

MINUTES

Minutes of Extraordinary Meeting of Woodham Walter Parish Council.
Held at 8pm in Woodham Walter Village Hall, Rectory Road, Woodham Walter.

Tuesday 20th September 2011

Present:

Cllr. Mark Durham (Chairman)
Cllr. James Bunn (Vice Chairman)
Cllr. Andrew Newland
Cllr. Gill Orford
Cllr. Peter Warren

Others: Mrs Jacky Bannerman (Parish Clerk)

Cllr. Mrs Penny Channer (Essex County Councillor and Maldon District Councillor)
Mrs Jennifer Candler (Head of Planning Services, Maldon District Council)
Jenny Clemo (Clerk, Langford & Ulting Parish Council)
Cllr. Claire Hodgson (Little Baddow Parish Council)
Mr Mitch Vaughan (Vice Chairman of Governors, Woodham Walter Primary School)
Cllr. Henry Bass (Maldon District Council Ward Member)
Cllr. Andrew Tween (Chairman, Langford & Ulting Parish Council)
Rhonda Kempster (North East Essex Badger Group, Maldon & Dengie Section)
Cllr. Simon King (Woodham Mortimer Parish Council)

Public: 105 Press: 2 (Representatives from Essex Chronicle and Maldon & Burnham Standard)

542. Welcome Councillor Mark Durham welcomed those present and outlined the format of the meeting. Those present were asked to sign the attendance register.

543. Apologies For Absence Apologies were received and accepted from Cllr. David Potter; Angus Neale; Jenny & Doug Plumb (Tom Tit Lane); Cllr. Harry Clacy (Danbury Parish Council & CAMEL Chairman); Barbara Kendall (Essex County Council Minerals & Waste Planning); Lee Carter (Whitehouse Farm); Colin Bennett (Chairman of Governors, Woodham Walter Primary School)

544. Register of Declared Interests There were no interests declared, the register was duly signed.

545. Declaration of Acceptance of Office & Register of Declared Interests Cllr. Gill Orford signed and submitted these forms which were countersigned by clerk and duly filed.

546. Open Letter from Lee and Lisa Carter from Whitehouse Farm.

Councillor Mark Durham read out a letter from owners of Whitehouse Farm. (See attached: Appendix 1)

Extract: "...Our main reasons for this letter are firstly, to point out that our home, Whitehouse Farm, is our own privately-owned and completely separate property where we are happily committing our long-term future as residents; and secondly, to point out that the current Application regarding the Minerals Structure Plan is being independently made by a large construction materials organisation. They have no connection whatsoever with our family Company (who are no longer directly involved in quarrying) and are taking an Option to lease the relevant parcel of land in the event that they can ever secure Planning Permission from Essex County Council..."

547. Opening Presentation from Councillor Mark Durham (See attached: Appendix 2)

Councillor Durham gave a presentation detailing the information and facts that have been collated by the Parish Council so far and detailing the method and importance of individual responses to the consultation.

548. Councillor Penny Channer, Essex County Councillor and Maldon District Councillor

Cllr. Channer explained her position as County and District Councillor and reiterated the importance that as many people as possible make their views known either in support or objecting to the proposal.

Essex County Council are required to make a plan for minerals to provide what is needed in the county but of course the right balance needs to be achieved. No assessment of the Whitehouse Farm site has been made which adds to the imperative reasons why you should respond. She will be responding as an Essex County Council Member and she is the Chair of the Maldon District Council Planning & Licensing Committee which will be discussing the proposal at their meeting on 6th October. Cllr. Channer thanked Cllr. Durham for a comprehensive slide presentation.

Cllr. Channer concluded that the county council needs to ensure a comparable level of consultees both professional and local respond to the document. This combined knowledge helps with the assessment.

549. Mrs Jennifer Candler, Head of Planning Services, Maldon District Council

Mrs Candler reported that officers are currently drafting a report and she is attending the meeting in order to hear local views. She offered the help of Planning Officers to the Parish Council and public with regard to relevant Planning Policies. The MDC report will be published towards the end of September and will be a publicly available document that will appear on the Maldon District Council website. The report will then be considered by the Planning and Licensing Committee on 6th October with a view to responding to the Essex County Council consultation.

550. Public Forum

Councillor Durham opened the meeting up to the public for comments and questions.

Ken Rennie (Woodham Walter Resident): It is difficult for parishioners to make an informed response by 20th October without full assessment information and a proper plan being available. Is there likely to be more information available?

Response: There is a Sustainability Report available but this has not been done at a high level and is therefore not complete. There may be more information available at the Essex County Council MDD Drop in Session at Woodham Walter Village Hall on Monday 26th September 11am-7pm.

Rhonda Kempster (North East Essex Badger Group, Maldon & Dengie Section): Woodham Walter is lucky with the badgers sets it has but reported that the Wilderness sets are already noted as vulnerable sets. She asked if a case study has been done as she is fearful of the safety of badgers if a gravel extraction site is approved at Whitehouse Farm. They would be happy to help with an Ecological Survey of the area.

Peter Maynard (Woodham Walter Resident): Has any assessment been carried out on what the impact will be for residents? What are the working hours of the site likely to be? What is the frequency and timing of the lorry movements likely to be? How do we monitor noise levels? What sanctions will be available to us if there are breaches of conditions? Is it possible for the site to be amended to maintain a woodland screen between the site and village? Are there anymore sites in the Minerals Development Document that are proposed so close to the centre of a village?

Response: No planning application has been received at this stage, this is a consultation exercise so precise details are not available, this is a part of an assessment as to the suitability of the site. Part of the evaluation that has been carried out does include a formula for vehicle movements which has been calculated at approximately 50 exiting and 50 entering the site daily.

Frank Herrmann (Woodham Walter Resident): Mr Herrmann noted that he was previously the Parish Council Chairman at the time of the enquiries in 1988 when the Whitehouse Farm site was last considered. Then it was concluded that noise abatement would involve building bunds but that this would be insufficient. The calculation for lorry movements was estimated at 60 per day. There was great concern that there would be vast amounts of dust and noise for the local residents to contend with.

Patricia Ryan (Danbury Resident and Historian of Woodham Walter): Author of the book "Woodham Walter: A Village History. Have the Parish Council thought about the people of Curling Tye Green to the East of the proposed development who would bare the brunt of the noise and dust.

Elizabeth Butcher (Representing residents of Wood Corner Traveller Site): Is there an idea of the impact that the development would have on families with children who are very close to the site at Wood Corner. There are 20+ children and 8 elderly residents and there is concern about the effects of noise, dust and traffic. Wood Corner is on Old London Road which is used by families to bring children to Woodham Walter Primary School. She hopes that the Council respects the wishes and lives of the families of Wood Corner.

Freya Turtle (Woodham Walter Resident): There is currently poor access to the site, which would be improved if the development was allowed to proceed, this would then open up the countryside to the south of the site and make it vulnerable to future extraction. Are there any firm plans available as to how the site will be restored to agriculture?; What will it be filled with?; Are there any guarantees that it won't be land fill?

Response: This information is not available. Calculations have estimated that the resulting pit could be 5 meters in depth, it is hard to see how this can then be returned to agriculture.

Elizabeth Gillam (Woodham Mortimer Resident): Is there anyway that the lorries could exit onto the A414 without using Tom Tit Lane. The current proposal would mean double the number of lorry movements on the section of Tom Tit Lane adjacent to her property.

Response: Access to the road network is a key part of the consultation.

John Speakman (Maldon Resident – Farms land in Woodham Walter): The proposed site is 1 mile from the proposed Woodham Mortimer/Danbury site (Tyndales Farm), has this been turned down? The result if both sites were to proceed would be pot holes and congested roads. Hard to make a judgement on Whitehouse Farm without knowing the outcome of the Tyndales site.

Response: Tyndales has gone through the consultation process (it scored 39) and is currently not selected as a preferred site.

Patricia Herrmann (Woodham Walter Resident) Mrs Herrmann thanked and congratulated Councillor Durham on his comprehensive and useful presentation. She noted that she was previously the District Councillor for Woodham Walter during the previous consultation and public enquiries at Whitehouse Farm.

Need: When the County Council issued the MDD Preferred Approach document in December 2010 it stated that "Further mineral extraction sites are **not** being sought by the Mineral Planning Authority" but they then went on to outline the procedure for dealing with new or revised sites. So there is **no need** for the Whitehouse Farm site because ECC themselves say they do not need it.

Local Agriculture: this is good land which should not be taken out of food production when it is needed.

Local Community: Due to the location of the site close to the centre of Woodham Walter together with the haul road which runs parallel to much of the village this would mean that every property would be affected by noise, fumes, dust and visual disturbance.

Other Communities: particularly Woodham Mortimer and Danbury. There is no money for a Danbury by-pass so residents of this village should not be subjected to more traffic on the A414.

Historic Environment: The Scheduled Monument and the Wilderness would be severely affected and are very relevant in the assessment of the suitability of the site.

Landscape: The long views currently enjoyed at this site will be lost.

To sum up Mrs Herrmann feels little has changed since the appeal decision in 1988 and she will be asked Essex County Council to relegate this site to their "Failed" list.

Malcolm Bunn (Woodham Walter Resident): If this was a late application why have we only heard about it now? Not good enough to give such a short amount of notice. He agrees that the access road entrance/exit at the A414 is poor but also crossing of Old London Road is a very serious issue.

Response: There is also concern that lorries may use other roads rather than sticking to the proposed route. It is understood that this site came about as a result of the MDD in February 2011 which was released for public consultation in August 2011.

Dr Caroline Dollery (Danbury Resident and local GP): the Council have an imperative responsibility for the health and well being of the community. She carried out a detailed research into the health impacts for the Tyndales application and would be happy to share her information with us.

David Maddich (Mallett)??? (Woodham Walter Resident): Will the slide show be available?

Response: We will put it on the website along with the minutes and other information. However it is advised not to use verbatim comments but to use your own words in your responses.

Richard Lindsay (Woodham Walter Resident): There has been research into the health risks associated with silico dust and the risk of lung cancer. He wonders if the Essex County Council have taken on board that they may be exposed to legal responsibility to pay any future claims?

Paul Clarke (Woodham Walter Resident): The field to the south of the Whitehouse Farm site could also be gravel bearing... and the next field to the south of that... continuing all the way to the A414. So Whitehouse Farm could be just a ¼ of the real problem if the other land is subsequently used in the same way.

The historic Tudor dams would be put at risk. An Historic WW1 Air Field at the site with links to Stow Maries, would also be endangered. Understands that a fuel tank was recently removed from Woodham Walter.

James Richmond (Woodham Walter Resident): He believes that the haul road is the Achilles heel of the project. Have the land owners given their permission?

Response: It is our understanding that yes they have, this may be historic legal agreements, but this is hearsay.

Frank Herrmann (Woodham Walter Resident): He can remember the QC in 1988 commenting that there was a mind to continue extending the site.

Response: The evaluation on current sites including Tyndales is still open. If Woodham Walter scores higher than Tyndales and a site further up the list is failed for some reason, then Woodham Walter becomes more vulnerable. It is therefore imperative that as many people as possible make their responses.

Nick Clark (Woodham Mortimer Resident): How can we encourage others to respond?

Response: There will be information in the Parish News Magazine and we are considering a leaflet drop. Word of mouth is vital. No matter what your opinion, in support or objecting it is vital to get as many responses as possible from individuals not just households. Every opinion counts. The Essex Chronicle and Maldon & Burnham Standard are both in attendance and will be reporting.

Chris Wheadon (Woodham Walter Resident): Bear in mind that the water course has now been upgraded by the Environment Agency from stream to main river status, this is since the 1988 application.

Catriona Wheadon (Woodham Walter Resident): Also need to consider other road users such as cyclists, there are cycle routes passing through the village.

John Gillam (Woodham Mortimer Resident): There is a main water supply pipe from Langford to Hanningfield Reservoir which crosses under the haul road near Tom Tit Lane.

Cllr. Penny Channer – The MDC report will be in the public domain before the Planning and Licensing Committee meeting on 6th October. Many aspects including which have been raised tonight will be raised and be available for all to read on the MDC website.

James Richmond (Woodham Walter Resident): If anyone has any other ideas who should they approach?

David Renton (Woodham Walter Resident): Usually the village experiences marvellous civility, but councillors should be in no doubt about the strength of feeling in the village. This proposal will be fought all the way.

551. Councillor Mark Durham thanked all present for attending the meeting and for their comments which would be taken into account by the Parish Council as they prepare their formal response over the coming weeks.

If anyone has any more information they can forward this on to the Clerk or councillors. He noted that Parish Councillors would be making a formal council view but would also be submitting their own personal responses too. Information will be available on the Woodham Walter Website. Paper copies of response questions are available if people are unable to respond electronically.

552. Points Of Information It was noted that Cllr. Angus Neale has resigned from the Parish Council, clerk has issued formal Vacancy notice. Useful to note this vacancy at such a well attended meeting, anyone who would like further information should contact the clerk.

553. Date of Next Parish Council Meeting: Monday 10th October 2011 at 8pm in Womens Club Room.

Signed

Dated

Meeting ended at 9.20pm

Mr & Mrs L. Carter
Whitehouse Farm
Blue Mills Lane
Woodham Walter
MALDON
Essex CM9 6LS

An open letter to the Parish of Woodham Walter regarding WHITEHOUSE FARM

September 19th 2011

Dear fellow Parishioners

My wife & I have lived at Whitehouse Farm on Blue Mills Lane since 2000, after purchasing the old farmstead plus just a few acres of the adjoining land from one of my family Companies. Over the years we have been gradually converting the ruined buildings into a home for ourselves and our two young sons. The latest phase, involving the old Barn, is well underway and due for completion early next year. We understand that, following a recent query, the Parish have now been assured by Maldon Council that our project has always been done with, and within, the correct official Permissions.

We are, of course, already well aware of the proposals for possible mineral extraction in the fields directly behind our property. The whole estate of Whitehouse Farm was purchased by my Company many years ago, specifically because of this potential. Indeed, we already had two quarries in the immediate area – one in Blue Mills Lane and one at the Warren – a site now of course owned by Mr Durham, your Parish Council Chairman.

Despite the fact that the village has co-existed with quarrying in the past with minimal ill effect, we can appreciate the concerns of some local residents, and are glad that there is to be a Special Parish Council Meeting and then an ECC public drop-in Session. These will hopefully counter some of the scaremongering and inaccuracy that has already been published.

Our main reasons for this letter are firstly, to point out that our home, Whitehouse Farm, is our own privately-owned and completely separate property where we are happily committing our long-term future as residents; and secondly, to point out that the current Application regarding the Minerals Structure Plan is being independently made by a large construction materials organisation. They have no connection whatsoever with our family Company (who are no longer directly involved in quarrying) and are taking an Option to lease the relevant parcel of land in the event that they can ever secure Planning Permission from Essex County Council.

Lisa & I are proud to live in Woodham Walter and wholeheartedly support the preservation of the village both in a physical and spiritual sense. We hold dear the amenity of the countryside and are confident that any actual future extraction works that might eventually be permitted here would be extremely tightly controlled and have minimal adverse impact. You may all be assured that we shall be taking an extremely close and personal interest in all further developments.

Lee & Lisa Carter

Woodham Walter Parish Council

White House Farm

Woodham Walter

Essex County Council

Minerals Development Document.
Site Allocations – Issues & Options.

Woodham Walter Parish Council

Background

- ⚡ ECC Responsible for Mineral Planning Policy
- ⚡ Minerals Development Document began 2005
- ⚡ New plan to replace 1996 Minerals Local Plan
- ⚡ Call for sites in 2005 & 2009
- ⚡ To date, 46 sites assessed
- ⚡ Three late submissions inc. Whitehouse Farm
- ⚡ Late submissions to be assessed
- ⚡ New sites added to total pool of suggested sites from which the final preferred sites will be identified.

Woodham Walter Parish Council

Timescale

- ⚡ Feb 2010 – Whitehouse Farm site submitted
- ⚡ Aug 2011 – Consultation commenced
- ⚡ Oct 2011 – Consultation ends
- ⚡ Nov 2011 – Analysis of responses, selection of 'preferred sites.'
- ⚡ Nov 2012 – Submission to Secretary of State
- ⚡ Feb 2013 – Public Examination
- ⚡ Late 2013 – Adoption of Minerals Development Document

Woodham Walter Parish Council

Site Details

⚡ Site Reference	A44
⚡ Estimated Yield	4 Million Tonnes
⚡ Area	58 Hectares
⚡ Estimated Life	15 years
⚡ Method of Exportation	By road
⚡ Mineral Processing	On site
⚡ Restoration Plan	Re-profile gradients, replace topsoil, return to agriculture

Woodham Walter Parish Council

FIGURE 1 SITE A44 WHITEHOUSE FARM

Woodham Walter Parish Council

Previous Planning History

- ⚡ 1979 Application MAL/459/79
- ⚡ 1983 Application MAL/ 465/83
(Both applications refused by ECC)
- ⚡ 1985 Appeal against refusal, dismissed
- ⚡ 1987 Appeal to High Court, Inspectors decision overturned, returned to Secretary of State
- ⚡ 1988 New appeal resulting in both previous appeals being dismissed

1988 Appeal Points

- ⚡ "Gravel extraction would cut aquifer supplying springs, having detrimental effect on moisture loving plants growing in The Wilderness"
- ⚡ "Trees likely to be severely stressed by change in environment"
- ⚡ "Inconvenience & loss of enjoyment to footpath users due to unsightly heaps and excavations, and noise from machinery!"
- ⚡ "Frequent movements of large lorries across open countryside would be intrusive to rural scene"

1988 Appeal Points cont.

- ⚡ "The proposed sand and gravel working would be seriously detrimental to the character of the rural area in both the short term and also in the longer term"
- ⚡ "I think that the proposal would also be seriously detrimental to the amenities enjoyed by residents and visitors to the area"
- ⚡ Quotes by G S ELLIFF MSc CEng MICE MCIT MIHT Inspector. April 1988

Assessment Methodology

- ⚡ Sustainability Appraisal (SA)
- ⚡ Strategic Environmental Assessment Statement (SEA)
- ⚡ Short, medium & long term impacts appraised for each site:
- ⚡ Short – During development
- ⚡ Medium – During site working
- ⚡ Long Term – After site restoration

Assessment Methodology

- ⚡ Scoring based on 16 criteria:
 - i. Biodiversity
 - ii. Water
 - iii. Flooding
 - iv. Soils
 - v. Supply Hierarchy
 - vi. Aquifer
 - vii. Greenhouse Gases
 - viii. Historic Environment
 - ix. Landscape
 - x. Community
 - xi. Economy
 - xii. Sustainable use
 - xiii. Restoration
 - xiv. Transport
 - xv. Human Health
 - xvi. Amenity

Current Scores

2.4 Appraisal of Short, Medium and Long Term Impacts for Suggested Sand and Gravel Sites

Site	Quantity (M3)	Criteria															
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
A44 4st	SM	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
	L	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
A44 7st	SM	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
	L	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
A44 2.5st	SM	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
	L	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+

Extract from : Essex County Council Minerals Development: Site Allocations. Issues & Options Paper (August 2011)

Our Response

- ⚡ Respond to the questions identified:

Question 1

Site A44

- a. Do you support this potential site for sand and gravel extraction?
- b. Do you object to this potential site for sand and gravel extraction?
- c. If (b), are there any changes that could be made to this proposal that would make it acceptable to you?
- d. Is the proposed after-use acceptable to you? If not, what do you consider to be appropriate after-use at this location and why?

Our Response

- Areas for consideration:
 - i. Mineral resource & timetable
 - ii. Planning history / background
 - iii. Landscape
 - iv. Ecology and designations
 - v. Historic Environment
 - vi. Agriculture
 - vii. Proximity to sensitive areas
 - viii. Water / hydrology / flood risk
 - ix. Traffic and transportation
 - x. Recreation
 - xi. Amenity and pollution
 - xii. After-use and restoration
 - xiii. Other potential benefits of the site

Key Factors for Woodham Walter

- Proximity of site to heart of village, school etc.
- Length and unsuitability of haul road
- Unsatisfactory access to A414
- Proximity to Scheduled Ancient Monument
- Disruption to aquifer resulting in adverse impact on plants and trees in The Wilderness
- Severe noise & dust pollution, health risks
- Significant loss of amenity to parishioners
- Proximity to historic church
- Loss of quality farm land

Key Factors for Woodham Walter

- Increased heavy traffic on A414
- Unimaginative restoration plan
- Proposed conservation area designation
- Adverse impact on property values
- Loss of footpaths. eg. Maldon Millennium Way
- Site in Chelmer/Blackwater Special Landscape Area
- ECC. Historic Environment Characterisation Zone
- Impact on wildlife. Ecology & Environment
- Disruption to local drinking water boreholes/wells

What to do now

- Write to Essex County Council **NOW**
- Only respond to the questions and points provided
- Ensure you supply your:
 - i. Name
 - ii. Full postal address
 - iii. Email address (if you have one)

Remember that many individual responses are better than one with multiple signatures!

Submitting your response

- On line at: <http://consult.essexcc.gov.uk>
- By Email to: mineralsandwastepolicy@essex.gov.uk
- By Fax to: 01245 437213
- By Post to: Minerals and Waste Planning
Environment, Sustainability & Highways
Essex County Council
Freepost CL 3636
County Hall
Chelmsford
CM1 1XZ

For your voice to be heard. Act now

- Prepared by Cllr. MFL Durham
- on behalf of Woodham Walter Parish Council