

# SCOPING OPINION

This Scoping Opinion relates to two proposals:

**PROPOSAL 1:** Continuation of development permitted by CHL/1019/87 without compliance with condition 1 (Application details) and condition 3 (Completion of extraction and restoration by 31 December 2030) to allow a 6 year temporary suspension of extraction within the Boreham Airfield land, relocation of the conveyor route to Park Farm land and an extension of time to complete extraction and restoration within the Boreham Airfield Land until 31 December 2045. Planning permission CHL/1019/87 was for "Winning and working of sand and gravel"

**LOCATION:** Bulls Lodge Quarry (Boreham Airfield Land), Generals Lane, Boreham, Chelmsford, CM3 3HR

**APPLICATION NO:** ESS/23/18/CHL/SPO

**PROPOSAL 2 :** Continuation of development permitted by CHL/1890/87 without compliance with condition 1 (Applications details), condition 3 (Completion of Boreham Airfield extraction before the Park Farm land extraction commences), condition 12 (Working in accordance with phasing plan), condition 13 (Phasing of development with Boreham Airfield) and condition 16 (Approved conveyor route) to allow a rephrasing of operations such that Park Farm is worked earlier within the overall working scheme for Bulls Lodge Quarry, Park Farm land is worked from north to south as opposed to the approved south to north and to allow an amended route for conveyor from the processing plant to Park Farm land extraction. Planning permission CHL/1890/87 was for "Winning and working of sand and gravel, the erection of a processing plant and ready mix concrete and mortar plants, workshop and weighbridge and office"

**LOCATION:** Bulls Lodge Quarry (Park Farm & Brick Farm land), Generals Lane, Boreham, Chelmsford, CM3 3HR

**APPLICATION NO:** ESS/24/18/CHL/SPO

## Planning and Environmental Statement Documentation

The planning application supporting documentation should include a detailed description of the proposals and the detail of the proposals should be considered when undertaking the Environmental Impact Assessment. Any mitigation recommended within the Environmental Statement (ES) should be included and described in the proposals within the planning application documentation. The planning application and supporting statement should be a separate document to the Environmental Statement. The Planning Applications and Supporting Statement should be able to be understood alone without reference to the Environmental Statement except to understand the assessment that lead to proposed mitigation within the application.



Please refer to ECC Supplementary Guidance for Submission of Planning Applications, available at <https://www.essex.gov.uk/Environment%20Planning/Minerals-Waste-Planning-Team/Planning-Applications/How-to-make-a-planning-application/Documents/Validation%20Checklist%20guidance.pdf>

It should be noted that there has been previous S73 applications on both CHL/1019/87 and CHL/1890/87. CHL/1019/87 has sought to be varied by ESS/37/15/CHL relating to a change in the restoration scheme and with respect to CHL/1890/87, ESS/36/13/CHL relates to a change in hours. In both cases a deed of variation is required to the existing S52 legal agreement before any decision can be issued.

While the rephrasing mainly effects the areas of Boreham Airfield and Park Farm, Brick Farm as part of the Park Farm permission would be delayed in its working and thus phasing details and mitigation details for Brick Farm should be assessed as part of the EIA and any mitigation included in the planning application for Park Farm/Brick Farm area.

## **Consultations**

It is advisable to approach consultees direct in preparing the ES, including those responsible for the management of utilities such as gas, water, electricity etc.

The following bodies have been consulted as part of the scoping process:

Chelmsford City Council: No comments to make on either scoping request

Environment Agency: Comments attached

Natural England: Response received on both scoping requests (attached)

Historic England: Comments on both scoping requests (attached)

ECC Place Services – Ecology )

ECC Place Services – Landscape ) Response received on both

ECC Place Services – Historic Buildings ) scoping requests (attached)

ECC Place Services – Historic Environment )

Highway Authority: No comments

County's Noise & Air Quality Consultants: Combined comments attached

Little Waltham Parish Council: No comments to make

Boreham Parish Council: No comments received

ECC Councillor – Chelmer: No comments received

ECC Councillor - Broomfield and Writtle: No comments received



## **Policy Context:**

The proposals should be considered and justified against International, National and Local Policy, including:

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (PPG)

Essex Minerals Local Plan (MLP) (2014)

In particular, the following policies:

- S1 - Presumption in favour of sustainable development
- S2 - Strategic priorities for minerals development
- S3 - Climate change
- S8 - Safeguarding mineral resources and mineral reserves
- S9 - Safeguarding mineral transshipment sites and secondary processing facilities
- S10 - Protecting and enhancing the environment and local amenity
- S11 - Access and Transportation
- S12 - Mineral Site Restoration and After-Use
- DM1 - Development Management Criteria
- DM2 - Planning Conditions and Legal Agreements

ECC Biodiversity Supplementary Planning Guidance (2016)

Chelmsford City Council Local Plan

- Core Strategy and Development Control Policies (2008)
- The Core Strategy and Development Control Policies Focused Review 2013
- North Chelmsford Area Action Plan (NCAAP)
- Site Allocations

Chelmsford CC is currently preparing a new Local Plan. The Pre-Submission Draft was submitted to the Secretary of State in June 2018 and the Public Inquiry is expected autumn 2018.

Further information is available at:

<https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-new-local-plan/new-local-plan/developing-the-new-local-plan/>

(This list is not exhaustive and other policies may be of relevance at the time of taking the Planning decision).

## **Pre-application request and Planning Performance Agreement**

This response is a Scoping Opinion only. The applicant is encourage to undertake pre-application discussions/advice with the Council prior to submission.



A Planning Performance Agreement would also be considered to be of benefit to both the applicant and the Minerals Planning Authority.

Further information on pre-application services offered by the Council and Planning Performance Agreements can be found at:

<https://www.essex.gov.uk/Environment%20Planning/Minerals-Waste-Planning-Team/Planning-Applications/Pages/Pre-Application-Advice-.aspx>

## **Scoping Opinion Request**

The Scoping Opinion request has stated that one Environmental Statement will be prepared to support the two proposed planning applications, identifying where relevant issues specific to each application area. Accordingly, this Scoping Opinion will follow the same format, in that one Scoping Opinion is provided but where environmental impacts are site specific these will be highlighted.

The Scoping Opinion request identified the following topics to be included in the Environmental Statement

- Landscape & Visual
- Ecology & Biodiversity
- Archaeology & Cultural Heritage
- Noise
- Hydrogeology
- Hydrology and Flood Risk
- Traffic & Transport
- Dust and Air Quality
- Cumulative Effects and Interaction Between Factors

The Scoping Request scoped out the following topics

- Soils and Agriculture
- Vibration
- Community & Social
- Population and Human Health
- Climate
- Accidents & Hazards



## Checklist adapted from European Commission Guidance on EIA, June 2001

No.	Questions to be considered in Scoping	Yes/No/?	Which Characteristics of the Project Environment could be affected and how?	Is the effect likely to be significant? Why?
<b>1. Will construction, operation or decommissioning (restoration) of the Project involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies, etc)?</b>				
1.1	Permanent or temporary change in land use, landcover or topography including increases in intensity of land use?	Yes	The changes to landcover and landscape would not be different from those currently permitted, but the timescale for the change would be changed, except in the location of the revised conveyor route	No, as no change from previously permitted
1.2	Clearance of existing land, vegetation and buildings?	Yes	No change from that currently permitted only a change in timescale for change except in the location of the revised conveyor route	No, as no change from previously permitted
1.3	Creation of new land uses?	Yes	No change from that currently permitted only a change in timescale for the change	No
1.4	Pre-construction investigations e.g. boreholes, soil testing?		Ecological surveys.  Archaeological trial trenching may be required particularly in Park Farm and Brick Farm areas  Soil surveys (already carried out)  Hydrogeological surveys already carried out.	No
1.5	Construction (extraction) works?	Yes	No change from that currently permitted except in the location of the revised conveyor route	No, conveyor will be for a temporary period only
1.6	Demolition works?	No		
1.7	Temporary sites used for construction works or housing of construction workers?	No		



No.	Questions to be considered in Scoping	Yes/No/?	Which Characteristics of the Project Environment could be affected and how?	Is the effect likely to be significant? Why?
1.8	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations?	Yes	No change from that currently permitted except in the location of the revised conveyor route	No, conveyor will be for a temporary period only
1.9	Underground works including mining or tunnelling?	No		
1.10	Reclamation works?	No		
1.11	Dredging?	No		
1.12	Coastal structures e.g. seawalls, piers?	No		
1.13	Offshore structures?	No		
1.14	Production and manufacturing processes?	Yes	Continuation of approximately 750,000 tpa sand and gravel processing over extended period until 2035 - an additional 5 years.	No, continuation of existing impacts.
1.15	Facilities for storage of goods or materials?	Yes	Continuation of storage within processing yard and change to storage of soils and overburden due to amended phasing scheme	Yes The location of stockpiling areas should be fully considered to avoid significant landscape/visual/noise/dust impacts.
1.16	Facilities for treatment or disposal of solid wastes or liquid effluents?	Yes	Continuation of existing	No Small scale.
1.17	Facilities for long term housing of operational workers?	No		
1.18	New road, rail or sea traffic during construction or operation?	No		
1.19	New road, rail, air, waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?	Yes	An internal haul road would be created adjacent to revised location for the conveyor route	No Only limited traffic would use the route as conveyor would transport mineral to processing plant.
1.20	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?	No		



No.	Questions to be considered in Scoping	Yes/No/?	Which Characteristics of the Project Environment could be affected and how?	Is the effect likely to be significant? Why?
1.21	New or diverted transmission lines or pipelines?	Yes	Within Brick Farm there are existing transmission lines and others associated with the new railway station.	Yes There is likely to be a long lead in time if these transmission lines needed relocation which could impact the life of the quarry overall.
1.22	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?	Yes	Dewatering  Silt management  The already permitted lake restoration within Boreham Airfield is likely to change both hydrology and hydrogeology	Yes  Water resources should be appropriately managed.  The impacts of the lake within Boreham Airfield have recently been considered as part of an amendment to the restoration scheme for Boreham Airfield (ESS/37/17/CHL)
1.23	Stream crossings?	Yes	The conveyor/access road will cross Park Farm Brook	Yes Impact of potential contamination and restriction in flow should be considered for Park Farm Brook.
1.24	Abstraction or transfers of water from ground or surface waters?	Yes	Dewatering/Silt Management and restoration of Boreham Airfield to part lake	Yes  The dewatering and silt management activities will extend over a longer period, and water from Park Farm and/or Brick Farm is likely to be utilised in the processing plant and the silt laden water returned to Boreham Airfield rather Park Farm or Brick Farm. This may impact groundwater and surface water within Park Farm &/or Brick Farm during extraction.
1.25	Changes in water bodies or the land surface affecting drainage or run-off?	Yes	The permitted restoration is a combination of low-level restoration and a lake, both will impact upon drainage and run-off.	Yes  The hydrology of Park Farm and Brick Farm has not been considered in detail since the original application.  Boreham airfield has been considered more recently due a change in the restoration namely the lake shape.
1.26	Transport of personnel or materials for construction, operation or decommissioning?	Yes	Any new plant/machinery and existing staff	No  Small scale.
1.27	Long term dismantling or decommissioning or restoration works?	Yes	Progressive restoration over extended period until 2035 and delay in restoration of part of Boreham Airfield due to suspension of working.	Yes  Delay in delivery of lake and agricultural land and extended period of noise, dust, visual and landscape impact



No.	Questions to be considered in Scoping	Yes/No/?	Which Characteristics of the Project Environment could be affected and how?	Is the effect likely to be significant? Why?
1.28	Ongoing activity during decommissioning (restoration) which could have an impact on the environment?	Yes	Progressive restoration over extended period until 2035 and delay in restoration of part of Boreham Airfield due to suspension of working.	Yes  Extended period of noise, dust, visual and landscape impact.
1.29	Influx of people to an area in either temporarily or permanently?	No		
1.30	Introduction of alien species?	No		
1.31	Loss of native species or genetic diversity?	No		
1.32	Any other actions?	No		
<b>2. Will construction or operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?</b>				
2.1	Land especially undeveloped or agricultural land?	Yes	Agricultural land would be temporarily lost during extraction period and permanently lost within Boreham Airfield due to lake feature. An area within Boreham Airfield will remain unrestored during the suspension of working in Boreham Airfield.	Yes  Assessment of the impact upon agricultural tenants should be considered.
2.2	Water	Yes	Processing of sand and gravel.	Yes  Water for processing may be sourced from Park Farm & Brick Farm, and in part sent to silt lagoons within Boreham Airfield. The impact of such should be addressed.
2.3	Minerals?	Yes	Continuation of existing permitted reserve, rephrasing ensuring prior extraction to avoid sterilisation	No  No additional mineral would be extracted arising from the proposals.
2.4	Aggregates?	Yes	Continuation of existing permitted reserve, rephrasing ensuring prior extraction to avoid sterilisation	See 2.3
2.5	Forests and timber?	No		
2.6	Energy including electricity and fuels?	No		
2.7	Any other resources?	No		



<b>3. Will the Project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?</b>				
3.1	Will the project involve use of substances or materials which are hazardous or toxic to human health or the environment (flora, fauna, water supplies)?	No		
3.2	Will the project result in changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)?	No		
3.3	Will the project affect the welfare of people e.g. by changing living conditions?	Yes	<p>Residential properties are located around the site, some were existing at time of the original determination in 1990, some have come since 1990, but prior to the adopted MLP and some have come post adoption of the MLP</p> <p>There is potential for the closest residential properties to be affected by noise, dust if the development is not properly managed.</p>	<p>Yes</p> <p>Minimum stand-off of 100m was required for all existing properties in 1990 or in the case of Park Farm, the property to be vacated during extraction.</p> <p>Residential development is now on going to the west and south of Park Farm. New properties within 100m of extraction areas have been permitted by CCC and mitigation provided as part of those residential properties.</p> <p>Additional residential areas are proposed as part of the emerging CCC Local Plan, any granted planning permission prior to determination of the proposals shall need to be taken into consideration with respect to noise, dust, visual and landscape impact.</p>
3.4	Are there especially vulnerable groups of people who could be affected by the project e.g. hospital patients, the elderly?	No		
3.5	Any other causes?	No		
<b>4. Will the Project produce solid wastes during construction or operation or decommissioning (restoration)?</b>				
4.1	Spoil, overburden or mine wastes?	Yes	<p>Silt would be generated. Silt from Park Farm and Brick Farm is to be disposed of within Boreham Airfield.</p> <p>Storage of overburden and soils</p>	<p>Yes</p> <p>Disposal of all silt within Boreham Airfield would have an impact upon the restoration afteruses for those areas where the silt has been disposed of. The impact of such should be addressed.</p> <p>Visual impact of stockpiles.</p>



4.2	Municipal waste (household and or commercial wastes)?	Yes	A minor amount of waste generated by site staff and operations	No Small scale.
4.3	Hazardous or toxic wastes (including radioactive wastes)?	No		
4.4	Other industrial process wastes?	Yes	Wastes arising from potation of bagging plant, ready mix plant and coated roadstone plant	No Small scale.
4.5	Surplus product?	Yes	There is potential for stockpiles of as-raised and/or processed minerals.	No  Subject to stockpiles remaining contained within the existing processing plant area, there would be no adverse impacts.
4.6	Sewage sludge or other sludges from effluent treatment?	Yes	Site offices/mess rooms within plant site area would include WC facilities.	No Small scale.
4.7	Construction or demolition wastes?	No		
4.8	Redundant machinery or equipment?	No		
4.9	Contaminated soils or other material?	No		
4.10	Agricultural wastes?	No		
4.11	Any other solid wastes?	No		
<b>5. Will the Project release pollutants or any hazardous, toxic or noxious substances to air?</b>				
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources?	Yes	Fuel for pumps for dewatering, fuel for on-site machinery and off-site transportation vehicles. Oil for machinery and vehicles.  Operation of processing plant.	Yes. The assessment should take account of the risks of air pollution and how these can be managed or reduced.
5.2	Emissions from production processes?	No		
5.3	Emissions from materials handling including storage or transport?	Yes	Machinery (hydraulic excavators and articulated dump trucks) used to extract and transport mineral	Yes See 5.1
5.4	Emissions from construction activities including plant and equipment?	No		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste?	Yes	Dust from the movement of vehicles, processing of materials and soil stripping/replacement.	Yes. A dust management scheme would be required.



5.6	Emissions from incineration of waste?	No		
5.7	Emissions from burning of waste in open air (e.g. slash material, construction debris)?	No		
5.8	Emissions from any other sources?	No		
<b>6. Will the Project cause noise and vibration or release of light, heat energy or electromagnetic radiation?</b>				
6.1	From operation of equipment e.g. engines, ventilation plant, crushers?	Yes	Noise/light from operation of plant (both in extraction areas, relocated conveyor and processing plant)	Yes any additional lighting should be included in the proposals and its impacts assessed.  It is recommended that the actual monitoring locations and duration of noise monitoring are agreed with the MPA/MPA noise consultant before a noise survey is undertaken. Monitoring should cover the proposed hours of work. A record of the prevailing meteorological conditions during the survey should be kept.
6.2	From industrial or similar processes?	Yes	Noise/light from operation of plant (both in extraction areas, relocated conveyor and processing plant)	See 6.1
6.3	From construction or demolition?	Yes	Construction of conveyor	See 6.1
6.4	From blasting or piling?	No		
6.5	From construction or operational traffic?	Yes	Noise from transportation of as-raised by conveyor.  Noise from transportation of processed material (750,000 tpa).  Noise from soil/overburden stripping and mineral extraction itself.  Lighting on vehicles.	See 6.1
6.6	From lighting or cooling systems?	Yes	Potential lighting of conveyor soil/overburden /staff facilities, but none currently proposed.	See 6.1
6.7	From sources of electromagnetic radiation (consider effects on nearby sensitive equipment as well as people)?	No		
6.8	From any other sources?	No		



<b>7. Will the Project lead to risks of contamination of land or water from releases of pollutants onto the ground or into sewers, surface waters, groundwater, coastal waters or the sea?</b>				
7.1	From handling, storage, use or spillage of hazardous or toxic materials?	No		
7.2	From discharge of sewage or other effluents (whether treated or untreated) to water or the land?	Yes	No additional staff facilities proposed, existing facilities would be retained	No Small scale.
7.3	By deposition of pollutants emitted to air, onto the land or into water?	No		
7.4	From any other sources?	No		
7.5	Is there a risk of long term build-up of pollutants in the environment from these sources?	No		
<b>8. Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?</b>				
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous or toxic substances?	Yes	Potential pollution impacts could arise from oil or chemical spills.	Potential pollution impacts could arise from oil or chemical spills.
8.2	From events beyond the limits of normal environmental protection e.g. failure of pollution control systems?	No		
8.3	From any other causes?	No		
8.4	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslip, etc)?	No		
<b>9. Will the Project result in social changes, for example, in demography, traditional lifestyles, employment?</b>				
9.1	Changes in population size, age, structure, social groups etc?	No		
9.2	By resettlement of people or demolition of homes or communities or community facilities e.g. schools, hospitals, social facilities?	Yes	Park Farm and Park Farm Cottages will need to be vacated during extraction within Park Farm when extraction is within 100m of the properties.	No  Resettlement would be small scale.



9.3	Through in-migration of new residents or creation of new communities?	No		
9.4	By placing increased demands on local facilities or services e.g. housing, education, health?	No		
9.5	By creating jobs during construction or operation or causing the loss of jobs with effects on unemployment and the economy?	No		
9.6	Any other causes?	Yes	Temporary loss of agricultural land in all extraction areas and permanent loss of agricultural land where the lake will be located.	Yes The impact of farm viability and agricultural tenants should be assessed.
<b>10. Are there any other factors which should be considered such as consequential development which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality?</b>				
10.1	Will the project lead to pressure for consequential development which could have significant impact on the environment e.g. more housing, new roads, new supporting industries or utilities, etc?	No		
10.2	Will the project lead to development of supporting facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: <ul style="list-style-type: none"> <li>• supporting infrastructure (roads, power supply, waste or waste water treatment, etc)</li> <li>• housing development</li> <li>• extractive industries</li> <li>• supply industries</li> <li>• other?</li> </ul>	No		



10.3	Will the project lead to after-use of the site which could have an impact on the environment?	Yes	Areas of the site are proposed to woodland and a lake with biodiversity areas	Yes The benefits are likely to be positive, but should be assessed.
10.4	Will the project set a precedent for later developments?	No		
10.5	Will the project have cumulative effects due to proximity to other existing or planned projects with similar effects?	Yes	Areas adjacent to the Park Farm and Boreham Airfield area have been put forward in the Chelmsford CC Local Plan, if applications are approved for housing, change in access arrangements to Bulls Lodge Quarry or other built development prior to determination the proposed developments there are likely to be cumulative effects	Yes There is potential for significant cumulative effects, with existing permitted development and if other development is approved prior to determination.



## CHARACTERISTICS OF THE PROJECT ENVIRONMENT

**Are there features of the local environment on or around the Project location, which could be affected by the Project?**

### **For Boreham Airfield**

Contaminated Land: Small unknown infill - Distance to constraint: 0m

Medium Flood Risk Flood Zone 2 - Distance to constraint: 4.06m

High Flood Risk Flood Zone 3 - Distance to constraint: 4.06m

Listed Building MOUNT MASKELLS II - Distance to constraint: 60.72m

Listed Building GREAT HOLTS FARMHOUSE II - Distance to constraint: 224.82m

Listed Building PEVEREL'S FARMHOUSE II - Distance to constraint: 7.17m

Public Right of Way PROW Boreham 2 - Distance to constraint: 246.85m

Public Right of Way PROW Little Waltham 60 - Distance to constraint: 61.81m

Public Right of Way PROW Boreham 51 - Distance to constraint: 18.61m

Public Right of Way PROW Little Waltham 4 - Distance to constraint: 231.76m

Public Right of Way PROW Boreham 7 - Distance to constraint: 37.10m

Public Right of Way PROW Boreham 16 - Distance to constraint: 0.00m

Public Right of Way PROW Boreham 15 - Distance to constraint: 165.08m

Public Right of Way PROW Boreham 8 - Distance to constraint: 54.16m

Public Right of Way PROW Boreham 17 - Distance to constraint: 6.27m

Public Right of Way PROW Boreham 48 - Distance to constraint: 6.39m

Public Right of Way PROW Little Waltham 33 - Distance to constraint: 8.34m

Local Wildlife Site Holts Farm Quarry Lakes - Distance to constraint: 152.28m

Local Wildlife Site The Grove - Distance to constraint: 143.67m



## SSSI Impact Risk Zone for River Ter SSSI

### For Park Farm & Brick Farm

Contaminated Land: Unknown infill - Distance to constraint: 57.22m

Contaminated Land: Landfills and other waste disposal - Distance to constraint: 226.45m

Medium Flood Risk Flood Zone 2 - Distance to constraint: 0.00m

High Flood Risk Flood Zone 3 - Distance to constraint: 0.00m

Listed Building MOUNT MASKELLS II - Distance to constraint: 70.94m

Listed Building THE COCK INN II - Distance to constraint: 198.42m

Listed Building THE CHESTNUTS II - Distance to constraint: 178.02m

Listed Building CLOCK HOUSE AND CLOCK HOUSE COTTAGE II - Distance to constraint: 199.37m

Listed Building MALTINGS AND MALTINGS COTTAGES AND ST ANDREWS II - Distance to constraint: 185.23m

Listed Building WALLACES FARMHOUSE II - Distance to constraint: 18.16m

Listed Building SIX BELLS PUBLIC HOUSE II - Distance to constraint: 154.01m

Listed Building CHANNELS FARMHOUSE II - Distance to constraint: 203.53m

Listed Building BARN ABOUT 850 METRES EAST NORTH EAST OF NEW HALL II - Distance to constraint: 0.00m

Public Right of Way PROW Boreham 21 - Distance to constraint: 0.00m

Public Right of Way PROW Boreham 4 - Distance to constraint: 160.31m

Public Right of Way PROW Boreham 7 - Distance to constraint: 0.00m

Public Right of Way PROW Boreham 24 - Distance to constraint: 1.13m

Public Right of Way PROW Boreham 49 - Distance to constraint: 7.96m

Public Right of Way PROW Boreham 16 - Distance to constraint: 0.00m

Public Right of Way PROW Boreham 15 - Distance to constraint: 0.00m

Public Right of Way PROW Boreham 8 - Distance to constraint: 3.53m

Public Right of Way PROW Broomfield 19 - Distance to constraint: 5.43m



Public Right of Way PROW Springfield 4 - Distance to constraint: 2.73m  
Public Right of Way PROW Boreham 39 - Distance to constraint: 189.55m  
Public Right of Way PROW Boreham 17 - Distance to constraint: 0.00m  
Public Right of Way PROW Boreham 48 - Distance to constraint: 0.00m  
Public Right of Way PROW Boreham 23 - Distance to constraint: 0.00m

Local Wildlife Site Holts Farm Quarry Lakes - Distance to constraint: 9.27m  
Local Wildlife Site The Grove - Distance to constraint: 0.00m  
Local Wildlife Site Boreham Road Gravel Pits - Distance to constraint: 0.00m  
Local Wildlife Site Channels Golf Course - Distance to constraint: 0.00m

SSSI Impact Risk Zone Blackwater Estuary SSSI  
SSSI Impact Risk Zone Blakes Wood & Lingwood Common

**Is the Project in a location where it is likely to be highly visible to many people?**

Extraction within Park Farm is located near to new residential areas, but advanced planting was provided as part of the original application and as part of the new housing development. If development is permitted within the completed areas of Boreham Airfield, there is potential for new housing/development to be in close proximity to extraction when it recommences within Boreham Airfield.

**Is the Project located in a previously undeveloped area where there will be loss of greenfield land?**

No additional green land would be developed arising from the changes to phasing proposed.



**Are there existing land uses on or around the Project location, which could be affected by the Project?**

- Homes, gardens, and other private property; public open space; and there would be impacts on the public rights of way in terms of enjoyment and views from the path.
- Extraction of Park Farm would be in close proximity to existing housing. There would be continued impact upon PRoW Boreham 16 which is crossed by the internal haul road between the existing processing plant and the Boreham Airfield.
- Agricultural: Agricultural land would be temporarily lost during extraction and permanently lost where the lake in Boreham Airfield is to be located, but this is already permitted. The rephrasing would change when agricultural land would be unavailable to agricultural tenants.
- Mining/quarrying: The application site within Boreham Airfield permission and within the processing plant area of Park Farm & Brick Farm permission is currently in use for mineral extraction and mineral processing respectively.

**Are there any plans for future land uses on or around the location which could be affected by the Project?**

Park Farm and part of Boreham Airfield has been put forward for allocation in the emerging CCC Local Plan for development. Land to the south and west of Park Farm is already allocated in the North Chelmsford Area Action Plan.

**Are there any areas on or around the location, which are densely populated or built-up, which could be affected by the Project?**

The area adjacent to the west of Park Farm and at a further distance south of Park Farm has recently or to be developed for housing. There is also a private day/boarding school located to the south of Park Farm.



**Are there any areas on or around the location which contain important, high quality or scarce resources which could be affected by the Project?**

There are Listed Buildings within the vicinity of both Boreham Airfield and Park Farm and Brick Farm, these are listed above.

**Are there any areas on or around the location of the Project which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?**

No

**Is the Project likely to affect the physical condition of any environmental media?**

- Soils – potentially some damage during stripping, storage and replacement.
- Air – Emissions from plant & machinery, small scale.
- Water – Some water will be dewatered as part of restoration and used in mineral processing. Some water will be through mineral processing. The creation of the lake within the Boreham Airfield will affect both hydrology and hydrogeology.
- Geological – Sand and gravels would be removed, but the extraction is already permitted.

**Are releases from the Project likely to have effects on the quality of any environmental media?**

- Air quality – Small scale.
- Noise/vibration – Small scale vibration, but potential noise from extraction and restoration.
- Water – Only in the case of a pollution incident from stored oils and fuels.
- Soils and agriculture – Soils would be stripped, stored and replaced, agricultural activity would be disrupted during extraction, but reinstated upon restoration except within the lake area within Boreham Airfield.
- Light Pollution – No additional lighting is proposed apart from that on mobile plant.



**Is the Project likely to affect the availability or scarcity of any resources either locally or globally?**

The extraction of sand and gravel would deplete sand and gravel resources, but the principle of extraction is established and necessary to enable built development.

**Is the Project likely to affect human or community health or welfare?**

The proposals would give rise potentially to noise, dust, visual and landscape impact on surrounding residents.



**The preceding table sets out many of the issues requiring consideration as part of any such application. In addition, the following issues are of such significance that should be addressed within the Environmental Statement:**

## **1. Agriculture and Soil**

It is noted that soils and agriculture have been scoped out of the EIA. Soils within the site are Grade 3a and 3b with some grade 2, hence are classified as best and most versatile.

### **Action**

It is noted that best practice will be employed with respect to stripping and replacement and restoration and aftercare on restored areas has resulted in good restoration and returned to agricultural use.

The change in phasing would give rise to agricultural land being taken out of agricultural production within a different timescale to that originally envisaged, such that land within Park Farm would be worked earlier and land within Boreham airfield and Brick Farm worked later. This would result in agricultural tenants losing land sooner in some areas and later in others.

The impacts of the development on farm structure and viability, and on other established rural land use and interests, both during the site working period and following its reclamation should be considered.

At this stage the potential afteruse of the land for built development is not approved, across all areas of the application areas, thus there until such time as an alternative afteruse is approved the land would be required to be restored to agriculture. Therefore a detailed Restoration Plan illustrating the restored landform and the proposed after uses, together with details of surface features, water bodies and the availability of outfalls to accommodate future drainage requirements is required.

It is therefore considered that it would be better if Agriculture was scoped in to the EIA.

## **2. Hydrology and Hydrogeology**

The Park Farm Area is crossed by Park Farm Brook. Parts of the Park Farm area lie within a Flood Risk Zone 2 and 3 on the alignment of Park Farm Brook. Boreham Brook lies to east of Brick Far with areas of Flood Zone 2 and 3

### **Action**

A Flood Risk Assessment is required, in accordance with the NPPF.



Hydrological and hydrogeological impacts should be assessed as set out in the scoping request.

The impact of dewatering the extraction area should be assessed.

The impact of silt laden water which has arisen from washing sand and gravel from Park Farm area, which is to be deposited in the Boreham Airfield area should also be assessed, particularly in terms of how it would impact restoration of the site.

Potential pollution impacts could arise from silty run-off, dewatering, oil or chemical spills and these should be assessed. This is particularly relevant where the conveyor and access track between Park Farm and the processing site as both would cross Park Farm Brook.

The use (or re-use) of water in processing should be fully assessed.

Impact of potential contamination and restriction in flow should be considered for Park Farm Brook.

The dewatering and silt management activities will extend over a longer period, and water from Park Farm and/or Brick Farm is likely to be utilised in the processing plant and the silt laden water returned to Boreham Airfield rather Park Farm or Brick Farm. This may impact groundwater and surface water within Park Farm &/or Brick Farm during extraction.

The hydrology of Park Farm and Brick Farm has not been considered in detail since the original application and therefore should be fully assessed. Boreham Airfield has been considered more recently due a change in the restoration namely the lake shape and this assessment should be included as part of the EIA.

### **3. Highways, Traffic and PRow**

No change to the current access arrangements is proposed as part of the rephasing. However, the access arrangements would in the future change once the Radial Distributor Road associated with the Beaulieu Park Development is constructed.

#### Action

The details approved for the Distributor Road (approved as part of application ref: 17/02039/REM by Chelmsford CC) should be considered as part of the cumulative impacts of the developments.

Boreham Footpath 16 lies within the Boreham Airfield area and the footpath is crossed by the internal haul road from the processing area to the extraction area. There would be no change to the impact arising from the proposals, except that the crossing would remain for a longer period.



Boreham Footpath 7 skirts the northern eastern edge of the Park Farm area.

There is an opportunity, as part of restoration particularly with the Boreham Airfield land, to create benefits to the PRow network through creating links across the land and around the proposed restoration lake, even if only provided on a permissive basis.

#### **4. Noise**

There are existing residential properties and permitted residential properties, particularly west of Park Farm. The New Hall School is located to the south of Park Farm.

##### Action

Please see the response from the County's Noise Consultant. In particular that the background noise levels should not be taken as at 2018, as doing so could result in noise creep. Noise sensitive locations for the assessment should be agreed between the MPA, ECC noise consultant and CCC EHO. Early discussion before any survey work is undertaken is essential.

Previous assessment of the noise impact upon for new properties to the west of Park Farm should be verified and included.

#### **5. Air Quality**

It is noted that there are existing measures with respect to dust suppress.

It is also noted that there would be no change in the rate of extraction or number of HGV movements, such that emissions from plant and HGVs would not change significantly. It is noted that a brief qualitative assessment of road traffic emissions will be included.

##### Action

Please see the comments of ECC Air Quality Consultant. An air quality assessment is required to be carried out in full accordance with the latest guidance published by the Institute of Air Quality Management (IAQM). In view of the proximity of existing houses and permitted houses it is recommended that a baseline dust deposition / flux and gravimetric monitoring survey is undertaken to monitor existing dust concentrations across the site, for a period of 3 months.

It is likely that a Dust Management Plan would be required by condition; alternatively this could be submitted as part of the planning application.



## **6. Lighting**

It is not clear from the submitted information whether any additional lighting would be required. Lighting may be required along the route of the conveyor or in association for staff/contractor facilities for Park Farm and Brick Farm.

### Action

The impact of lighting should be assessed.

## **7. Landscape and Visual Impact Assessment**

Park Farm and Brick Farm both include existing hedgerows, ponds with groups of trees. Due to the previous use of Boreham Airfield as an airfield, historical field boundaries do not exist. Advanced planting was carried out historically to screen the Park Farm workings - this planting was undertaken in the 2000's.

### Action

Please see the comments of the County's Landscape Advisor.

A Landscape and Visual Impact Assessment should be included as described in the Scoping request and carried out in accordance with the Landscape Institute Guidelines 3<sup>rd</sup> Edition. Viewpoints should be agreed with the MPA beforehand, suitable viewpoints should be chosen with Beaulieu Park.

The loss of existing vegetation, including hedgerows and hedgerow trees, particularly within Park Farm and Brick Farm needs to be assessed; such features are likely to have changed since considered of the applications in the late 1980s. Suitable mitigation should be proposed, taking account of earlier planting and retained vegetation.

It is important the landscape and visual impacts are assessed separately.

The presence of ash and therefore ash dieback needs to be assessed as part of the LVIA process.

If the rephrasing of Park Farm results in soil/overburden stockpiles, the impact of such stockpiles needs to be considered as part of the LVIA.

The southern area of Park Farm has been previously worked under a separate permission, thus the southern edge of the proposed extraction area for the Park Farm will be further north than that envisaged under CHL/1890/87 and may require additional landscape and visual mitigation.



## **8. Biodiversity/Ecology**

There are no designates sites within the application areas, but there are County Wildlife sites to the east of Boreham Airfield and to the west of Park Farm.

### Action

The approach proposed for ecology is broadly acceptable. All ecological surveys undertaken should be provided in full as part of any Environmental Statement.

Please see comments of the County Ecological Advisor.

The ecological assessment should be for the full area of both application areas i.e. while the order in which Brick Farm would be worked would not be affected, the proposals would see this area worked at a later date, than currently permitted.

The restoration proposals for both application areas should look for opportunities to enhance biodiversity in accordance with Essex Minerals Local Plan (MLP) and the accompanying Supplementary Planning Guidance: Mineral Site Restoration for Biodiversity SPG (2016).

Tree surveys should be undertaken across both applications areas and reports confirming to BS:5837 (2012) submitted as part of the EIA. Mitigation and protection measures should be included in the proposals.

## **9. Historic Environment - Archaeology**

An archaeological watching brief has been undertaken across those areas that have been worked within the Boreham Airfield.

Archaeological assessment within land adjoining Park Farm has found to include remains of Iron, Roman and Medieval Origin.

### Action

See ECC Historic Environment comments. As described in the Scoping request a desk based assessment of the permission areas should be undertaken. This DBA should bring together all of the results that have occurred in the immediate area, including the work on the airfield and in association with Beaulieu Park and Channels. Also a re-assessment of the aerial photographic evidence is required, potentially requiring the digital rectification of the photographs to facilitate accurate plotting of the information. This would facilitate appropriate trial trenching at a later date.

## **10. Historic Environment – Listed Buildings**

There are Listed Buildings within the vicinity of the site as detailed previously.



### Action

Please see comments of the County's Historic Buildings Advisor. An appropriate Heritage Impact Assessment should be undertaken that considers the potential harm to these designated heritage assets as a result of visual impacts, as well as other environmental factors such as, noise, dust, traffic and lighting as relevant to the development. The assessment should be undertaken in accordance with established policy and guidance, including Historic England's Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets.

## **11. Cumulative Impacts**

The expansion of North East Chelmsford (in terms of Beaulieu and Channels development) is ongoing and both are in close proximity to Park Farm. In addition the Radial Distributor Road will be developed during the life of the workings.

### Action

Consideration should be given to those permitted developments and liaison with CCC is advised to understand what developments are likely to be developed prior to the determination of the variation applications to the Bulls Lodge permissions.

## **12. Non-Technical Summary**

A non-technical summary is required to accompany an EIA and should summarise the EIA, setting out the positive and negative impacts and the mitigation measures, monitoring and management of the development. It is advised that the non-technical summary should include plans of working and restoration and preferably be available for free. The NTS should be a separate document to the ES.

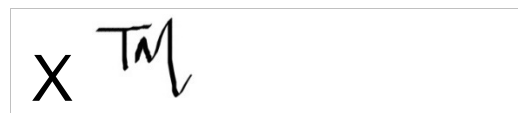
### Competent Expert

As required by Regulation 18 (5)(a) and (b) of the 2017 EIA Regulations the Environmental Assessment should be prepared by a competent expert and the ES should be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts.

**Case Officer/Written by: Claire Tomalin**

**Reviewed for issue by:**

17/09/2018



Signed by: Tom McCarthy



## **APPENDIX A: Consultation Responses**





Ms Claire Tomalin  
Essex County Council  
Chelmsford  
Essex  
CM1 1QH

**Our ref:** AE/2018/123264/01-L01  
**Your ref:** ESS/23/18/CHL/SPO  
**Date:** 13 September 2018

Dear Ms Tomalin

**CONTINUATION OF DEVELOPMENT PERMITTED BY CHL/1019/87 WITHOUT COMPLIANCE WITH CONDITION 1 (APPLICATION DETAILS) AND CONDITION 3 (COMPLETION OF EXTRACTION AND RESTORATION BY 31 DECEMBER 2030) TO ALLOW A 6 YEAR TEMPORARY SUSPENSION OF EXTRACTION WITHIN THE BOREHAM AIRFIELD LAND, RELOCATION OF THE CONVEYOR ROUTE TO PARK FARM LAND AND AN EXTENSION OF TIME TO COMPLETE EXTRACTION AND RESTORATION WITHIN THE BOREHAM AIRFIELD LAND UNTIL 31 DECEMBER 2045. PLANNING PERMISSION CHL/1019/87 WAS FOR "WINNING AND WORKING OF SAND AND GRAVEL". BULLS LODGE QUARRY (PARK FARM & BRICK FARM LAND), GENERALS LANE, BOREHAM, CHELMSFORD, CM3 3HR**

Thank you for your consultation received on 7 September 2018. We have inspected the application, as submitted, and we are satisfied with the content of the Scoping Report.

We note that

- Ecology and Biodiversity
- Hydrology
- Hydrology and Flood Risk

Are all scoped into the Environmental Impact Assessment so we have no further requirements.

We trust you find this advice useful.



Yours sincerely

Data Protection Act

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**Ms Gemma Allsop**  
**Sustainable Places - Planning Advisor**

Direct dial 020 7714 0541

E-mail [planning.ipswich@environment-agency.gov.uk](mailto:planning.ipswich@environment-agency.gov.uk)

End



Ms Claire Tomalin  
Essex County Council  
Chelmsford  
Essex  
CM1 1QH

**Our ref:** AE/2018/123263/01-L01  
**Your ref:** ESS/24/18/CHL/SPO  
**Date:** 13 September 2018

Dear Ms Tomalin

**CONTINUATION OF DEVELOPMENT PERMITTED BY CHL/1890/87 WITHOUT COMPLIANCE WITH CONDITION 1 (APPLICATIONS DETAILS), 3 (COMPLETION OF BOREHAM AIRFIELD EXTRACTION BEFORE THE PARK FARM LAND EXTRACTION COMMENCES), CONDITION 12 (WORKING IN ACCORDANCE WITH PHASING PLAN), CONDITION 13 (PHASING OF DEVELOPMENT WITH BOREHAM AIRFIELD) AND 16 (APPROVED CONVEYOR ROUTE) TO ALLOW A REPHRASING OF OPERATIONS SUCH THAT PARK FARM IS WORKED EARLIER WITHIN THE OVERALL WORKING SCHEME FOR BULLS LODGE QUARRY, PARK FARM LAND IS WORKED FROM NORTH TO SOUTH AS OPPOSED TO THE APPROVED SOUTH TO NORTH AND TO ALLOW AN AMENDED ROUTE FOR CONVEYOR FROM THE PROCESSING PLANT TO PARK FARM LAND EXTRACTION. PLANNING PERMISSION CHL/1890/87 WAS FOR “WINNING AND WORKING OF SAND AND GRAVEL, THE ERECTION OF A PROCESSING PLANT AND READY MIX CONCRETE AND MORTAR PLANTS, WORKSHOP AND WEIGHBRIDGE AND OFFICE.”**

**BULLS LODGE QUARRY (PARK FARM & BRICK FARM LAND), GENERALS LANE, BOREHAM, CHELMSFORD, CM3 3HR**

Thank you for your consultation received on 7 September 2018. We have inspected the application, as submitted, and we are satisfied with the content of the Scoping Report.

We note that

- Ecology and Biodiversity
- Hydrology
- Hydrology and Flood Risk

Are all scoped into the Environmental Impact Assessment so we have no further requirements.



We trust you find this advice useful.

Yours sincerely

Data Protection Act

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**Ms Gemma Allsop**  
**Sustainable Places - Planning Advisor**  
Direct dial 020 7714 0541  
E-mail [planning.ipswich@environment-agency.gov.uk](mailto:planning.ipswich@environment-agency.gov.uk)

End





Historic England

EAST OF ENGLAND OFFICE

Ms Claire Tomalin  
Essex County Council, Minerals & Waste  
Planning  
Environmental Planning  
County Hall  
CHELMSFORD  
Essex  
CM1 1QH

Data Protection Act

Our ref: PL00472665

24 August 2018

Dear Ms Tomalin

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
TOWN AND COUNTRY PLANNING ACT (ENVIRONMENTAL IMPACT  
ASSESSMENT) REGULATIONS 2017  
REQUEST FOR SCOPING OPINION  
Application Numbers: ESS/23/18/CHL/SPO and ESS/24/18/SPO**

Thank you for your letters of 9 August 2018 notifying Historic England of the Environmental Impact Assessment (EIA) Scoping Opinion for the proposed development.

The historic environment is a finite and non-renewable environmental resource which includes designated heritage assets, non-designated archaeology and built heritage, historic landscapes and unidentified sites of historic and / or archaeological interest. It is a rich and diverse part of England's cultural heritage and makes a valuable contribution to our cultural, social and economic life.

The development at Bulls Lodge Quarry has the potential to impact on the setting of a number of listed buildings and to involve the harm to buried archaeological remains which can be mitigated through the implementation of a written scheme of archaeological investigation. We are pleased this will be dealt with within the Environmental Statement. We advise that all supporting technical information (desk-based assessments, evaluation and post-excavation reports etc.) are included as appendices. Where relevant, the cultural heritage should be cross-referenced to other chapters or technical appendices; for example noise, light, traffic and landscape.

The EIA should consider the impact upon both designated and non-designated heritage assets. This should include the impact upon the setting of the heritage assets within the surrounding area.

Assessment of setting should not be restricted to visual impact, but should also consider other environmental factors such as noise, traffic and lighting, where relevant.



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749  
HistoricEngland.org.uk



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*





Historic England

EAST OF ENGLAND OFFICE

The assessment should be carried out in accordance with established policy and guidance, including the National Planning Policy Framework, Planning Practice Guidance and Historic England's *Historic Environment Good Practice Advice in Planning Note 3- The Setting of Heritage Assets*. Our guidance provides a thorough discussion of setting and methods for considering the impact of development on setting, such as the use of matrices. Whilst standardised EIA matrices or are useful tools, we consider the analysis of setting (and the impact upon it) as a matter of qualitative and expert judgement which cannot be achieved solely by use of systematic matrices or scoring systems. Historic England therefore recommends that these should be seen primarily as material supporting a clearly expressed and non-technical narrative argument within the cultural heritage chapter. The EIA should use the ideas of benefit, harm and loss (as described in NPPF) to set out 'what matters and why' in terms of the heritage assets' significance and setting, together with the effects of the development upon them.

Yours sincerely,

Data Protection Act

Deborah Priddy  
Inspector of Ancient Monuments

Data Protection Act



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



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## Air Quality Comments

**Application No:** ESS/24/18/CHL/SPO

**Our Ref:** B3553P06/30g

**Site:** Bulls Lodge Quarry (Boreham Airfield Land), Generals Lane, Boreham, Chelmsford, CM3 3HR

**Proposal:** Request for a Scoping Opinion: Continuation of development permitted by CHL/1890/87 without compliance with condition 1 (Applications details), 3 (Completion of Boreham Airfield extraction before the Park Farm land extraction commences), condition 12 (Working in accordance with phasing plan), condition 13 (Phasing of development with Boreham Airfield) and 16 (Approved conveyor route) to allow a rephrasing of operations such that Park Farm is worked earlier within the overall working scheme for Bulls Lodge Quarry, Park Farm land is worked from north to south as opposed to the approved south to north and to allow an amended route for conveyor from the processing plant to Park Farm land extraction. Planning permission CHL/1890/87 was for "Winning and working of sand and gravel, the erection of a processing plant and ready mix concrete and mortar plants, workshop and weighbridge and office."

**Response to and Date:** Letter from ECC dated 09 August 2018

**FAO:** Claire Tomalin **From:** Glyn Hodgkiss/  
Freya Hoyle **Date:** 29/08/2018

The Bulls Lodge quarry operations are consented via two mineral planning permissions, summarised as follows:

- CHL/1019/87 (dated 15/06/90) – known as the Boreham (Proving Ground) Permission, covering an area of ~ 245ha;
- CHL/1890/87 (dated 15/06/90) – known as the Park Farm Permission, covering an area of ~ 243ha. The Plant Site, Park Farm and Brick Farm lie within the boundary of this consent.

The existing permissions timetable the mineral extraction to be completed in full within Boreham before commencing at Park Farm. Therefore, to date, mineral extraction (and the disposal of mineral washing silt within lagoons) has only taken place within the Boreham Land.

The two mineral planning permissions operate independently, except that mineral is transported from the Boreham Land to the Plant Site (in the Park Farm Permission) by conveyor for processing, and silt washings from the Plant Site are held in lagoons within the Boreham Land.



The current end dates for mineral extraction and restoration of the quarries are 31/12/20 (Boreham Land) and 31/12/30 (Park Farm Land).

In 2011, an extensive area of land to the south of Park Farm was allocated for new development in the North Chelmsford Area Action Plan (NCAAP). In 2014, part of this land was granted outline planning permission for the development of 3,600 residential properties, infrastructure, retail, business and community facilities in a scheme known as Greater Beaulieu Park (GBP). The development land is being released for construction in phases by the grant of a series of detailed planning permissions, although it is noteworthy that there has been not yet been any full planning permission granted for residential development within 400m of the Park Farm land.

In order to deliver the remainder of the North East Chelmsford expansion around the area of Park Farm in accordance with the NCAAP timescales, and to avoid sterilisation of the consented mineral reserve, it will be necessary to accelerate the extraction of sand and gravel at Park Farm. This is contrary to timescales referred to within the existing planning consent.

Therefore, this application seeks to change the phasing of consented operations at the Park Farm development site; a second application has been submitted which seeks to change the phasing of operations at the Boreham Land site. The two applications will be assessed under a single Environmental Impact Assessment (EIA) and reported in the form of one Environmental Statement (ES). The Environmental Scoping Report (ESR) submitted in support of the application recommends that in order to adequately assess the air quality impacts and wider cumulative effects on the area, and to determine if additional mitigation is required, it is proposed that air quality is scoped into the EIA.

Therefore, an opinion has been requested relating to the scope of the Air Quality Assessment required to support the proposal. Relevant air quality commentary is provided as follows:

### **Odour**

Considering the nature of the development, it is considered unlikely that there would be any significant odour impacts.

### **Air Quality from Traffic Emissions**

The ESR states that the scheme does not propose any changes to the existing arrangements or the volume of traffic generated. It is considered most likely that any traffic related environmental effects will be negligible, therefore, the ESR recommends that traffic impacts are scoped out of the EIA. On this basis, there will be no requirement to consider traffic-related air quality impacts as part of the air quality assessment.

### **Emissions of Dust and Particulates**

The ESR proposes the submission of a desktop air quality assessment, including:

- Determination of site constraints, prevailing weather conditions and sensitive receptors (through a site visit and review of available mapping);



- Desktop review of baseline air quality in the locality, using information from published sources (including complaint history held by the site and previous dust monitoring in the area);
- Assessment of the impact of changes to baseline dust deposition rates and particulate matter concentrations at the nearest sensitive receptors throughout the operational phases of the proposed development using a qualitative methodology; the assessment will use information on the activities to be undertaken and distance to receptors to predict the probable significance of effects;
- Qualitative consideration of road traffic emissions (it is noted that traffic numbers will not change from current levels, however brief consideration will be included for completeness of the assessment); and
- Production of an assessment report, to be appended to the ES.
- Dust management measures will continue to be applied at Bulls Lodge quarry (as per current operations) and it is anticipated that appropriate controls relating to dust emissions will be part of any grant of planning permission for the proposed development.
- In areas where a modern air quality assessment has not been undertaken, and on the basis of results of the assessment, further mitigation may be proposed to ensure that operations remain within acceptable limits defined within the planning framework.

The Baseline Environmental Report (BER) submitted with this application states that the current permissions for Boreham and Park Farm both include a condition preventing extraction within 100m of a residential receptor to provide a standoff to minimise the potential for fugitive dust. However, it should be noted that more recently, planning consent for the Channels Development, located directly to the east of Park Farm and north of GBP, does allow residential development within a 100m buffer of the Park Farm extraction boundary.

## **Recommendations**

It is recommended that the air quality assessment is carried out in full accordance with the latest guidance published by the Institute of Air Quality Management (IAQM)<sup>1</sup>.

In the absence of any recent dust monitoring data for the site, it is recommended that a baseline dust deposition / flux and gravimetric monitoring survey is undertaken to monitor existing dust concentrations across the site, and also at a number of surrounding sensitive receptors, to be agreed with the mineral planning authority (MPA). The use of site-specific monitoring will provide current/robust data which can be used to inform the wider air quality assessment. This seems prudent, given the potential proximity of residential dwellings from the Channels Development. Furthermore, the assessment should be used as a basis for developing further proposals for dust monitoring and reporting, to be carried out immediately before and after work on a new phase commences, particularly Land at Park Farm. The IAQM guidance recommends that monitoring is carried out for a minimum period of 3 months before starting work on a new phase of quarrying activity.

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<sup>1</sup> IAQM (2016) Guidance on the Assessment of Mineral Dust Impacts for Planning. Institute of Air Quality Management, London.



It is recommended that any necessary mitigation measures identified by the air quality assessment are used to inform the production of updated Dust Management Plan (DMP), which can be requested by condition if planning permission is granted.



## Noise Comments

**Application No:** ESS/23/18/CHL/SPO and ESS/24/18/CHL/SPO      **Our Ref:** B3553P06/16/30  
**Site:** Bulls Lodge Quarry (Boreham Airfield Land), Generals Lane, Boreham, Chelmsford, CM3 3HR  
**Proposal:** Construction of an irrigation reservoir involving the excavation, processing and removal of sand, gravel and soils, engineering works and ancillary buildings  
**Response to and Date:** Letter from ECC dated 9th August 2018  
**FAO:** Claire Tomalin      **From:** Gail Hitchins      **Date:** 29.08.18

### ***Introduction***

The applicant's agents Aecom have submitted an Environmental Scoping Report (ESR), relating to proposed changes to existing planning permissions at Bull's Lodge Quarry. The aspects of the proposals of relevance to the noise assessment are summarised below:

- Changes in the phasing and direction of working
- Change to the mineral conveyor routing

No changes are proposed to:

- Extraction area extent
- Operating hours (0700-1800 hours, Monday to Friday, 0700-1300 hours Saturday, with HGVs leaving site from 0600 hours).
- Number of vehicle movements

The existing planning permissions were issued in 1990, and both permissions '*include a condition limiting noise arising from the development to 5 dB(A) above ambient levels when measured adjacent the outside face of any dwelling*'. The ESR acknowledges that an extensive area of land to the south of the Park Farm area of Bulls Lodge Quarry was allocated for new development in the North Chelmsford Area Action Plan (NCAAP) adopted in 2011. This development has commenced, and hence there are new noise sensitive receptors in the area, along with additional new receptors forming part of the committed development.

### ***Proposed Scope of Noise Assessment***

#### **Baseline**

The ESR signposts to a Baseline Environmental Report. This report does not present any noise measurement data, but states that '*noise surveys have been undertaken in 2011 (SLR) and in June 2017 (WBM Consultants), from 6 locations. The monitoring results show compliance with the noise limitation*'. No details of how compliance has been demonstrated are provided. The Environmental Statement (ES) should include all measurement methodologies and results.

The ESR states that the baseline should be 2018 conditions. Noise limits proposed by PPG: Minerals relate to background noise levels. These background noise levels should not be influenced by the existing mineral extraction operations, in order to avoid 'background creep', (whereby successive developments each incrementally increase background noise levels, resulting in unacceptable changes in noise levels).



## Assessment Methodology

The ESR sets out the following assessment steps, which we have presented alongside our comments:

- *identification of the nearest noise sensitive receptors;*
  - Existing, under construction and consented developments should be considered.
  - Receptor types should not be restricted to residential but include all potentially noise sensitive land uses. New Hall School to the south of the site is both a residential and educational establishment which will need detailed consideration. The Institute of Environmental Management and Assessment Guidelines for Noise Impact 2014 provides further guidance on noise sensitive receptors.
- *review of noise assessments and monitoring undertaken to date;*
  - Where noise from consented mineral extraction operations may have influenced measurements, this should be identified.
  - Such reports should be appended to the noise chapter of the ES.
- *determination of appropriate noise criteria based upon the NPPF and associated guidance, as well as relevant local guidance/criteria;*
  - Noise limits at residential receptors will be determined in accordance with PPG: Minerals.
  - Other guidance may be relevant to assess impacts on non-residential receptors, for example *Acoustic design of schools: performance standards. Building bulletin 93 (BB93)* and *Acoustics of Schools: a design guide* is of relevance to schools.
- *liaison with the Environmental Health Department of Chelmsford City Council (CCC) to discuss the noise assessment methodology, including appropriate criteria and any noise complaint history in the area;*
  - This liaison is welcomed, and should include ECC's noise advisors.
- *establishment of baseline noise levels in the locality;*
  - Due to the existing mineral extraction operations and the 'intensive construction' occurring in the area, the methods for determining background noise levels in the vicinity of the site are likely to be complex. ECC's noise advisors would welcome the opportunity to discuss proposals to determine background noise levels in advance of any survey work. Background noise levels used for the assessment should not be influenced by the existing mineral operations or construction activities.
  - The proposed unattended five-day survey methodology (to include weekday and weekend periods) is welcomed; however, steps must be taken to ensure no influence from the existing mineral extraction or construction operations in the area. In addition, any measurements made under adverse weather conditions should also be removed from the baseline data set.
  - Baseline data should be presented for all proposed quarry working hours, including the 0600-0700 hours period when HGV movements are permitted.
- *the likely effectiveness of design and control mitigation measures already in place and proposed by the Scheme;*
  - The attenuation of noise levels by mitigation measures should be fully justified. For example, attenuation by barrier (bunds or screens) should be calculated in accordance with BS5228:2009+A1:2014.



- *assessment of the resulting noise levels at the receptor locations as result of the quarry development;*
  - Noise prediction calculation methodology, inputs and assumptions should be detailed. The BS5228:2009+A1:2014 methodology is recommended. Predictions should include worst case noise levels at the nearest/worst affected receptors.
- *consideration of best practice control mitigation measures that form part of the scheme;*
  - Proposals for compliance noise monitoring would be welcomed.
- *production of a report, which will summarise the results of the baseline noise surveys, define the appropriate noise criteria, and assess the predicted noise levels of the proposed development; and*
  - Baseline noise survey methodology should be provided in full, along with the results.
- *relate the predicted noise levels with those set out in minerals planning guidance*
  - Assessment should be against the limits set out by PPG: Minerals. The applicant's attention is drawn to paragraph 21. This sets out that for normal operations, a noise limit of 55dB(A) (referred to in a number of places by the ESR), should only apply when background noise levels are in excess of 45dB(A), or when a limit of background +10dB(A) would impose an unreasonable burden on the operator.

The ESR argues that receptors at The Channels development, to the south and West of the Park Farm area of the quarry, would not be re-assessed. The reason being that the potential for mineral extraction noise was taken into consideration when planning permission was granted for the development. The ESR states that a report by RSK Environment submitted in support of the planning application for the development demonstrated that, with a barrier of 4.5m in height, a noise limit of 55dB(A) could be met. It is requested that these receptors are included in the proposed noise assessment. As a minimum, the previously predicted noise levels should be validated (plant or working methods may have changed since the RSK assessment), and the 55dB(A) noise limit should be justified when considered against the PPG-Minerals guidance.

## **Conclusion**

We would agree that the proposal to scope-in a noise assessment into the EIA is necessary. Due to the complexities of the site and existing noise climate in the area, it is recommended that proposals to establish background and ambient noise levels at noise sensitive receptors are agreed at an early stage with ECC's noise advisors. As set out in our response to the screening request, any noise assessment should be undertaken in accordance with the NPPF and PPG guidance.



Date: 23 August 2018  
Our ref: 255466 and 255469  
Your ref: ESS/23/18/CHL/SPO and ESS/24/18/CHL/SPO



Essex County Council  
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Hornbeam House  
Crewe Business Park  
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CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

Dear Sir or Madam,

**Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the Town & Country Planning EIA Regulations 2017):** Continuation of development permitted by CHL/1019/87 without compliance with condition 1 (Application details) and condition 3 (Completion of extraction and restoration by 31 December 2030) to allow a 6 year temporary suspension of ex-traction within the Boreham Airfield land, relocation of the conveyor route to Park Farm land and an extension of time to complete extraction and restoration within the Boreham Airfield Land until 31 December 2045. Planning permission CHL/1019/87 was for "Winning and working of sand and gravel".

Continuation of development permitted by CHL/1890/87 without compliance with condition 1 (Applications details), 3 (Completion of Boreham Airfield extraction before the Park Farm land extraction commences), condition 12 (Working in accordance with phasing plan), condition 13 (Phasing of development with Boreham Airfield) and 16 (Approved conveyor route) to allow a rephrasing of operations such that Park Farm is worked earlier within the overall working scheme for Bulls Lodge Quarry, Park Farm land is worked from north to south as opposed to the approved south to north and to allow an amended route for conveyor from the processing plant to Park Farm land extraction. Planning permission CHL/1890/87 was for "Winning and working of sand and gravel, the erection of a processing plant and ready mix concrete and mortar plants, workshop and weighbridge and office."

**Location:** Bulls Lodge Quarry (Boreham Airfield Land), Generals Lane, Boreham, Chelmsford, CM3 3HR

Thank you for your consultations dated and received by Natural England on 9 August 2018.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The scoping request is for a proposal that does not appear, from the information provided, to affect any nationally designated geological or ecological sites (Ramsar, SPA, SAC, SSSI, NNR) or landscapes (National Parks, AONBs, Heritage Coasts, National Trails), or have significant impacts on the protection of soils (particularly of sites over 20ha of best or most versatile land), nor is the development for a mineral or waste site of over 5ha.

At present therefore it is not a priority for Natural England to advise on the detail of this EIA. We would, however, like to draw your attention to some key points of advice, presented in annex to this letter, and we would expect the final Environmental Statement (ES) to include all necessary information as outlined in Part 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations



2017. If you believe that the development does affect one of the features listed in paragraph 3 above, please contact Natural England at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk), and we may be able to provide further information.

Yours faithfully,

Miss Rachel Bowden  
Consultations Team



## **Annex A – Advice related to EIA Scoping Requirements**

### **1. General Principles**

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

1. A description of the development, including in particular:
  - (a) a description of the location of the development;
  - (b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;
  - (c) a description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used;
  - (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases.
2. A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.
3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.
4. A description of the factors specified in regulation 4(2) likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.
5. A description of the likely significant effects of the development on the environment resulting from, inter alia:
  - (a) the construction and existence of the development, including, where relevant, demolition works;
  - (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;
  - (c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;
  - (d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
  - (e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;
  - (f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;
  - (g) the technologies and the substances used. The description of the likely significant effects on the factors specified in regulation 4(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project, including in particular those established under Council Directive 92/43/EEC(a) and Directive 2009/147/EC(b).



6. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.
7. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.
8. A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

## **2. Biodiversity and Geology**

### **2.1. Ecological Aspects of an Environmental Statement**

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. [Guidelines for Ecological Impact Assessment \(EclA\)](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework ([NPPF](#)) sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

### **2.2. Internationally and Nationally Designated Sites**

Natural England undertakes an initial assessment of all development consultations, by determining whether the location to which they relate falls within geographical 'buffer' areas within which development is likely to affect designated sites. The proposal is located outside these buffer areas and therefore appears unlikely to affect an Internationally or Nationally designated site. However, it should be recognised that the specific nature of a proposal may have the potential to lead to significant impacts arising at a greater distance than is encompassed by Natural England's buffers for designated sites. The ES should therefore thoroughly assess the potential for the proposal to affect designated sites, including Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites and Sites of Special Scientific Interest (SSSI). Should the proposal result in an emission to air or discharge to the ground or surface water catchment of a designated site then the potential effects and impact of this would need to be considered in the Environmental Statement

Local Planning Authorities, as competent authorities under the provisions of the Conservation of Habitats and Species Regulations 2017, should have regard to the Habitats Regulations Assessment process set out in Regulation 63 of the Habitats Regulations in their determination of a planning application. Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Statutory site locations can be found at [www.magic.gov.uk](http://www.magic.gov.uk). Further information concerning particular statutory sites can be found on the [Natural England website](#).



### 2.3. Protected Species

The ES should assess the impact of all phases of the proposal on protected species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

Natural England has adopted [standing advice](#) for protected species. It provides a consistent level of basic advice which can be applied to any planning application that could affect protected species. It also includes links to guidance on survey and mitigation.

Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species.

### 2.4. Regionally and Locally Important Sites

The ES should thoroughly assess the impact of the proposals on non-statutory sites, for example Local Wildlife Sites (LoWS), Local Nature Reserves (LNR) and Regionally Important Geological and Geomorphological Sites (RIGS). Natural England does not hold comprehensive information on these sites. We therefore advise that the appropriate local biological record centres, nature conservation organisations, Local Planning Authority and local RIGS group should be contacted with respect to this matter.

### 2.5. Biodiversity Action Plan Habitats and Species

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed in the UK Biodiversity Action Plan (BAP). These Priority Habitats and Species are listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, recently [published](#) under the requirements of S14 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available in the Defra publication '[Guidance for Local Authorities on Implementing the Biodiversity Duty](#)'.

Government Circular 06/2005 states that BAP species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of BAP habitat for the area under consideration.

## **3. Landscape, Access and Recreation**

### 3.1. Landscape and Visual Impacts

The consideration of landscape impacts should reflect the approach set out in the *Guidelines for Landscape and Visual Impact Assessment* (Landscape Institute and the Institute of Environmental Assessment and Management, 2013, 3rd edition), the *Landscape Character Assessment Guidance for England and Scotland* (Scottish Natural Heritage and The Countryside Agency, 2002) and good practice. The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England would expect



the cumulative impact assessment to include those proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

### **3.2. Access and Recreation**

The ES should include a thorough assessment of the development's effects upon public rights of way and access to the countryside and its enjoyment through recreation. With this in mind and in addition to consideration of public rights of way, the landscape and visual effects on Open Access land, whether direct or indirect, should be included in the ES.

Natural England would also expect to see consideration of opportunities for improved or new public access provision on the site, to include linking existing public rights of way and/or providing new circular routes and interpretation. We also recommend reference to relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

## **4. Land use and soils**

Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF. We also recommend that soils should be considered under a more general heading of sustainable use of land and the valuing of the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society; for instance as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. The Natural Environment White Paper (NEWP) '*The Natural Choice: securing the value of nature*' (Defra, June 2011), emphasises the importance of natural resource protection, including the conservation and sustainable management of soils and the protection of BMV agricultural land.

Development of buildings and infrastructure prevents alternative uses for those soils that are permanently covered, and also often results in degradation of soils around the development as result of construction activities. This affects their functionality as wildlife habitat, and reduces their ability to support landscape works and green infrastructure. Sealing and compaction can also contribute to increased surface run-off, ponding of water and localised erosion, flooding and pollution.

Defra published a Construction [Code of Practice for the sustainable use of soils on construction sites](#) (2009). The purpose of the Code of Practice is to provide a practical guide to assist anyone involved in the construction industry to protect the soil resources with which they work.

As identified in the NPPF new sites or extensions to new sites for Peat extraction should not be granted permission by Local Planning Authorities or proposed in development plans.

General advice on the agricultural aspects of site working and reclamation can be found in the Defra [Guidance for successful reclamation of mineral and waste sites](#).

## **5. Air Quality**

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which



may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

## **6. Climate Change Adaptation**

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment "by establishing coherent ecological networks that are more resilient to current and future pressures" ([NPPF](#) Para 109), which should be demonstrated through the ES.





7<sup>th</sup> September 2018  
F.A.O Claire Tomalin  
Essex County Council

Dear Claire,

**Application No: ESS/23/18/CHL/SPO.**

**Request:** REQUEST FOR SCOPING OPINION - A scoping opinion seeks to establish what should be included within an Environmental Impact Assessment (EIA) to accompany the proposal.

**Proposal:** Continuation of development permitted by CHL/1019/87 without compliance with condition 1 (Application details) and condition 3 (Completion of extraction and restoration by 31 December 2030) to allow a 6 year temporary suspension of extraction within the Boreham Airfield land, relocation of the conveyor route to Park Farm land and an extension of time to complete extraction and restoration within the Boreham Airfield Land until 31 December 2045. Planning permission CHL/1019/87 was for "Winning and working of sand and gravel".

**Location:** Bulls Lodge Quarry (Boreham Airfield Land), Generals Lane, Boreham, Chelmsford, CM3 3HR

With reference to the above named application and submitted documents received by Place Services on the 09/08/2018, asking for comments from Landscape, Ecology, Historic Buildings, Historic Environment and Trees. As per the agreed timescale, our comments on the Planning Application as submitted are made below:

#### **Ecology (Emma Simmonds)**

##### **Comment**

It is proposed that ecology is scoped into the EIA, which I support. The approach proposed for ecology is broadly acceptable.

All ecological surveys undertaken should be up-to-date and provided as part of any application and without full disclosure all of the ecological surveys that have been undertaken it is not possible to fully comment on the appropriateness of the scope of mitigation proposed.

Additional information is provided under our response for ESS/24/18/CHL/SPO.

#### **Landscape (Anne Westover)**

##### **Comment**

I have referred to the Environmental Scoping Report dated August 2018 submitted by AECOM.

Section 4 relates to Landscape and Visual Impacts and appears to be comprehensive in terms of the EIA scope. Noting paragraph 4.2 it will be important to separate the landscape and visual impacts. The impact on the landscape arising from the loss of established landscape features needs to be addressed with suitable mitigation proposed. The Baseline Environment Report includes the







information relation to landscape features including hedgerows. Hedgerows will need to be assessed in terms of their 'importance' under the 1997 Hedgerows Regulations. This was also stated within our response to the screening application ref. ESS/67/17/CHL and 66/17/CHL.

With respect to visual impacts arising from the proposed phasing and timescale amendments and noting paragraph 4.3 the viewpoints will need to be agreed with the LPA prior to the assessment work taking place. Suitable viewpoints from the Beaulieu Park area will need to be included. Please advise when you wish us to consider these further.

Suitable landscape mitigation will need to be proposed through the EIA application. This also needs to take into account both the presence of earlier plantings and retained vegetation in addition to any management work required to ensure that plantings provide mitigation into the long term.

### **Arboriculture (David Green)**

#### **Comment**

An expansion of this scale would likely require an EIA. Following the information gathered from an EIA, all relevant tree surveys and reports conforming with BS: 5837 (2012) will be required given the potential loss of vegetation that will result from expansion North. It is essential that the loss of vegetation is mitigated and retained trees are effectively protected throughout the extension period.

Given that advance planting was carried out previously to screen the development, I would expect to see future planting proposals along with the creation of bund protection along the expanded boundary.

### **Historic Environment (Richard Havis)**

#### **Comment**

With the potential of an EIA being required it is recommended that an archaeological desk based assessment is produced to understand the potential archaeological implications of the development and produce a mitigation strategy to record this. The desk based assessment should bring together and interpret all of the results that have occurred in the immediate area of the proposed sites which would include work on the airfield itself, the work at Beaulieu and that at Channels. The submitted summary document by AECOM begins this process, however a specific desk based assessment relating to the proposals is recommended for the EIA. There will also need to be a reassessment of the aerial photographic evidence, requiring the digital rectification of the photographs to facilitate accurate plotting of the information. This would then help facilitate appropriate trial trenching at a later date.

### **Historic Buildings (Adrian Gascoyne)**

#### **Comment**

The proposed development has the potential to affect the setting and significance of a number of listed buildings within the surrounding area, which are identified within the applicants Baseline Environment Report. It is recommended that an appropriate heritage impact assessment is undertaken that considers the potential for harm to these designated heritage assets as a result of visual impacts, as well as other environmental factors such as noise, dust, traffic and lighting as relevant to the development. The assessment should be undertaken in accordance with established policy and guidance, including Historic England's Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets. The results of the assessment should be included within any EIA as a technical appendix, and contribute to the cultural heritage chapter.

I trust the above comments will be of use to you, should you have any queries please do not hesitate to contact me, or the named specialists detailed.





Yours sincerely,

Luke Pidgeon  
Junior Consultant, Place Services  
[Luke.pidgeon@essex.gov.uk](mailto:Luke.pidgeon@essex.gov.uk)





7<sup>th</sup> September 2018  
F.A.O Claire Tomalin  
Essex County Council

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#### **Comment**

It is proposed that ecology is scoped into the EIA, which I support. The approach proposed for ecology is broadly acceptable.

All ecological surveys undertaken should be provided as part of any application and without full disclosure all of the ecological surveys that have been undertaken, it is not possible to fully comment on the appropriateness of the scope of mitigation proposed.

I note that only part of Brick Farm has been surveyed ecologically- i.e. the area in relation to the electricity substation. However, a survey will need to be provided for the whole of this site with the submission of the planning application.

The restoration proposals for this site should also be considered in the context of the Priority habitats in relation to Policy S12 of the Essex Minerals Local Plan (MLP) and the accompanying [Supplementary Planning Guidance: Mineral Site Restoration for Biodiversity \(June, 2016\)](#), (SPG). In order to achieve its focus on biodiversity restoration the Essex MLP aims to create 200 hectares of Priority habitat within the life of the plan. This now provides the backdrop to all minerals







planning applications in Essex. I note that some of two of the habitats listed in the SPG are included within the restoration proposals in the Restoration Plan, dated July 2017 for Bulls Lodge Quarry (reedbeds and species rich grassland) for ESS/37/15/CHL.

This does not mean that other appropriate non-target priority habitats cannot also be still be created on the site to reflect the context of the site and the existing habitats and species that it currently supports.

It would be expected that any habitats created and managed on the restored site will need to be managed as a part of the long-term restoration and, therefore, a long-term legal (S106) agreement is likely to be required for this purpose. A long-term Biodiversity Enhancement Plan (BEP) should demonstrate the specific techniques, management and motoring regimes that will be implemented to successfully deliver the stated biodiversity restoration. The SPG provides some advice on this.

#### Additional Background information

##### **Ecological survey & assessment**

Notwithstanding the above, as for any proposal, the planning application will need to be supported by adequate up-to-date ecological survey & assessment in line with recognised good practice guidance (<https://www.cieem.net/technical-guidance-series-tgs->) to enable the MPA to determine the new proposals submitted in line with national and local policy and its statutory duties.

##### **Appropriate Mitigation/ Compensation**

Mitigation should reflect the potential impacts upon protected species, or priority species / priority habitats identified, and be provided prior to determination. Wherever impacts occur, the mitigation hierarchy should be applied including all impacts on priority habitats and species, regardless of the significance as the LPA needs to demonstrate it is meeting its statutory biodiversity duty under s40 NERC Act (2006).

Effective and robust measures, in line with the mitigation hierarchy, must have a high degree of certainty for their deliverability in the long term. If there are residual impacts, these will need to be compensated for on site or offset and appropriate enhancements included to ensure [Biodiversity Net Gain](#) from the development.

Detailed actions for existing habitat removal and creation, and for dealing with protected, priority and invasive species also need to be set out.

##### **Invasive Species**

Note should also be paid to any non-native invasive species (Schedule 9 of the Wildlife and Countryside Act 1981) or risks posed by the development to native species present in the locality. These should be disposed of appropriately.

##### **Essex Biodiversity Validation Checklist**

As the development is classed as a major development the [Essex Biodiversity Validation Checklist](#) must be submitted with the application.

##### **Timing of Surveys and additional surveys**

Any additional surveys proposed should be submitted with the planning application, as required by paragraphs 98 and 99 of the [ODPM Circular 06/2005: Biodiversity and Geological Conservation](#). These surveys should be carried out at the right time of year, using recognised methods that are appropriate for the species and the scale / type of habitat. Re-surveys may be





required prior to each phase due to the length of time involved to check that the area has not changed over time.

### **Landscape (Anne Westover)**

#### **Comment**

I have referred to the Environmental Scoping Report dated August 2018 submitted by AECOM.

Section 4 relates to Landscape and Visual Impacts and appears to be comprehensive in terms of the EIA scope. Noting paragraph 4.2 it will be important to separate the landscape and visual impacts. The impact on the landscape arising from the loss of established landscape features needs to be addressed with suitable mitigation proposed. The Baseline Environment Report includes the information relation to landscape features including hedgerows. Hedgerows will need to be assessed in terms of their 'importance' under the 1997 Hedgerows Regulations. This was also stated within our response to the screening application ref. ESS/67/17/CHL and 66/17/CHL.

With respect to visual impacts arising from the proposed phasing and timescale amendments and noting paragraph 4.3 the viewpoints will need to be agreed with the LPA prior to the assessment work taking place. Suitable viewpoints from the Beaulieu Park area will need to be included. Please advise when you wish us to consider these further.

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It is recommended that an archaeological desk based assessment is produced to understand the potential archaeological implications of the development and produce a mitigation strategy to record this. The desk based assessment should bring together and interpret all of the results that have occurred in the immediate area of the proposed sites which would include work on the airfield itself, the work at Beaulieu and that at Channels. The submitted summary document by AECOM begins this process, however a specific desk based assessment relating to the proposals is recommended for the EIA. Looking at the area there will also need to be a reassessment of the aerial photographic evidence, potentially requiring the digital rectification of the photographs to facilitate accurate plotting of the information. This would then help facilitate appropriate trial trenching at a later date.

### **Historic Buildings (Adrian Gascoyne)**

#### **Comment**

The proposed development has the potential to affect the setting and significance of a number of listed buildings within the surrounding area, which are identified within the applicants Baseline





Environment Report. It is recommended that an appropriate heritage impact assessment is undertaken that considers the potential for harm to these designated heritage assets as a result of visual impacts, as well as other environmental factors such as noise, dust, traffic and lighting as relevant to the development. The assessment should be undertaken in accordance with established policy and guidance, including Historic England's Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets. The results of the assessment should be included within any EIA as a technical appendix, and contribute to the cultural heritage chapter.

I trust the above comments will be of use to you, should you have any queries please do not hesitate to contact me, or the named specialists detailed.

Yours sincerely,

Luke Pidgeon  
Junior Consultant, Place Services  
[Luke.pidgeon@essex.gov.uk](mailto:Luke.pidgeon@essex.gov.uk)