

Essex County Council  
**Minerals & Waste Planning**  
County Hall  
Chelmsford  
Essex CM1 1QH



Your ref    UTT/22/3258/PINS  
                  S62A/2022/0014  
Our ref:  
Date:        13 December 2022

Dear Sir/Madam,

**Nature of Response:** To address minerals and waste safeguarding implications arising through Application UTT/22/3258/PINS (S62A/2022/0014)

**Proposal:** Outline application with all matters reserved except for access for up to 170 dwellings, associated landscaping and open space with access from Thaxted Road

**Location:** Land To The West Of Thaxted Road Saffron Walden Essex

Thank you for your email received 8<sup>th</sup> December 2022 consulting the Mineral and Waste Planning Authority (MWPA) on the above proposals.

The 'application site' forms the basis for the minerals and waste safeguarding assessment set out below.

This response deals with mineral policy matters and waste policy matters in turn. A spatial representation of the application site and the matters discussed can be found in Appendix One. A list of relevant designations and specific facilities which would potentially be affected are listed, with their most recent planning application reference where relevant, in Appendix Two.

## **Mineral Matters**

### **Safeguarding Mineral Resources**

Part of the application site is located within land which is designated as a Mineral Safeguarding Area (MSA) and therefore the application is subject to Policy S8 of the Essex Minerals Local Plan 2014 (MLP). The MLP can be viewed on the County Council's website via the following link:

<https://www.essex.gov.uk/minerals-waste-planning-policy/minerals-local-plan>

Policy S8 of the MLP requires that a non-mineral proposal located within an MSA which exceeds defined thresholds must be supported by a Minerals Resource Assessment to establish the existence, or otherwise, of a mineral resource capable of having economic importance. This will ascertain whether

there is an opportunity for the prior extraction of that mineral to avoid the sterilisation of the resource, as required by the National Planning Policy Framework (Paragraph 210). The NPPF requires policies that encourage the prior extraction of mineral where it is practical and environmentally feasible.

At 3.7a, the area of land associated with the proposed development that lies within an MSA for chalk exceeds the 3ha threshold upon which local resource safeguarding provisions are applied for this mineral. Policy S8 of the MLP therefore applies, and this states “... *Proposals which would unnecessarily sterilise mineral resources or conflict with the effective workings of permitted minerals development or Preferred Mineral site allocation shall be opposed.*”

**Therefore, a Minerals Resource Assessment (MRA) is required as part of a planning application** to establish the practicality and environmental feasibility of the prior extraction of mineral such that the resource is not sterilised where this can be avoided. If found to be practical and environmentally feasible, prior extraction is expected to take place ahead of sterilisation by non-mineral development.

The relationship between the chalk MSA and the application site is shown in Appendix One.

The scope and level of detail of a Minerals Resource Assessment will be influenced by the specific characteristics of the site’s location, its geology, and the nature of the development being applied for. However, a number of key requirements can be identified which are likely to satisfy the MWPA that the practicality and environmental feasibility of prior extraction have been suitably assessed in the MRA. The detail to be provided should be in proportion to the nature of the proposed application. The MWPA welcomes early engagement to clarify the requirements of MRA.

MRA Section	Matters to Cover
<b>Site location, relevant boundaries, timescale for development</b>	Application area in relation to MSA/MCA Description of development including layout & phasing Timescale for development Whether there is any previous relevant site history – this could include previous consideration of site or adjacent land in preparation of Minerals Local Plan, any previous mineral assessments and market appraisals, boreholes, site investigations, technical reports and applications to the MWPA for extraction.
<b>Nature of the existing mineral resource</b>	Type of mineral Existing mineral exploration data (e.g. previous boreholes in area) Results of further intrusive investigation if undertaken

	<p>Extent of mineral – depth &amp; variability</p> <p>Overburden – depth &amp; variability, overburden:mineral ratio. To be expressed as both actual depths and ratio of overburden to deposit, as well as variation across the site.</p> <p>Mineral quality – including silt %/content and how processing may impact on quality. Consideration should give given to the extent to which the material available on site would meet the specifications for construction.</p> <p>An assessment of the amount of material that would be sterilised (whole site area) and could be extracted (following application of any required buffer zones).</p> <p>Estimated economic/market value of resource affected across whole site and that which could be extracted.</p>
<p><b>Constraints impacting on the practicality of mineral extraction (distinct from those that would arise from the primary development)</b></p>	<p>Ecology designations, Landscape character, Heritage designations, Proximity to existing dwellings, Highways infrastructure, Proximal waterbodies, Hydrology, Land stability, Restoration requirements,</p> <p>Effect on viability of non-minerals development including through delays and changes to landform and character, Utilities present etc.</p> <p>Constraints should be assessed in light of the fact that construction of the non-minerals development would be taking place e.g. landscape issues are to be presented in light of the final landscape likely to be permanent built development. It is held that mitigation methods employed as part of the construction of the non-minerals development may also facilitate prior extraction at that locality.</p>
<p><b>Potential opportunities for mineral extraction at location</b></p>	<p>Ability of site to incorporate temporary mineral processing plant, Proximity to existing mineral sites or processing plant, Context of site and mineral within wider mineral resource area, Proximity to viable transport links for mineral haulage, The potential for indigenous material to be used in the construction of the proposed development, thereby</p>

	<p>reducing/removing the need for import,</p> <p>Potential benefits through mineral restoration e.g. land reclamation, landscape enhancement,</p> <p>Any opportunities for ancillary extraction as part of the primary development of the site such as foundations, footings, landscaping, sustainable drainage systems,</p> <p>Evidence or otherwise of interested operators/local market demand.</p>
<b>Conclusion (as relevant to the findings)</b>	<p>Whether mineral extraction at the site would be practical, based on conclusions of a competent person,</p> <p>Whether prior extraction is practical at the site in the context of the non-mineral development, taking into account the estimated value of the mineral, restoration and the viability of the proposed development,</p> <p>How the MRA has informed the proposed non-mineral development,</p> <p>If prior extraction is not practical, the justification for sterilising the mineral,</p> <p>If prior extraction is practical, how this will be phased as part of, or preceding, the non-mineral development,</p> <p>Whether prior extraction is environmentally feasible,</p> <p>Whether the site has the potential to be worked for mineral in the future.</p>

An MRA is expected to be evidence based and informed by quantified information.

To ensure that a comprehensive assessment of the mineral resource at risk of sterilisation is undertaken, it is recommended that:

- Any questions regarding the scope of an MRA are discussed with the MWPA as early as possible;
- a draft borehole location plan is agreed prior to commencement, and preferably as part of pre-application;
- the borehole depths should be sufficient to prove the depth of the safeguarded deposit;
- borehole analysis must note the depth of the water table;
- a non-stratified sampling technique is applied. An initial spacing of approximately 100m-150m centre to centre should be considered, with additional locations if required to determine the extent of deposits on site; and
- The MRA provides documented evidence confirming any commercial interest in working the resource at risk of

sterilisation based on its quality, quantity, and viability of prior extraction.

The MRA should be prepared using the [Pan-European Standard for Reporting of Exploration Results, Mineral Resources and Reserves \(PERC\) Standard](#), which was revised and published on 23 May 2013.

Any application, through a MRA or otherwise, is required to be submitted with sufficient information such that the issues raised through Policy S8 of the MLP can be appropriately considered.

### **Mineral Infrastructure Matters**

With regard to Mineral Consultation Areas, Policy S8 of the MLP seeks to ensure that existing and allocated mineral sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy S8 of the MLP defines Mineral Consultation Areas as extending up to 250m from the boundary of an infrastructure site or allocation for the same.

The application site does **not** pass through a Mineral Consultation Area (MCA) and therefore, a Mineral Infrastructure Impact Assessment (MIIA) would **not** be required as part of a planning application on this site.

### **Mineral Supply Audit**

The MWPA requests a Mineral Supply Audit to aid in demonstrating compliance with the notion of sustainable development, circular economy principles and the application of Policy S4 of the adopted Minerals Local Plan 2014 (MLP) which requires, inter-alia, '*The application of procurement policies which promote sustainable design and construction in proposed development*'.

The MLP further notes that '*All developers have the potential to reduce over-ordering of construction materials and encourage more sustainable construction practices through their own procurement practices.*' A Minerals Supply Audit would feed into, or be considered alongside, a Site Waste Management Plan which accords with the MLP principle of 'Encouraging the re-use and recycling of construction, demolition and excavation wastes on-site' (MLP, Para 3.41) to provide a materials balance for major developments.

There is currently no set scope for a Mineral Supply Audit, but the following framework has been submitted to the authority previously and could be modified to suit the project in question. Some approaches have included the commitment to sustainable procurement practices as well as demonstrating how recycling and re-use targets will contribute to a reduction in primary aggregate demand.

Project Stage		Total Aggregate Anticipated (tonnes (t))	Project aggregate demand					Notes
			Soft Sand Total (t)	Crushed Rock Total (t)	Sharp sand/gravel total (t)	Secondary/recycled Aggregate total (t)	Other Aggregate not available locally (t)	
Enabling Works	Backfill/Sub base Utilities							
	Concrete Slabs, Foundations etc.							
Demolition	No aggregate demand expected							
Highways	Sub-base							
	Drainage							
	Concrete Slabs, Foundations, structures etc.							

## Waste Matters

### Safeguarding Waste Infrastructure (if there ARE Waste Infrastructure Matters include this)

The application site passes through a Waste Consultation Area associated with Saffron Walden Recycling Centre as shown in Appendix One. Its location within a Waste Consultation Area means that an application would be subject to Policy 2 of the Essex and Southend-on-Sea Waste Local Plan 2017 (WLP). The WLP can be viewed on the County Council's website via the following link:

<https://www.essex.gov.uk/minerals-waste-planning-policy/waste-local-plan>

Policy 2 of the WLP seeks to ensure that existing and allocated waste sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy 2 defines Waste Consultation Areas as extending up to 250m from the boundary of existing or allocated waste infrastructure, unless they are Water Recycling Centres, where the distance increases to 400m.

**Due to the proposed project passing through a Waste Consultation Area, a Waste Infrastructure Impact Assessment (WIIA) is required as part of the planning application.** In order to satisfy the provisions of Policy 2, the MWPA has designed a generic schedule of information requirements that should be addressed as relevant within the supporting evidence of any application which falls within a Waste Consultation Area. The detail to be provided should be in proportion to the nature of the proposed application.

### Waste Infrastructure Assessment Components

Waste Infrastructure Assessment Components	Information requirements & sources
Site location, boundaries and area	<ul style="list-style-type: none"><li>• Application site area in relation to safeguarded site(s)</li><li>• Description of proposed development</li><li>• Timescale for proposed development</li></ul>
Description of infrastructure potentially affected	<ul style="list-style-type: none"><li>• Nature of relevant safeguarded facility</li><li>• Type of material handled/processed/supplied</li><li>• Throughput/capacity</li></ul>
Potential sensitivity of proposed development as a result of the operation of existing or allocated safeguarded infrastructure	<ul style="list-style-type: none"><li>• Distance of the development from the safeguarded site at its closest point, to include the safeguarded facility and any access routes.</li><li>• The presence of any existing buildings or other features which naturally screen</li></ul>

	<p>the proposed development from the safeguarded facility</p> <ul style="list-style-type: none"> <li>• Evidence addressing the ability of vehicle traffic to access, operate within and vacate the safeguarded development in line with extant planning permission.</li> <li>• Impacts on the proposed development in relation to: <ul style="list-style-type: none"> <li>○ Noise</li> <li>○ Dust</li> <li>○ Odour</li> <li>○ Traffic</li> <li>○ Visual</li> <li>○ Light</li> </ul> </li> </ul>
Potential impact of proposed development on safeguarded infrastructure/ allocation	<ul style="list-style-type: none"> <li>• Loss of capacity – none, partial or total</li> <li>• Potential constraint on operation of facility – none, partial or full</li> </ul>
Measures to mitigate potential impacts of operation of infrastructure on proposed development	<ul style="list-style-type: none"> <li>• External and internal design &amp; orientation eg landscaping; living &amp; sleeping areas facing away from facility.</li> <li>• Fabric and features eg acoustic screening &amp; insulation; non-opening windows; active ventilation</li> </ul>
Conclusions	<ul style="list-style-type: none"> <li>• Sensitivity of proposed development to effects of operation of safeguarded infrastructure/facility can be mitigated satisfactorily; or</li> <li>• If loss of site or capacity, or constraint on operation, evidence it is not required or can be re-located or provided elsewhere</li> </ul>

A WIIA is expected to be evidence based and informed by quantified information. It is recognised that the requirements of a WIIA may be addressed through other evidence base documents, such as those addressing transport, odour and noise issues. In these instances, it would be acceptable for the WIIA to signpost to the relevant section of complementary evidence supporting the planning application. The MWPA welcomes early engagement to clarify the requirements of WIIA.

### **Site Waste Management Plan**

Paragraph 8 of the NPPF recognises the importance of “using natural resources prudently and minimising waste” to ensure the protection and enhancement of the natural environment and to achieve sustainable development. It also reiterates the need to mitigate and adapt to climate change and move towards a low carbon economy. An efficient and effective circular economy is important to achieving these objectives.



Policy S4 of the Minerals Local Plan (2014) advocates reducing the use of mineral resources through reusing and recycling minerals generated as a result of development/ redevelopment. Not only does this reduce the need for mineral extraction, it also reduces the amount sent to landfill. Clause 4 specifically requires:

“The maximum possible recovery of minerals from construction, demolition and excavation wastes produced at development or redevelopment sites. This will be promoted by on-site re-use/ recycling, or if not environmentally acceptable to do so, through re-use/ recycling at other nearby aggregate recycling facilities in proximity to the site.”

It is vitally important that the best use is made of available resources. This is clearly set out in the NPPF and relevant development plan documents. We would therefore recommend that, in lieu of these issues being addressed prior to a decision, conditions are attached to require the applicant to prepare an appropriately detailed waste management strategy through a Site Waste Management Plan.

A SWMP would be expected to:

- present a site wide approach to address the key issues associated with sustainable management of waste, throughout the stages of site clearance, design, construction and operation,
- establish strategic forecasts in relation to expected waste arisings for construction,
- include waste reduction/recycling/diversion targets, and monitor against these,
- advise on how materials are to be managed efficiently and disposed of legally during the construction phase of development, including their segregation and the identification of available capacity across an appropriate study area.

Yours sincerely,

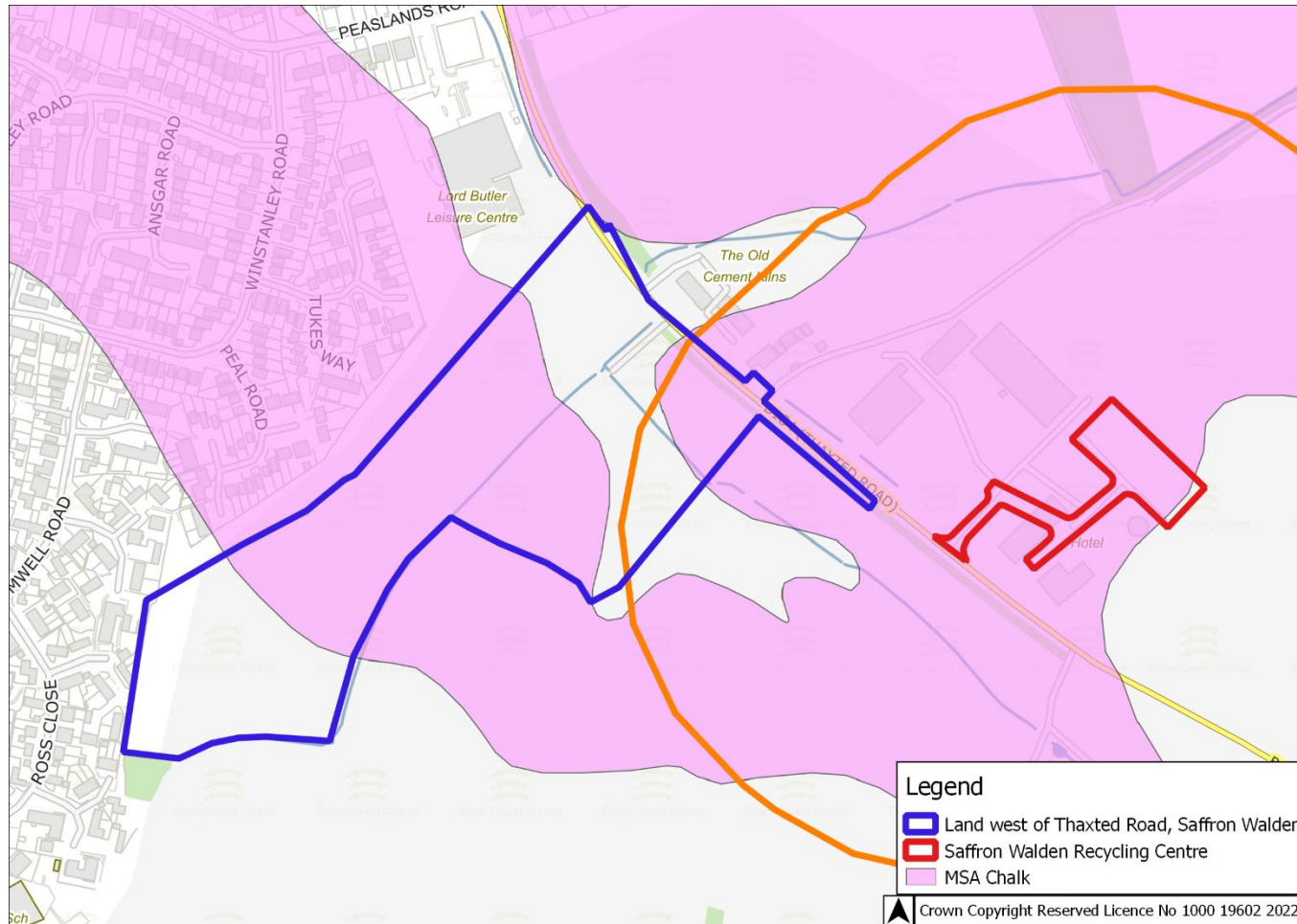
[Redacted Signature]

Philip Dash  
Principal Planner

Email: [Redacted Email Address]

## Appendix One

### Map 1 – Minerals and Waste Safeguarding Screening – Full Extent of Application Site



## Appendix Two – Schedule of Safeguarding Designations and Safeguarded Minerals and Waste Infrastructure Relevant to The Application Site

### Schedule of mineral infrastructure and designations within the application site

Details of planning applications can be viewed on the [ECC website](#), by accepting the disclaimer and then searching on the planning reference

Site type	Site name	Planning application number	Further Details
Mineral Safeguarding Areas  Policy implications set out under 'Mineral Matters – Safeguarding Mineral Resources'. Subject to MSA designation – Policy 8 of the Essex Minerals Local Plan 2014  Spatial extent shown in Appendix One.	Chalk	N/A	

### Schedule of waste infrastructure and designations within the application site

Site type	Site name	Planning application number	Further Details
Waste management infrastructure (subject to WCA designations –	Saffron Walden Civic Amenity and Recycling	CC/UTT/07/94	

Policy 2 of Essex and Southend-on-Sea Waste Local Plan)			
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