

ESSEX MINERAL LOCAL PLAN 2014 REVIEW (EXTENSION TO 2040) RESPONSE TO CANDIDATE SITE ASSESSMENTS

Land at Chalk End to the south of the A1060, Roxwell, Chelmsford

Prepared by Strutt & Parker on behalf of H R Philpot & Sons

March 2024

Site Name: Land at Chalk End

Client Name: HR Philpot and Sons

Type of Report: Candidate Site Assessment Response – Essex Mineral Local Plan 2014 Review (extension to 2040)

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Date: March 2024

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1. INTRODUCTION

- 1.1 This representation has been prepared by Strutt & Parker on behalf of HR Philpot and Sons in relation to the promotion of Land at Chalk End, Roxwell on land immediately to the south of the A1060 for allocation as a new quarry within the emerging Essex Minerals Local Plan 2040.
- 1.2 It has been prepared in response to the current consultation on the Draft Essex Minerals Local Plan and Candidate Site Assessment. The Candidate Site Assessment response has been prepared solely in relation to land at Chalk End, which has the site reference A57.

Background

- 1.3 As set out in our original Call for Sites submission, the site at Chalk End is located approximately 3.8 miles to the west of Chelmsford on the A1060 at Salt's Green. The site measures approximately 6.6ha and comprises agricultural land. The site benefits from being in a very sustainable location for a quarry.
- 1.4 To the north of the site is the A1060 and agricultural land beyond. Agricultural land also surrounds the site to the south, east and west with a small number of dwellings to the east and Newland Hall.
- 1.5 The site is located adjacent to an existing allocated quarry in the adopted 2014 Mineral Local Plan under reference A40 – Shellow Cross Farm. This is situated immediately to the south and west of the site.
- 1.6 The allocated adjacent site at Shellow Cross Farm is split into two parcels of land with a connecting cross-country haul route between the two areas. Together the northern and southern site have an estimated yield production of 3.5mt across a combined area of 105ha, which is a significant proportion of the required mineral extraction across the county. The parcel of land to the north has planning permission for the use of mineral extraction and access under application reference ESS/77/20/CHL.
- 1.7 The site is located immediately adjacent to the south-east of the approved access location for the quarry to the south, which was fully established under planning application ESS/77/20/CHL. The site would utilise this access. The proposed site will supply an additional 0.25mt of mineral.

2. PLANNING POLICY CONTEXT

National Planning Policy Framework

- 2.1 The “presumption in favour of sustainable development” is at the heart of the National Planning Policy Framework 2019 (NPPF). The Planning and Compulsory Purchase Act 2004 (Section 39(2)) establishes a legal requirement for Plans to be prepared with the objective of contributing to the achievement of sustainable development.
- 2.2 Paragraph 16 of the NPPF requires plans to be prepared positively in a way that is aspirational but deliverable (emphasis added). Paragraph 209 states that it is essential there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.
- 2.3 Planning policies are required to identify a supply of specific, deliverable sites for the first 5 years of the plan period and specific, developable sites (or locations for growth) for the next 6 to 10 years and beyond.
- 2.4 As set out at Paragraph 35 of the NPPF, for plans to be “sound” they need to be:
- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the areas objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.
- 2.5 These tests need to be applied in a proportionate way to ensure they are consistent with strategic relevant policies for the area.
- 2.6 The NPPF, at Paragraph 109, notes that:

Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

2.7 At Paragraph 114, the NPPF advises that when assessing sites that may be allocated, or specific applications for development:

- a) *Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) *Safe and suitable access to the site can be achieved for all users; and*
- c) *Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

3. MINERAL LOCAL PLAN

- 3.1 This section provides our response to the current emerging Mineral Local Plan Consultation.
- 3.2 Overall, the proposed approach set out within the emerging Mineral Local Plan is supported. In order for the emerging Local Plan to be sound, it is critical that the key strategic policies within the emerging Local Plan are used to inform the most appropriate site allocations.

Policy S2 – Strategic Priorities for Mineral Development

- 3.3 Policy S2 of the emerging Local Plan sets out the strategic priorities for mineral development. The proposed strategic policy S2 is considered to be sound, positively prepared and justified having regard to the tests set out within national policy.
- 3.4 In particular, support is given to the following objectives:
- Seeking to ensure that minerals development makes a contribution towards reducing greenhouse gas emissions, is resilient and can demonstrate adaption to the impacts of climate change
 - Providing the best possible geographic dispersal of sand and gravel sites across the County to support areas of growth and development, infrastructure projects and to minimise mineral miles
 - Ensuring progressive and phased working and high quality of restoration
- 3.5 In relation to the proposed new quarry at Chalk End, the site is conveniently and very sustainably located within close proximity to a number of large settlements including Chelmsford, Great Dunmow, Harlow, Bishops Stortford, Epping and Waltham Abbey. It is one of the few proposed quarry sites situated centrally within the County and the allocation of this site will minimise the distance that HGV's will have to travel to serve new developments. Its allocation would therefore be fully consistent and supported by the objectives within policy SP2 and its allocation would assist with reducing greenhouse gas emissions and minimisation of mineral miles. It is important to note in this regard, that currently there are no active mineral sites in close proximity to Chelmsford, with the nearest being at Great Leigh's. The proposed site at Chalk End also benefits from being on the west side of Chelmsford, with the west of Essex particularly poorly served in terms of existing quarry sites.
- 3.6 It is also pertinent to note that the vast majority of the new Mineral Sites being promoted are situated to the north-east of the County within Tendring, Colchester, Braintree and Maldon District's. Very few sites are proposed within both the south or west of the County. The proposed quarry at Chalk End is therefore in an optimal location to ensure the implementation of the strategic objectives of policy S2 as set out above.
- 3.7 All of the above settlements listed within paragraph 3.5 are experiencing significant housing and employment growth that this site would serve. This includes the following:
- Beaulieu Park: New development of 3,600 dwellings currently being built out.
 - Chelmsford Garden Village: New development for 2,500 dwellings proposed to the north-east of Chelmsford.
 - Chelmsford West (north of Roxwell Road): New development for circa 800 new homes.

- Harlow East: New development for circa 3,350 homes.
- Harlow/Gilston North: Development for 10,000 homes.
- Latton Priory, Harlow: New development of 1,500 homes
- Great Dunmow West: Urban extension for 1,200 dwellings.
- Bishop's Stortford North: Development of 2,350 dwellings currently in the early stages of being built out.
- Bishop's Stortford South: Development of 750 dwellings currently in the early stages of being built out.
- Waltham Abbey: Residential Allocation for 750 dwellings and major employment allocation adjacent to the M25.
- North Weald Bassett: Residential Allocation for 1,050 dwellings and major employment allocation at North Weald Airfield, east of the M11.
- Epping: Development for 740 dwelling.

3.8 The above list is not exhaustive, but does demonstrate the importance of having suitable sand and gravel supplies. Chalk End is also well situated to serve the major new housing and employment development towards the south of Essex. It is also important to note that several authorities, Chelmsford City included, are in the process of preparing new Local Plans which will result in further substantial growth in proximity to the site.

3.9 The proposed new quarry at Chalk End could act as an extension to the existing allocated site at Shellows Cross Farm and it would be served from the same access. It is therefore capable of being delivered without any substantial new infrastructure and could be delivered early on in the plan period. The allocation of this site would assist with bolstering the mineral supply to the west and towards the south of Essex.

4. CANDIDATE SITE ASSESSMENT

- 4.1 This section provides our response to the Candidate Site Assessment for Chalk End, site reference A57.
- 4.2 The Essex County Council Site Assessment provides a RAG Assessment (Red, Amber, Green) for each site. As set out within the methodology to the consultation, in total 52 sites have been promoted for mineral extraction. Red sites scores demonstrate that the likely impact of the site is serious and, without focused consideration, mitigation of that impact would be difficult to achieve. The consultation also sets out that decisions on whether to allocate sites with red grades will be taken in the future following public consultation on this report.
- 4.3 In respect to Chalk End (site reference A57), the site appears to have scored well within the Site Assessment Report. It is one of only a few sites to not have a red score against any of the technical disciplines. It is considered that this demonstrates that the site is fully deliverable in planning terms. Of the 16 criteria used within the site assessment methodology, the site scored green or green/amber in respect of 9 of the criteria. In this regard, it is important to note that the site scored well in relation to the key planning considerations relating to landscape and visual sensitivity, historic buildings, transport, flooding, public rights of way, geo-environmental, air quality, biodiversity and airport safeguarding. It is considered that this should be given substantial positive weight when determining the suitability of the allocation.
- 4.4 For the remaining 7 assessment criteria, the site scored amber for 5 of the disciplines, amber/red in respect of access and green belt. It is important to note that the site did not have a red score for any of the categories and therefore the site is considered to be suitable, available and deliverable for development. A response to the RAG assessment is set out in full within the table below:

	Criteria	ECC Site Assessment	Landowner Response	Landowner Assessment
1	Landscape and Visual Sensitivity	Amber/ Green	We fully support the site assessment and we agree that the site possesses limited characteristic features of the Landscape Character Area. As recommended the landowner would be happy to provide suitable landscape planting to mitigate impacts on the landscape.	Amber/ Green
2	Biodiversity	Amber/ Green	We fully support the site assessment. The site is currently of low ecological sensitivity and fully deliverable in this regard. Full ecology assessments will be undertaken at planning application stage to ensure that the local wildlife sites and the nearby woodland are protected as a result of the proposed development. In accordance with the recommendation set out within the site assessment, the applicant is happy to ensure suitable buffers are provided.	Amber/ Green

	Criteria	ECC Site Assessment	Landowner Response	Landowner Assessment
3	Historic Buildings	Amber/ Green	We in general support the conclusions within the assessment regarding historic buildings in that the proposals could have the lowest level of less than substantial harm to historic assets. It is considered that, given the distance from the site and that the operations will only be in operation for a short period, these impacts could potentially be negligible with suitable mitigation.	Amber/ Green
4	Archaeology	Amber	We agree with the assessment in respect of archaeology. Whilst the site fieldwalking has identified some archaeological interest within the proximity of the site, it is considered that this could be fully mitigated at planning application stage.	Amber
5	Flooding	Green	We fully agreed that the site is unconstrained in flood risk terms and benefits from being within a flood zone 1.	Green
6	Transport	Amber/Green	As identified within the site assessment report, it is proposed to use the access permitted under ESS/77/20/CHL to provide access directly onto the A1060. Application ESS/77/20/CHL was subject to a detailed Transport Assessment. The A1060 is classified as a main distributor road within Essex and therefore appropriate for HGV traffic. As set out above, the proposed quarry is situated in an optimal location to serve a range of large developments, which are all accessible via the A1060. It is therefore considered that the score should be categorised as green.	Green
7	Access	Red/Amber	<p>It is considered that the RAG score for the access to the site needs to be revisited. As referred to under the response to Transport above, the proposed access into the site already benefits from planning consent under application ESS/77/20/CHL. It is acknowledged that a right hand turn lane onto the A1060 is required in relation to the wider Shellows Cross Allocation to the south (Site Reference A40). If this right hand turn lane is secured as part of a planning application on the site to the south, then the proposed site at Chalk End would benefit from the use of the right hand turn lane. Given that the requirement for a right hand turn lane is already a requirement of the policy within the adopted plan, then there is no reason why it is not going to be delivered.</p> <p>In the event that the Shellows Cross allocation is not delivered prior to this site coming forward, then the applicants would have detailed discussions with the Highway Authority to agree any access improvements as required to the existing consent.</p>	Green/Amber
8	Public Rights of Way	Green	We fully agree and support the conclusion that the site can be delivered without any impact upon existing PROW.	Green
9	Geo-Environmental	Green	The assessment is supported and it is agreed that the proposals would have no impact upon the geological environment.	Green

	Criteria	ECC Site Assessment	Landowner Response	Landowner Assessment
10	Hydrology, Hydrogeology and drainage	Amber	As identified within the site assessment, the site is not within a Groundwater SPZ and has low groundwater vulnerability. It is not considered that the proposed development will have any negative impact upon the existing watercourse to the west of the site. The applicants are happy to provide suitable mitigation as required.	Green/ Amber
11	Air Quality	Green	The assessment in respect of air quality is agreed and it is agreed that the development will have no impact in respect of air quality that requires mitigation.	Green
12	Soil Quality	Amber	It is agreed that the site contains grade 2 land . The landowner would be happy to fully restore the land to agricultural purposes following the completion of the quarry operations on a phased basis to ensure that this impact is only temporary in nature.	Amber/ Green
13	Services and Utilities	Amber	The existing gas main referred to is some considerable distance from the proposed site and it is not considered that the proposed quarry will have any impact on the gas main.	Green
14	Health and Amenity	Amber	It is acknowledged that there are a limited number of residential receptors in close proximity of the site. The landowner is committed to provision for suitable set back and appropriate landscape planting to minimise any disturbance from the quarry to neighbouring residential landuses. The adjustment to the northern site boundary in relation to the gas main has also resulted in increased distance between the site and the residential dwellings to the north.	Amber
15	Green Belt	Red/Amber	The classification of the site as green in Green Belt terms is agreed. In terms of the assessment of this site, it is important to acknowledge that this site is relatively modest in size (0.25 million tonnes) and it would be capable of being worked in a short period. Having regard to the Samuel Smith Case, it is critical that the Mineral Planning Authority acknowledge the temporary nature of the works. The applicants would also be happy to provide suitable landscape mitigation to ensure that the mobile plant on the site is well screened from the wider Green Belt.	Green/Amber
16	Airport Safeguarding Zones	Green	It is agreed that the site is unconstrained having regard to airport safeguarding.	Green

4.5 In accordance with our response set out above, it is considered that the site provides a fully deliverable and logical site for mineral extraction.

5. SUMMARY / CONCLUSION

- 5.1 The proposed site is deliverable, achievable and realistic, and is available in the short-term. The proposed site would be linked to and operated via a former extraction site, and would provide much needed additional mineral in the west of Essex, with the additional benefit of the ease of access to south Essex where very few quarries are in operation.
- 5.2 The proposed allocation of the site would fully accord with the principles of sustainable development as set out within the NPPF and the strategic objectives as set out within policy S2 of the Local Plan. In particular, the allocation of the site is situated in a very sustainable location in close proximity to a number of large settlements that are currently experiencing substantial growth. Its allocation would assist the key policy requirement to minimise mineral miles.
- 5.3 In terms of the Candidate Site Assessment, this is one of only a few sites (of the 52 submitted) that did not have any red assessments within the RAG criteria. In addition, the site scored green or green/amber in over 50% of the scoring criteria. It is considered that the assessment of the site in access terms needs to be revisited given that the site benefits from an approved access under planning consent ESS/77/20/CHL. This site is fully capable of being delivered in isolation or as part of the wider allocation at Shellows Cross Farm.
- 5.4 With consideration to the above, it is proposed that the site is allocated for mineral extraction in the amended Mineral Local Plan 2040.
- 5.5 I trust this representation will be useful in respect of the ongoing Local Plan Review, but if you require any additional information or further clarification on any of the above, please do not hesitate to get in contact.