals transshipment, but no design details are available at this time.</p> <p>In the event that an allocation is secured, and BAL secure a satisfactory planning consent it is recognised such access will need to be operated with strict</p> |

| | |
|--------------|--|
| | <p>controls on HGV routing to ensure that activity on smaller highways assets in proximity to the site are avoided.</p> <p>Whilst the proposed A12 improvements would provide for a suitable route onto the newly constructed Junction 22 (via the de-trunked existing A12 carriageway), in the event that the A12 improvements are not forthcoming, other opportunities for HGV access are available.</p> <p>These include through the road network of the Eastways Industrial Estate to the south west of the promoted site (and its under development extension onto Burghey Brook poultry farm) enabling access onto the A12 eastbound and west bound via the current Junction 22, or by forming a new access onto the eastbound carriageway of the existing A12.</p> <p>It is recognised that a planning application would need to benefit from a Transport Assessment that would provide further evidence into highways capacity and safety to consider the suitability of this proposal. Such an assessment would also include an Access Appraisal consistent with the commentary provided above which in itself would be supported by Road Safety Audits undertaken by non-associated third parties.</p> |
| Noise | <p>In respect of Noise, comprehensive assessments undertaken in support of the existing operations indicate that the likely site noise levels for routine, and temporary operations at the proposed allocation would comply with the existing site noise limits at all the assessment locations.</p> <p>The proposed allocation is situated in the same context in so much that traffic activity on the A12 is the dominant noise source. Given the existing and likely future context, it is considered that there is a lack of tranquilly in and around the promotion site.</p> <p>Although there are residential receptors to the and east of the proposed allocation, the proposed development area set out as part of this promotion, is generally situated over 100 metres from nearby residential receptors, and as such the scope for adverse noise impact is considered to be limited. There is a residence in the centre of the wider site area, that may need a careful scheme of mitigation and monitoring, to be informed by appropriate supervision.</p> <p>It should be noted that the Burghey Brook Poultry Farm and adjoining Cottages have been demolished in advance of industrial and commercial development</p> |

| | |
|---------------------------|--|
| | <p>under the provisions of planning consent ref 22/02283/FUL as granted by Braintree Council on 27 April 2023.</p> <p>Notwithstanding, it is recognised and understood that any scheme may need to benefit from a comprehensive mitigation package including the establishment and maintenance of perimeter soil bunds to safeguard the amenity of nearby sensitive receptors.</p> <p>Since the proposed operations are likely to conform to the advice set out in the Noise Planning Practice Guidance when considering both routine and temporary operations, it is concluded that the proposed allocation could be worked to limits within the existing planning conditions while keeping noise emissions to within environmentally acceptable limits. Similar to the current BAL site at Colemans Farm Quarry, a noise monitoring scheme would be provided and can be implemented through suitably worded planning conditions as required.</p> |
| <p>Air Quality</p> | <p>With regard to Air Quality, good practice guidance, and additional mitigation measures which are generally accepted by the DCLG and Mineral Planning Authorities as providing effective protection against airborne dust in the planning context can be secured through appropriately worded planning conditions. The continued adoption of such good practice will ensure that operations will not cause unacceptable impacts due to airborne dust emissions at any property in the vicinity of the site. Daily observations and inspections by site management will continue to be undertaken in order to manage and minimise these risks.</p> <p>It should be noted that the Burghey Brook Poultry Farm and adjoining Cottages have been demolished in advance of industrial and commercial development under the provisions of planning consent ref 22/02283/FUL as granted by Braintree Council on 27 April 2023.</p> |

Please detail any enhancement opportunities that the proposal will afford to the local area:

The provision of a landscaped area in the east of the site could result in the provision of some amenity assets for the community e.g. open space for amenity uses on the area abutting Rivenhall End. There is the potential to supplement the ROW network already in place in the vicinity of the site.

The same area would incorporate some nature conservation habitats.

Other information

Please set out any other further information you wish to include to support your submission

- Location Plan Ref C45/8/1101A
- Site Plan Ref C45/8/1102A
- Letter of support from the landowner.
- Extract of National highways maps for the A12 works, illustrating proposed works around the existing workings around the promotion site.

Brice Aggregates Limited are the owner and operator of Colemans Farm Quarry which, since its opening in 2017 has become an established and respected supplier of aggregates and concrete to the construction industry. The location of Colemans Farm Quarry with near direct access onto the A12 allows the business to serve customers in predominately the South, West and Central geographies of Essex.

The establishment and use of a railhead at this location would be complementary to the existing site, and would support drystone distribution in the centre of the county. The covering email includes further information in this regard.

For more information or assistance, please email: mandwpolicy@essex.gov.uk

Or telephone the team on 03330 136 822

Declaration

Independent consultants will be carrying out the site assessments on our behalf and may request additional information to support any future site assessment process, if this is required. Please note therefore that for your site to be considered as part of this process, information sent to us as part of the Call for Sites will be required to be passed to independent consultants. Please ensure that you have ticked this box to indicate your consent.

Further, information may be published in accordance with:

- [Freedom of Information Act](#)
- [The General Data Protection Regulation \(GDPR\)](#)
- [Essex County Council Privacy Notice](#)

I further understand that this 'Call for Sites' is entirely without prejudice to the Council's decision to allocate additional sites, including the site subject to this pro-forma. The requirement to allocate one or more sites is contingent on the outcome of additional work leading to the outcome of the MLP Review.

Signed.....D Walker.....Date: 09/11/2022 **and updated 08 April 2024**

On behalf of (if applicable).....Brice Aggregates Limited

Please return completed forms to mandwpolicy@essex.gov.uk

Or post to:

Freepost RTKH-XUBZ-CJZS
Essex County Council
Minerals Planning - Call for Sites
County Hall
Chelmsford, Essex, CM1 1QH

| Additional Landowner Details (leave blank if not required) | | | |
|---|--|---------------------|--|
| Name | | Name | |
| Address | | Address | |
| Postcode | | Postcode | |
| Contact Name | | Contact Name | |
| Telephone | | Telephone | |
| Email | | Email | |

| Additional Landowner Details (leave blank if not required) | | | |
|---|--|---------------------|--|
| Name | | Name | |
| Address | | Address | |
| Postcode | | Postcode | |
| Contact Name | | Contact Name | |
| Telephone | | Telephone | |
| Email | | Email | |

Appendix 3

Access Appraisal prepared by DTA dated March 2024

Land at Pond Farm, Witham

Access Appraisal



1.0 Introduction and Context

- 1.1 This report has been prepared by DTA on behalf of Brice Aggregates Ltd, to review the highway access principles and capacity implications of the potential mineral transshipment site on Land at Pond farm, Witham, Essex, CM8 3HA. The site location is shown at **Appendix A**.
- 1.2 At present this review is private and confidential. No discussions have therefore taken place with the Local Highway Authority. In due course as part of any planning application a full Transport Assessment with supporting data will be required.
- 1.3 The site lies within Essex County Council within Braintree District Council with Essex Highways as the Highway and Mineral Planning Authority. The site is being considered as part of the review of the emerging Essex Mineral Plan Candidate Sites Assessment (Site D7), it has been assigned Red/Amber in terms of transport. This report has responded to the key findings within the transport RAG assessment.
- 1.4 National Highways are in process of securing all necessary approvals for the A12 Chelmsford to A120 Widening Scheme. This involves the realignment of the A12 south of the site incorporating Junction 22 to the west of the site and Rivenhall End to the east of the site. The Development Consent Order was granted on 12th January 2024 where part of the promoted site may be subject to temporary use as part of the A12 DCO. The proposed site access options would be subject to the National Highways A12 to A120 Widening Scheme. It is understood that the DCO is now subject to Judicial Review but the scope and effect of the review is as yet unknown.
- 1.5 For contextual purposes, an estimated 300,000 tonnes per year of drystone aggregates is to be imported by rail for export off site via road going HGV's. Additional potential import by road of an estimated 100,000 tonnes of sand per annum from other operations under BAL control for export by Rail.
- 1.6 Based on typical capacities of 20 tonnes per load and a 260 working day year, this equates to around 80 loads per day and therefore 160 movements per day. From a headline perspective around 200 – 250 movements per day have been considered. This would equate to around say 10 in and 10 out HGV movements per hour.



-
- 1.7 General Movements for Staff and light vehicles is estimated at up to 30 daily movements (15 in and 15 out), this equates to around 3 movements per hour.



2.0 Existing Conditions – Highway

- 2.1 The site is located north of A12 to the northeast of Witham. The A12 runs east to west linking Colchester to the east and Chelmsford to the west. The site consists of 15.38ha of agricultural land bordered by the A12 to the southeast, residential dwellings on Oak Road to the northeast, the railway line to the northwest and Burghey Brook Poultry Farm to the southwest.
- 2.2 The A12 is subject to the national speed limit adjacent to the site and runs in a northeast / southwest direction connecting Chelmsford to the west and Colchester to the east. The existing filed access is located off Oak Road. The road is around 5m wide and is subject to a 30mph speed limit within Rivenhall End.
- 2.3 In order to establish existing levels of traffic movements on the local highway network, the DFT's Road traffic Statistics has been extracted for the A12 adjacent to the site at Rivenhall End (Site number: 26209). This data recorded all movements past the site with July 2022 being the latest available data. The movements are summarised in

Table 1

Table 1 – A12 Existing Traffic Flows – Total (HGV)

| Windmill Hill | Northeast bound | Southwest bound |
|---------------------|-----------------|-----------------|
| AM Peak (0800-0900) | 1,988 (223) | 2,399 (242) |
| PM Peak (1700-1800) | 2,468 (106) | 2,093 (70) |
| 12 Hour (0700-1900) | 27,701 (2,754) | 26,869 (2,237) |

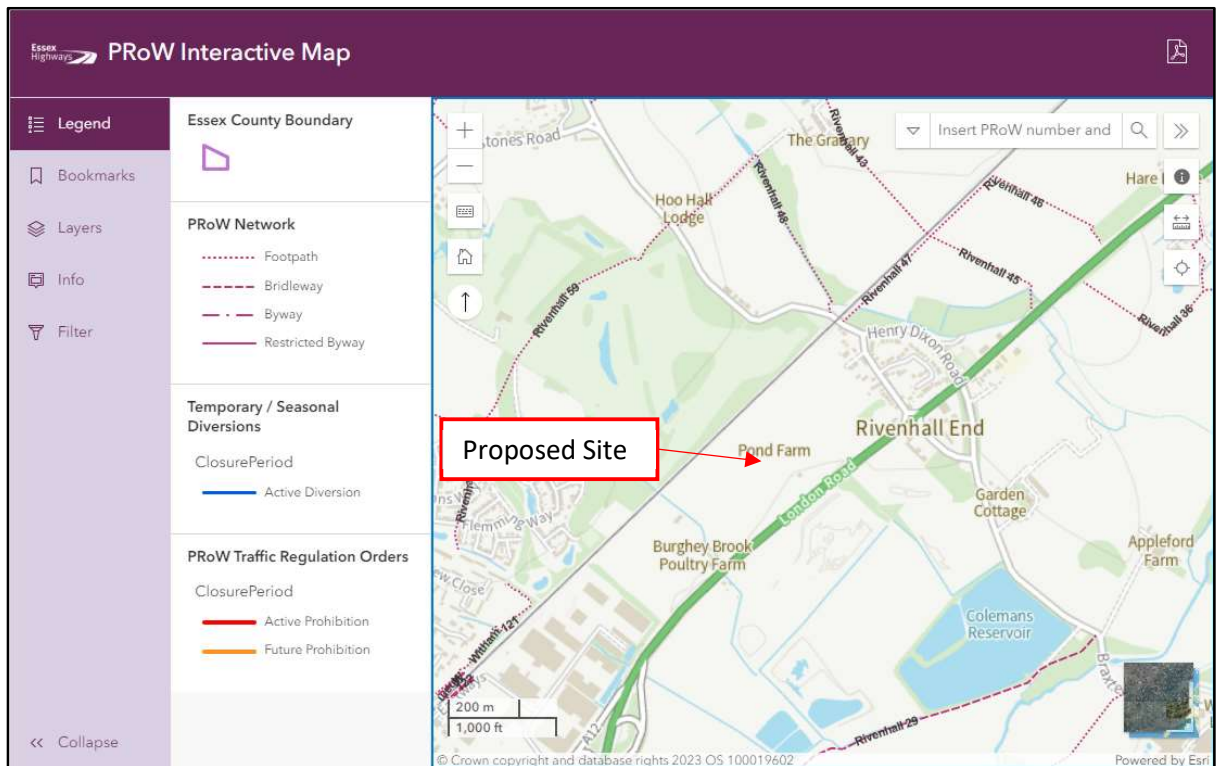
- 2.4 The above **Table 1** shows that the A12 experiences moderate traffic flows, in both highway peak periods and throughout the day. Approximately 10% of eastbound 12 hour flows are HGV movements and 8% of westbound 12 hour flows are HGV movements.



3.0 Existing Sensitive Receptors

3.1 The main site has a no Public Rights of Way (PROW) running through the site boundary. There are PROW routes in the surrounding area connecting to Witham to the south and Rivenhall End to the north, these are shown in **Figure 1** below.

Figure 1 – PROW Surrounding the site





4.0 Implications for Site – Access

- 4.1 At present access to the site from the existing A12 arrangements would not be acceptable in terms of junction spacing due to the existing design speed of the road. However, National Highways are in process of securing all necessary approvals for the A12 Chelmsford to A120 Widening Scheme. This involves the realignment of the A12 south of the site incorporating Junction 22 to the west of the site and Rivenhall End to the east of the site.
- 4.2 The result of the proposed realignment would form a new route further south of the existing A12 between Junction 22 and Rivenhall End. The existing A12 would then be downgraded and provide connection to the new A12 Trunk Road via a new roundabout at Junction 22. The relevant extracts from the National Highways approved Widening Scheme is attached as **Appendix B**.
- 4.3 Assuming the A12 scheme is developed to plan, a new access will be established onto the current A12 under suitable traffic management regimes to afford access to a temporary works compound. The promotion of Site D7 assumes that the access to the works compound will be left in place and therefore would become available for the proposed mineral transshipment use.
- 4.4 On this basis two options have been considered for accessing the site via the new network layout following the proposed scheme as follows:
- a) New left in / left out junction on the existing A12 along the site frontage – noting that the access will already in place if the A12 is constructed to plan.
 - b) Addition of a northern arm on the National Highways proposed Rivenhall End West Roundabout leading into the site.
- 4.5 The access has been considered in the context of with the guidance in the Design Manual for Roads and Bridges, which is primarily targeted towards the strategic road network, and Manual for Streets 2, which is targeted towards the local road network.
- 4.6 The majority of movements from the site will be heading to and from the new Junction 22 to the east of the site, with headings split both east and west.



Option A

- 4.7 Subject to the National Highways widening scheme, a new left in / left out junction on the existing A12 along the site frontage is proposed in order to access the site as part of the A12 scheme. The promotion of Site D7 assumes that the access to the works compound will be left in place and therefore would become available for the proposed mineral transshipment use.
- 4.8 The new arrangement would result in a reduced speed limit and reduced traffic flows on the existing A12 along the site frontage. This would allow sufficient separation for an additional junction due to reduced geometric constraints and junction separation requirements.
- 4.9 An indicative arrangement for the junction is shown at **Drawing 26058-01**. This shows a left in left out junction using the available space within the constraints of the site and of the available highway boundary.

Option B

- 4.10 Subject to the National Highways widening scheme, the addition of a northern arm on the National Highways proposed Rivenhall End West Roundabout is proposed to access the site.
- 4.11 An indicative arrangement for the junction is shown at **Drawing 26058-02**. This shows the proposed additional arm using the available space within the constraints of the site and of the available highway boundary.



5.0 Implications for Development – Traffic Impact

- 5.1 The operation of the access to the site will need to be tested as part of any TA but based on an additional 10 movements each way per hour that assessment is unlikely to identify any significant impact arising.
- 5.2 HGV movements are assumed to be east along the existing A12 and split between continuing east at the proposed Rivenhall End Roundabout and heading back west to the Junction 22 Roundabout as part of the new A12 scheme, with the option to head east or west. The condition of the routes will be suitable for HGV usage.
- 5.3 It is likely that that the proportional change in overall flows is very modest and is well within the daily variation in flows on the network at around 2%. HGV flows will however increase by around 7-9% on the existing A12 eastbound channel.
- 5.4 To test the environmental implications of the proposals, the changes in traffic flow will need to be considered against the criteria set out in the Institute of Environmental Management and Assessment (IEMA) Guidance Note No1 "Guidelines for the Environmental Assessment of Road Traffic". This guidance sets out a materiality test for when a detailed appraisal should be undertaken. At section 3.15 it advises that:
- "To assist the assessor it is suggested that two broad rules of thumb could be used as a screening process to delimit the scale and extent of the assessment. The rules are described and justified in the following paragraphs:*
- *Rule 1 include highway links where traffic flows will increase by more than 30% (or the number of heavy goods vehicles will increase by more than 30%)*
 - *Rule 2 include any other specifically sensitive areas where traffic flows have increased by 10% or more."*
- 5.5 In terms of the IEMA tests, the Rule 1 tests would not be triggered as the overall traffic flow change is well within the threshold for highway links.
- 5.6 The Rule 2 test is also not triggered as the overall traffic flow change is within the threshold for sensitive areas.



6.0 Implications for Development – RAG Assessment

6.1 The site has been assessed in the emerging Essex Minerals Local Plan within Appendix G - Transport Detailed RAG Assessment Methodology and Results. The following hierarchy of preference for transportation by road was applied to the site:

- (i) *Access to a suitable existing junction with the main road network, via a suitable section of an existing road, as short as possible, without causing a detrimental impact upon the safety and efficiency of the network.*
- (ii) *Where (i) above is not feasible, direct access to the main road network involving the construction of a new access/ junction when there is no suitable existing access point or junction.*
- (iii) *Where access to the main road network in accordance with (i) and (ii) above is not feasible, road access via a suitable existing road prior to gaining access onto the main road network will exceptionally be permitted, having regard to the scale of the development, the capacity and form of the road and an assessment of the impact on road safety.*

6.2 The site has initially been assessed as 'Red/Amber' sensitivity grade under the criteria (iii) where:

"Mitigation is required to make minor road suitable for HGVs and likely to be achievable"

6.3 The key findings of the published assessment are as follows:

- a) *It is unclear from the information provided as to the proposed access strategy having regard to the current road layout and future scenarios associated with the A12 DCO.*
- b) *Access from the local highway network via Eastways Industrial estate is constrained and access to the current A12 would be contrary to Department for Transport Circular 1/2022 Strategic Road network.*
- c) *The A12 Trunk Road forms part of the Strategic Road Network managed by National Highways. Whilst an initial conversation has taken place with National Highways to inform this RAG grade it is imperative that they are formerly consulted at the appropriate time.*



6.4 This report addresses the key findings within the RAG assessment, accounting for the A12 DCO within the access options. Additionally, the existing A12 would no longer be part of the Strategic Road Network following the scheme, therefore opening the opportunity for construction of a new access on the downgraded A12 along the site frontage.

Summary

6.5 Overall, the new sensitivity grade for Option B would fall under 'Green' as the access would be formed from an existing junction without causing a detrimental impact upon the safety and efficiency of the network.

6.6 Option A would fall under the 'Green' sensitivity grade due to the need for a new junction with direct access off the downgraded A12 along the site frontage, this would be achieved without causing a detrimental impact upon the safety and efficiency of the network.



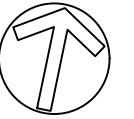
7.0 Conclusions

- 7.1 Subject to the detailed assessment as part of the planning application, it is considered that all options considered could provide a viable access to serve the site from the existing A12, subject to completion of the National Highways A12 to A120 Widening Scheme.

Drawings

— Site Boundary
 — Proposed Access to Site

Proposed left in left out site access junction



Whitelands

1:500@A3

GP

164m

Lay-by

Pp

GP

171m

Based upon the ORDNANCE SURVEY MAPS with the permission of THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE © Crown Copyright AL 100030412

© David Tucker Associates

| REV | DESCRIPTION | DRAWN | INITIALS | DATE |
|-----|-------------|-------|----------|------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |



Forester House, Doctors Lane,
 Henley in Arden,
 Warwickshire B95 5AW
 Tel: +44(0)1564 793598
 Fax: +44(0)1564 793983
 www.dtatransportation.co.uk

| | | | |
|--|----------------|--------------------------------|------------------------|
| JOB TITLE Land at Pond Farm | | CLIENT Brice Aggregates Ltd | |
| DRAWING TITLE Proposed Site Access – Option A | | | |
| SCALE 1:1000@A3 | DRAWN BY BM | DATE FEB 23 | DRAWING No 26058-01 |
| | | | REVISION |

- Site Boundary
- Indicative National Highways Scheme
- Proposed Access to Site

Proposed Additional North Arm as Site Access

Indicative Rivenhall End West Roundabout -
As part of National Highways A12 Chelmsford
To A120 Widening Scheme

Ma

Based upon the ORDNANCE SURVEY MAPS with the permission of
THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE
© Crown Copyright AL 100030412

© David Tucker Associates

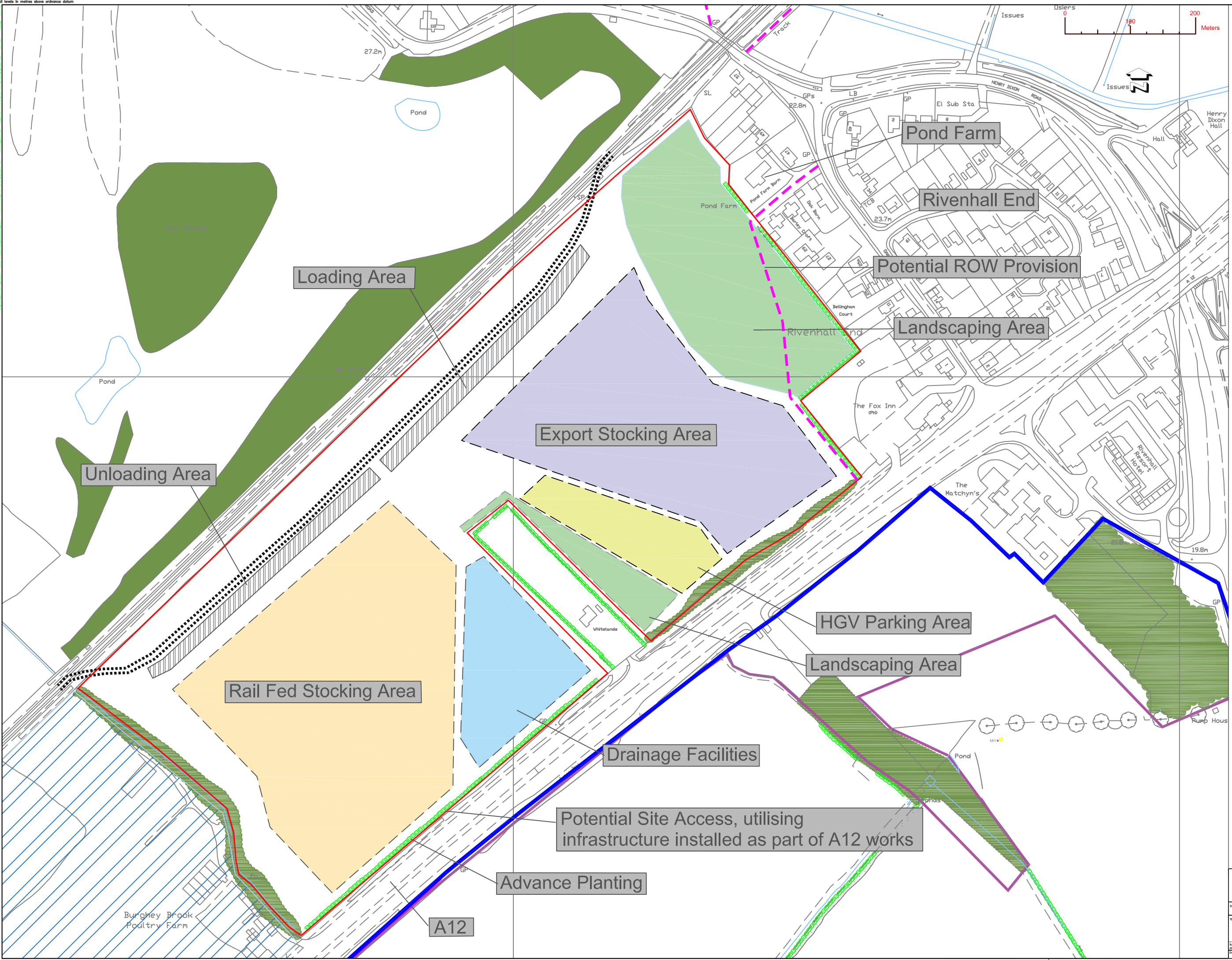
| REV | DESCRIPTION | DRAWN | INITIALS | DATE |
|-----|-------------|-------|----------|------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |



Forester House, Doctors Lane,
Henley in Arden,
Warwickshire B95 5AW
Tel: +44(0)1564 793598
Fax: +44(0)1564 793983
www.dtatransportation.co.uk

| | | | |
|--|----------------|--------------------------------|------------------------|
| JOB TITLE Land at Pond Farm | | CLIENT Brice Aggregates Ltd | |
| DRAWING TITLE Proposed Site Access – Option B | | | |
| SCALE 1:500@A3 | DRAWN BY BM | DATE FEB 23 | DRAWING No 26058-02 |
| | | | REVISION |

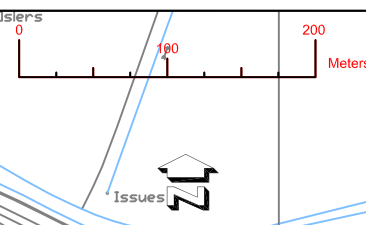
Appendix A



Based upon the Ordnance Survey's digital mapping with the Permission of the Controller of Her Majesty's Stationery Office. Crown Copyright Reserved. Licence No: 100048850

LEGEND

- PERMISSION AREA
- OTHER LAND UNDER APPLICANTS CONTROL
- PUBLIC RIGHT OF WAY
- PROPOSED ALLOCATION SITE
- RESOURCE BLOCK
- WOODLAND BLOCKS
- PROPOSED LANDSCAPING AREA
- LAND ALLOCATED FOR INDUSTRIAL/COMMERCIAL DEVELOPMENT



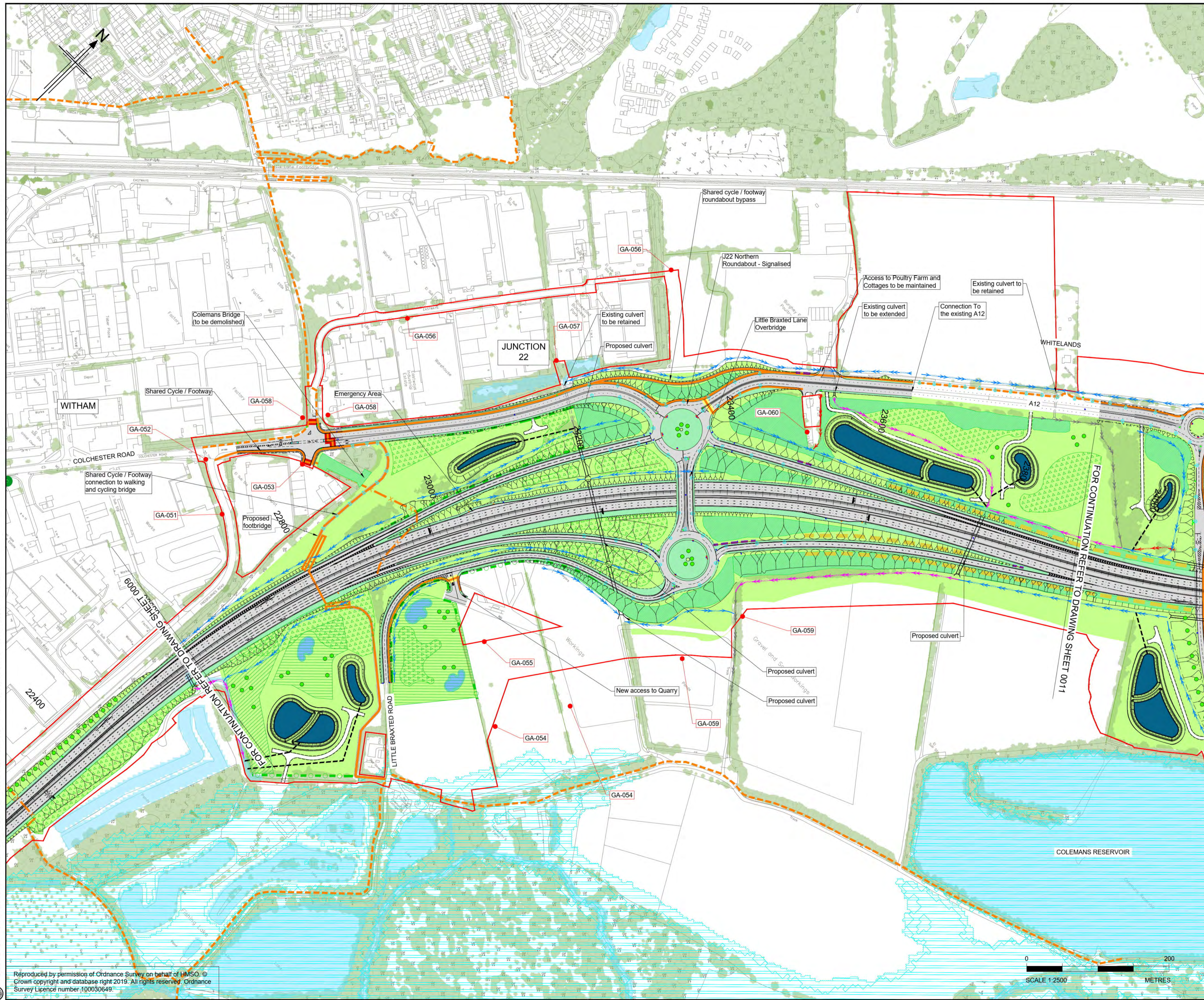
Levels in metres above ordnance datum

Burghey Brook Poultry Farm

A12

| | | | |
|----------------------------------|-------------|-------------|------------|
| BRICE AGGREGATES LIMITED | | | |
| TRANSHIPMENT SITE, WITHAM, ESSEX | | | |
| Land at Pond Farm Site Plan | | | |
| Scale 1:2500 | Date NOV 22 | Drawing No. | |
| Drawn By | Checked By | | C45/8/1102 |

Appendix B



THIS DRAWING IS TO BE READ IN CONJUNCTION WITH:
 - THE SCHEDULES DESCRIBING THE DESIGN CHANGES AND CHANGES TO THE PROVISIONAL ORDER LIMITS SHOWN ON THIS DRAWING
 - THE PLAN AND SCHEDULES DESCRIBING CHANGES TO LAND ACQUISITION SINCE STATUTORY CONSULTATION
 - THE SUPPLEMENTARY CONSULTATION (NOVEMBER 2021) BROCHURE

- Notes
1. This drawing shall only be used for the design element stated in the drawing title.
 2. All dimensions are in metres unless noted otherwise.
 3. The base mapping is based on Ordnance Survey (O/S) Data.
 4. Only written dimension shall be used.
 5. For Sheet Layout Plan refer to HE551497-JAC-HGN-SCHW-DR-C-0026.
 6. For Key refer to HE551497-JAC-HGN-SCHW-DR-C-0066.
 7. Where the scheme is showing the removal of access to properties, a suitable and convenient replacement will be provided.

KEY PLAN
SCALE N.T.S.



| Rev | Rev. Date | Purpose of revision | Drawn | Checked | Rev'd | Apprv'd |
|-----|-----------|----------------------------|-------|---------|-------|---------|
| P01 | 10/02/21 | DESIGN FIX 1 | JUG | CA | RM | RC |
| P02 | 22/04/21 | DESIGN FIX 2 | SH | CA | RM | RC |
| P03 | 21/05/21 | FOR STATUTORY CONSULTATION | AE | CA | RM | DT |
| P04 | 13/10/21 | DESIGN FIX 3 | AE | CA | RM | RC |
| P05 | 26/10/21 | DESIGN FIX 4 | AE | CA | RM | RC |

Contractor: **COSTAIN** Designer: **Jacobs**
 2nd Floor Cottons Centre, Cottons Lane
 London SE1 2QG. Tel: +44 (0)203 9802000
 www.jacobs.com

Client: **national highways**

Project: REGIONAL DELIVERY PARTNERSHIP
 A12 CHELMSFORD TO A120 WIDENING SCHEME

Drawing title: GENERAL ARRANGEMENT
 CH. 22600 TO 23900

SHEET 10 OF 21

Drawing status: S2 - SUITABLE FOR INFORMATION

| | | |
|---------------|-------------|--------------|
| State Code | Preliminary | DO NOT SCALE |
| Project Stage | PCF3 | Rev |
| Scale | 1:2500 | P05 |
| Jacobs No. | B36601D1 | |
| Client no. | HE551497 | |

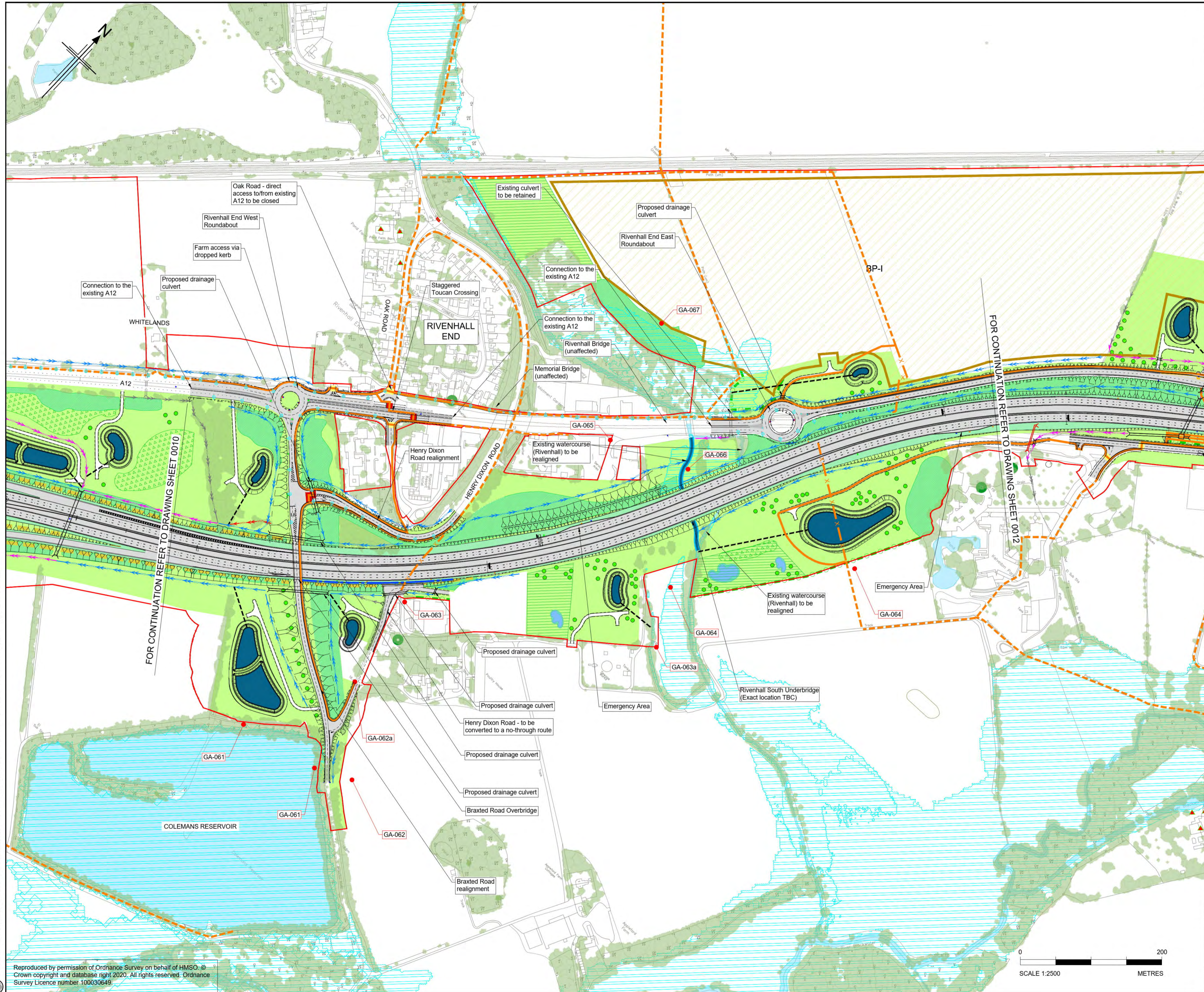
Drawing number: HE551497 - JAC - HGN - SCHW - DR - C - 0010
 Originator: JAC, Volume: HGN, Location: SCHW, Type: DR, Role: C, Number: 0010



C:\pwworking\jacobs_uk_highways_ssa\honoraid\1555451\HE551497-JAC-HGN-SCHW-DR-C-0010.dwg - 27/10/2021 14:26:32 - A1Frame - ElnoutA

Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2019. All rights reserved. Ordnance Survey Licence number: 100030649.

© Copyright 2021 Jacobs U.K. Limited. The concepts and information contained in this document are the property of Jacobs. Use or copying of this document in whole or in part without the written permission of Jacobs constitutes an infringement of copyright. Limitation: This drawing has been prepared on behalf of and for the exclusive use of Jacobs' Client, and is subject to, and issued in accordance with, the provisions of the contract between Jacobs and the Client. Jacobs accepts no liability or responsibility whatsoever for, or in respect of, any use of, or reliance upon, this drawing by any third party.



THIS DRAWING IS TO BE READ IN CONJUNCTION WITH:
 - THE SCHEDULES DESCRIBING THE DESIGN CHANGES AND CHANGES TO THE PROVISIONAL ORDER LIMITS SHOWN ON THIS DRAWING
 - THE PLAN AND SCHEDULES DESCRIBING CHANGES TO LAND ACQUISITION SINCE STATUTORY CONSULTATION
 - THE SUPPLEMENTARY CONSULTATION (NOVEMBER 2021) BROCHURE

- Notes
1. This drawing shall only be used for the design element stated in the drawing title.
 2. All dimensions are in metres unless noted otherwise.
 3. The base mapping is based on Ordnance Survey (O/S) Data.
 4. Only written dimension shall be used.
 5. For Sheet Layout Plan refer to HE551497-JAC-HGN-SCHW-DR-C-0026.
 6. For Key refer to HE551497-JAC-HGN-SCHW-DR-C-0066.
 7. Junction 23 is being removed as part of the proposed scheme. Traffic from the existing junction 23 will use the new junction 22 and junction 24, including traffic from Kelvedon.

KEY PLAN
SCALE N.T.S.



| Rev | Rev. Date | Purpose of revision | Drawn | Checked | Rev'd | Apprv'd |
|-----|-----------|----------------------------|-------|---------|-------|---------|
| P01 | 10/02/21 | DESIGN FIX 1 | JUG | CA | RM | RC |
| P02 | 22/04/21 | DESIGN FIX 2 | SH | CA | RM | RC |
| P03 | 21/05/21 | FOR STATUTORY CONSULTATION | AE | CA | RM | DT |
| P04 | 13/10/21 | DESIGN FIX 3 | AE | CA | RM | RC |
| P05 | 26/10/21 | DESIGN FIX 4 | AE | CA | RM | RC |

Contractor: **COSTAIN** Designer: **Jacobs**
 2nd Floor Cottons Centre, Cottons Lane
 London SE1 2QG. Tel: +44 (0)203 9802000
 www.jacobs.com

Client: **national highways**

Project: REGIONAL DELIVERY PARTNERSHIP
 A12 CHELMSFORD TO A120 WIDENING SCHEME

Drawing title: GENERAL ARRANGEMENT
 CH. 23900 TO 25100

SHEET 11 OF 21

Drawing status: S2 - SUITABLE FOR INFORMATION

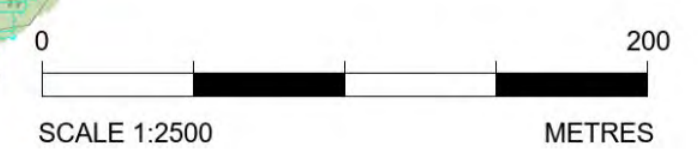
| | | |
|---------------|-------------|--------------|
| State Code | Preliminary | DO NOT SCALE |
| Project Stage | PCF3 | Rev |
| Scale | 1:2500 | P05 |
| Jacobs No. | B36601D1 | |
| Client no. | HE551497 | |


| | |
|-----------------|---|
| Drawing number: | HE551497 - JAC - HGN - SCHW - DR - C - 0011 |
| Originator: | JAC |
| Volume: | -HGN- |
| Location: | SCHW |
| Type: | -DR- |
| Role: | C |
| Number: | 0011 |

© Copyright 2021 Jacobs U.K. Limited. The concepts and information contained in this document are the property of Jacobs. Use or copying of this document in whole or in part without the written permission of Jacobs constitutes an infringement of copyright. Limitation: This drawing has been prepared on behalf of and for the exclusive use of Jacobs' Client, and is subject to, and issued in accordance with, the provisions of the contract between Jacobs and the Client. Jacobs accepts no liability or responsibility whatsoever for, or in respect of, any use of, or reliance upon, this drawing by any third party.

C:\pwworking\jacobs_uk_highways_ssa\honoraid\1555451\HE551497-JAC-HGN-SCHW-DR-C-0011.dwg - 27/10/2021 14:40:18 - A1Frame - ElnourA

Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2020. All rights reserved. Ordnance Survey Licence number 100030649.





Forester House
Doctor's Lane
Henley-in-Arden
Warwickshire
B95 5AW

Tel: +44(0)1564 793598
inmail@dtatransportation.co.uk
www.dtatransportation.co.uk

Appendix 4

Heritage Appraisal prepared by HCUK dated April 2024

Heritage Advice Note

Land at Pond Farm, Rivenhall End, Witham

Introduction

1. This desk-based Heritage Advice Note has been prepared by HCUK Group following request by Brice Aggregates Ltd to provide advice regarding the potential heritage constraints posed by a group of designated heritage assets adjacent to a proposed site for a railhead. The site is located in Rivenhall End, Witham, Essex, north of the existing quarry site. The site location and proposed layout is indicated below on Figure 1.

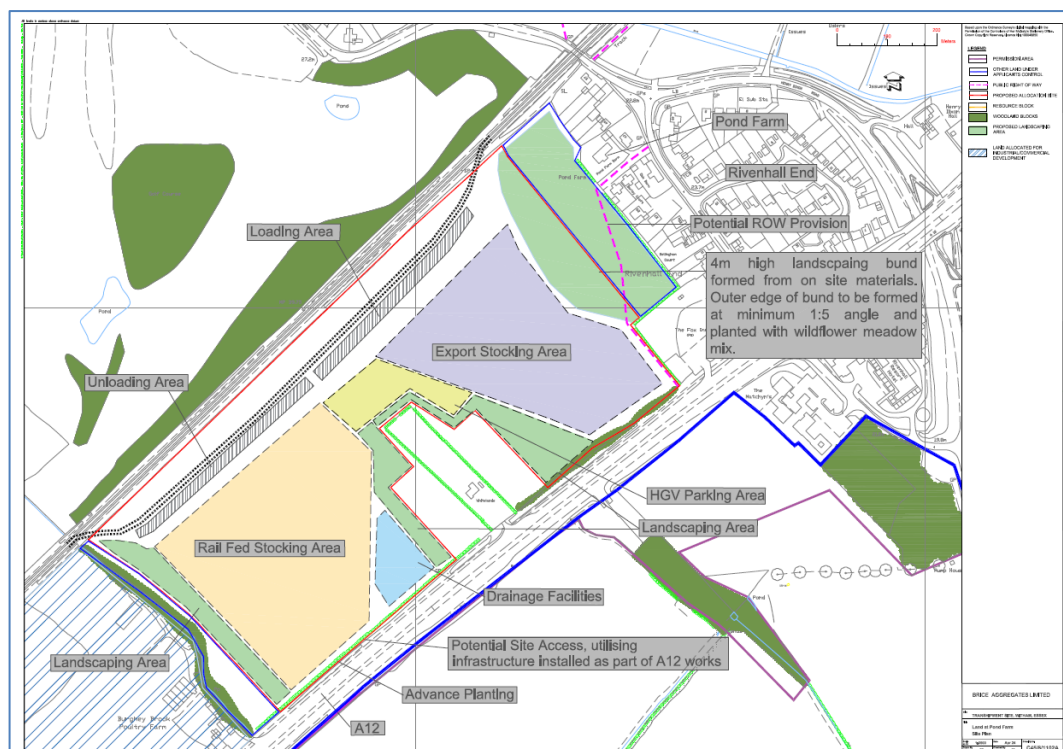


Figure 1 (above): Site location and proposed layout

2. The proposed site is bounded by the Great Eastern Main Line railway to the northeast, and by the A12 road to the southwest. There are no designated heritage assets within the site boundary, however there are three designated

heritage assets in close proximity which the proposals have the potential to affect the setting of, these comprise:

- Pond Farmhouse, Grade II (List UID: 1122597)
- Barn to the south of Pond Farm, Grade II (List UID: 1122575)
- Barn to the west of Pond Farm, Grade II (List UID: 1264934)

3. The location of the heritage assets is shown on the satellite image below on Figure 2.

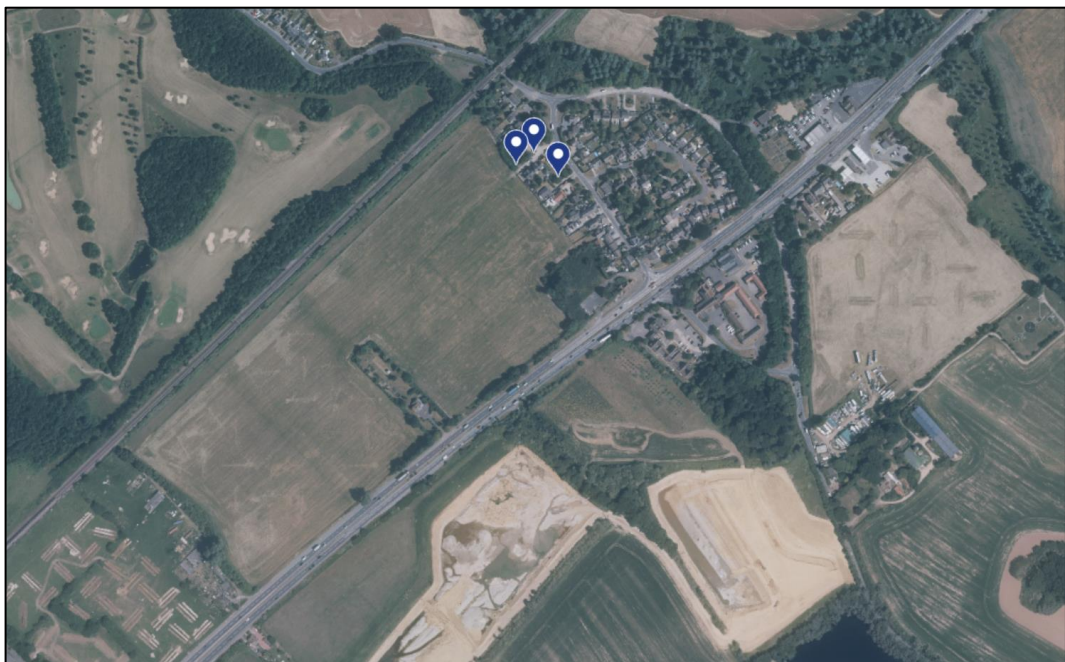


Figure 2: Location of designated heritage assets

Relevant Policy

4. The decision maker is required by section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building and its setting when exercising planning functions. The decision maker must give considerable importance and weight to the desirability of preserving the significance of the listed building, and there is a

strong presumption against the grant of permission for development that would harm its heritage significance.¹

5. Measures being implemented as a consequence of the Levelling Up and Regeneration Act 2024 will have the effect of making the desirability of preserving or enhancing other types of designated heritage asset a statutory consideration.
6. For the purposes of this statement, preservation equates to an absence of harm.² Harm is defined in paragraph 84 of Historic England's Conservation Principles as change which erodes the significance of a heritage asset.³
7. The significance of a heritage asset is defined in the National Planning Policy Framework (NPPF) as being made up of four main constituents: architectural interest, historical interest, archaeological interest and artistic interest. The assessments of heritage significance and impact are normally made with primary reference to the four main elements of significance identified in the NPPF.
8. The setting of a heritage asset can contribute to its significance. Setting is defined in the NPPF as follows:

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

9. Historic England has produced guidance on development affecting the setting of heritage assets in The Setting of Heritage Assets (second edition, December 2017), better known as GPA3. The guidance encourages the use of a stepped approach to the assessment of effects on setting and significance, namely (1) the identification of the relevant assets, (2) a statement explaining the significance of those assets, and the contribution made by setting, (3) an assessment of the impact of the proposed development on the setting and significance of the assets,

¹ Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and others [2014] EWCA Civ 137. This principle has recently been confirmed, albeit in a lower court, in R (Wyeth-Price) v Guildford Borough Council.

² South Lakeland v SSE [1992] 2 AC 141.

³ Conservation Principles, 2008, paragraph 84.

and (4) consideration of mitigation in those cases where there will be harm to significance.

10. The NPPF requires the impact on the significance of a designated heritage asset⁴ to be considered in terms of either “substantial harm” or “less than substantial harm” as described within paragraphs 207 and 208 of that document. National Planning Practice Guidance (NPPG) makes it clear that substantial harm is a high test, and case law describes substantial harm in terms of an effect that would vitiate or drain away much of the significance of a heritage asset.⁵ The Scale of Harm is tabulated below.

| Scale of Harm | |
|----------------------------|--|
| Total Loss | Total removal of the significance of the designated heritage asset. |
| Substantial Harm | Serious harm that would drain away or vitiate the significance of the designated heritage asset |
| Less than Substantial Harm | High level harm that could be serious, but not so serious as to vitiate or drain away the significance of the designated heritage asset. |
| | Medium level harm, not necessarily serious to the significance of the designated heritage asset, but enough to be described as significant, noticeable, or material. |
| | Low level harm that does not seriously affect the significance of the designated heritage asset. |

11. Paragraphs 207 and 208 of the NPPF refer to two different balancing exercises in which harm to significance, if any, is to be balanced with public benefit.⁶ Paragraph 18a-020-20190723 of National Planning Practice Guidance (NPPG) online makes it clear that some heritage-specific benefits can be public benefits. Paragraph 18a-018-20190723 of the same NPPG makes it clear that it is important

⁴ The seven categories of designated heritage assets are World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Park and Gardens, Registered Battlefield and Conservation Areas, designated under the relevant legislation.

⁵ Bedford Borough Council v SSCLG and Nuon UK Limited [2013] EWHC 4344 (Admin).

⁶ The balancing exercise was the subject of discussion in City and Country Bramshill v CCSLG and others [2021] EWCA, Civ 320.

to be explicit about the category of harm (that is, whether paragraph 207 or 208 of the NPPF applies, if at all), and the extent of harm, when dealing with decisions affecting designated heritage assets, as follows:

Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated.

12. Paragraphs 205 and 206 of the NPPF state that great weight should be given to the conservation of a designated heritage asset when considering applications that affect its significance, irrespective of how substantial or otherwise that harm might be.
13. One of the overarching objectives of sustainable development, as expressed in paragraph 8 of the NPPF, is mitigating and adapting to climate change, including moving to a low carbon economy. Historic England has a Climate Change Strategy, and has published Mitigation, Adaptation and Energy Measures. More specifically, Historic England has published a Heritage and Climate Change Carbon Reduction Plan (March 2022). These and similar strategies run in parallel with heritage-specific methodologies relating to the assessment of significance, and the effect of change on significance.

Heritage Assets

14. There are three designated heritage assets which form a historic farmstead group located to the north of the site, these comprise:
 - Pond Farmhouse, Grade II (List UID: 1122597)
 - Barn to the south of Pond Farm, Grade II (List UID: 1122575)
 - Barn to the west of Pond Farm, Grade II (List UID: 1264934)
15. The farmhouse is the earliest surviving building, dating to the mid-sixteenth century, and the list description provides the following information:

A mid C16 timber-framed and plastered house originally with cross wings at the north and south ends but the south crosswing has been demolished. The east end of the north cross wing is jettied on the upper storey, on curved brackets. There is a small weatherboarded wing at the rear. The cross wing is

2 storeys and the main block is 1 storey and attics. The windows are casements. Roof tiled with 1 gabled dormer to the main block.



Figure 3: Photograph of Pond Farmhouse (from current sales particulars, Fenn Wright, March 2024)

16. The two listed agricultural buildings have been converted to residential use and are now separated from the farmhouse within their own private grounds. The list descriptions are as follows:

OAK ROAD, RIVENHALL 1. 1841 Barn to West of Pond Farm TL 81 NW 5/166 GV II 2. Barn. Mid C17. Timber framed, black weatherboarding, corrugated asbestos sheeting to roof. 4 bays aligned NS with offset midstrey on W side and out shots on rest of W elevation and part of E elevation. Storey posts are jowled with straight braces. Walls braced with central side girths. Clapsed side purlins roof. Bladed scarf joints to wall plates. Internal plaster infill to upper midstrey and brick flogging to S gable end, which has a later probably C18 frame. Roof is hipped at N end with hipped roof on midstrey. Evidence of former screen between southernmost bay and bay three, and the more recent south gable frame indicates that this is possibly the truncated remnant of a six bay barn with two midstreys. This barn forms a group with Pond Farmhouse (qv) and former byre, now barn, to south of Pond Farm (qv).

OAK ROAD, RIVENHALL 1. 1841 Barn to South of Pond Farm TL 81 NW 5/165 II GV 2. Byre, now used as barn. Early C18 timber framed, weatherboarded with corrugated asbestos roof. 6 bays aligned EW with lean to out shots at W end and on N elevation to E of off set midstrey. Evidence of re-used timber in frame, with mortices for large braces in the beams. Clasped side purlin roof. Some plaster infill between studs on W end walls. The midstrey, which still has threshold doors, lateral bracing and large eaves overhang has earlier frame possibly re-used from nearby barn when reduced in size. Main roof hipped with gables. Midstrey roof also hipped. Especially important from roadside aspect, and forms a group with Pond Farmhouse (qv) and large barn to west of Pond Farm (qv).

17. The significance of the farmhouse and the barns stems principally from their architectural and historical interests, as well as from their surviving group value, although this has been somewhat diminished by their separation and conversion to individual private dwellings.
18. Historic mapping indicates that the setting of Pond Farm has undergone substantial change since its construction, and that while it was once separated from the Rivenhall End by surrounding agricultural land (Figures 4 and 5 below), the growth of the settlement in the twentieth century led to the farm becoming surrounded by residential development.
19. The Rivenhall Parish Tithe map and apportionment indicates that in 1841 Pond Farm was owned by Lord Western and occupied by Joseph Lake, and that the majority of the land historically associated with the farm was located to its north-east (including Plots 337, 339, 344, 306a, 305, and 372). Only plots 335 and 352 (partially) fall within the land which comprises the proposed railhead site (see Figure 4, below).
20. The proposed site, particularly the land to the immediate south-west of the western barn and Pond Farmhouse, contributes positively to the setting of the assets and to their understanding. As formerly associated agricultural land it forms part of the assets' historic associative setting and also provides a visual and experiential surrounding which reflects the former status of the buildings as an agricultural holding. It is evident that this parcel of land is visible alongside the assets when they are viewed from Oak Road.



Figure 4: Extract from the Rivenhall Parish Tithe Map, associated plots of land within the site indicated with a star



Figure 5: Extract from the 1st Edition Ordnance Survey Map, Essex Sheet XXXV, Surveyed: 1874 to 1875, Published: 1881



Figure 6: View from Oak Road showing barn on left, proposed site (centre), and listed barn and farmhouse (concealed by trees) on the right (Google Streetview, July 2023)

Heritage Constraints

21. This desk-based Heritage Advice Note has considered the significance of the assets, the contribution made to that significance by setting, and the potential effects of the proposals. It also takes into consideration the assessment undertaken as part of the Essex MLP⁷, which has identified the site as 'Red/Amber', which suggests "*The impact is likely to be major, amounting to a MID level of less than substantial harm to the significance of heritage assets, and is likely to require high levels of mitigation to make the Site acceptable.*"
22. While a full GPA3 settings assessment has not yet been undertaken, the stepped methodology of this guidance has been considered in this high level appraisal, and the key considerations presented within GPA3 are assessed within Appendix 1 which should be read in conjunction.
23. It is evident that at least the northernmost part of the proposed site makes a positive contribution to the setting of this group of Grade II listed buildings in that it is a surviving element of the original setting. While it is also clear that the setting of Pond Farm has undergone significant change during the 20th century, the proposed site has survived as undeveloped agricultural land and therefore still provides an authentic and characteristic backdrop against which the assets are positively experienced and understood (particularly from publicly accessible vantage points such as Oak Road). The parcel of land to the immediate south-west of the assets is also historically linked with Pond Farm as part of its former land-holding, and therefore also forms part of its associative setting.
24. Without mitigatory measures, the level of harm identified within the Essex MLP is a medium level of less than substantial harm to Pond Farmhouse and the West Barn, and a low level of less than substantial harm to the South Barn (due to its separation by modern residential development):

"...there is considered to be a level of less than substantial harm to the significance of the heritage assets as a group, with the harm to the Barn to the south of Pond Farm (List UID: 1122575), being at the low end of less than substantial, due to its having been enclosed to its immediate south-west by two modern dwellings. The harm to Pond Farmhouse (List UID: 1122597), and

⁷ Review of Essex Minerals Local Plan 2014, Assessment of Candidate Sand and Gravel Sites, Appendix D, Historic Buildings Detailed RAG Assessment Methodology and Results

the Barn to the west of Pond Farm (List UID: 1264934) would be at the mid-level of less than substantial harm, due to the direct and visible contribution the Site makes to the settings of these assets and the impact from the fundamental change in land use and character.”

25. The proposed layout (shown at Figure 1) indicates that an area of landscaping would be included within the proposals lying in-between the Pond Farm assets and the Export Stocking Area. This landscape buffer would be essential in reducing the level of harm potentially posed to the significance of the assets through the change within their setting, and would enable existing outward views from the assets to be maintained.
26. While the agricultural character of the surrounding land (comprising the active areas of the site) would still be altered, the buffer would enable a degree of separation and would (depending upon levels of planting and distance) potentially also partially mitigate the visual effects of the proposals. Providing a sufficient area of buffer may also reduce other detrimental effects on setting such as noise, dust, and nighttime illumination, which would also pose a negative impact on the assets.
27. It is considered that with sufficient mitigation in the form of the landscape buffer and planting (in order to filter any visibility) the level of harm posed to this group of assets could potentially be reduced to a low level of less than substantial harm overall. This level of harm would be consistent with an 'amber' scoring if using the RAG assessment methodology adopted by the council.
28. Any forthcoming proposals for this site would therefore engage paragraph 208 of the NPPF, and public benefits would be required in order to potentially outweigh this level of harm.

Appendix 1

GPA3 Assessment: Historic England’s guidance on setting

In assessing the effect of the proposals on the setting and significance of designated heritage assets, it is relevant to consider how the following factors may or may not take effect, with particular reference to the considerations in Steps 2 and 3 of GPA3. The following analysis seeks to highlight the main relevant considerations.

Relevant Considerations **Pond Farmhouse, West Barn and South Barn (Grade II)**

| | |
|---|---|
| <i>Proximity of the development to the asset</i> | 20m from site boundary at closest point. |
| <i>Proximity in relation to topography and watercourses</i> | N/A |
| <i>Position of development in relation to key views</i> | There are no key views of the assets identified in the listings, however the proposed site is visible in the same view as the assets (partially) from Oak Road and the access lane. |
| <i>Orientation of the development</i> | N/A |
| <i>Prominence, dominance and conspicuousness</i> | The assets are not particularly prominent or conspicuous, and are not dominant, and all are set within their own residential gardens and grounds amongst other more modern residential development. The proposals include a landscape buffer to the immediate south-west of the assets, and it is therefore unlikely that the proposals would be conspicuous or dominant within any views towards and of the assets themselves. |
| <i>Competition with or distraction from the asset</i> | The proposed active areas of the site (railhead) would be separated from the assets by a landscape buffer and are therefore unlikely to distract from them, however this will be dependent upon final layouts and levels of planting (etc.) as well as any additional experiential intrusion such as noise levels and dust. |

| | |
|--|--|
| <i>Dimensions, scale, massing, proportions</i> | N/A |
| <i>Visual permeability</i> | The proposals would not alter the visual permeability of the assets' settings. |
| <i>Materials and design</i> | N/A |
| <i>Diurnal or seasonal change</i> | Views from the assets towards the site would be increased by seasonal changes such as reduced leaf cover at the site boundary. |
| <i>Change to built surroundings and spaces</i> | Details of the proposed built form within the site have not been provided at this stage, however the introduction of any built form into the site would represent a noticeable change from its current agricultural use. |
| <i>Change to skyline, silhouette</i> | No change is posed to the skyline or silhouettes of the assets. |
| <i>Change to general character</i> | The proposals would substantially alter the current surroundings of the asset which comprise agricultural land. |

Standard Sources

<https://maps.nls.uk>

<https://historicengland.org.uk/listing/the-list>

www.heritagegateway.org.uk

<http://magic.defra.gov.uk>

www.history.ac.uk/victoria-county-history

The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3

(Second Edition). Historic England (2017 edition)

Planning (Listed Buildings and Conservation Areas) Act, 1990

National Planning Policy Framework, December 2023

National Planning Practice Guidance, 2019

Conservation Principles, Policies and Guidance, Historic England (2008)