

COGGESHALL PARISH COUNCIL

Response to the Environment Agency Flood Alleviation / Quarry Proposal

5. To what extent do you agree, or disagree, with the statements below? 'The Coggeshall, Feering & Kelvedon Flood Alleviation Scheme...:

- a) will be a benefit to the local communities affected by flooding = STRONGLY DISAGREE
- b) has been designed in a sustainable way using the best available solution based on materials on site and availability of land for flood storage = STRONGLY DISAGREE
- c) should use a partnership approach to provide an economically viable scheme = NEUTRAL
- d) should be an opportunity to provide a more accessible link across the river in Coggeshall = NEUTRAL
- e) should consider environmental impacts as part of the design and provide overall long term benefit = STRONGLY AGREE
- f) has provided enough detail on the scheme to help me understand the potential impacts and the benefits it may offer = STRONGLY DISAGREE
- g) is something that I support and would want to see built = STRONGLY DISAGREE

6. Regarding the flood alleviation scheme, how satisfied are you with the following:

- Usefulness of the information provided in helping you to understand the scheme = VERY DISSATISFIED
- Helpfulness of project team staff = VERY DISSATISFIED
- Usefulness of the web page = NEUTRAL
- Overall public engagement experience = VERY DISSATISFIED

7. Please provide any further comments that you have on the scheme

Coggeshall Parish Council has carefully considered the information presented by the Environment Agency as well as the wider details it has of the area and the impact that the scheme would have. Just like the Environment Agency, we have gone through the process of looking at the cost-benefit analysis, analysing how we think it will benefit residents and businesses and how we think it may also have a negative effect.

Minerals Plan

Greater Essex currently has sufficient permitted reserves and allocations to satisfy the assessed sand and gravel mineral requirements over the period of the current Minerals Local Plan. The current sand and gravel landbank is over the statutory minimum of seven years under both the plan apportionment (7.18 years) and rolling ten-year sales (9.99 years) calculation methods (Essex Local Aggregate assessment 2018).

The quarry site is neither a “preferred” mineral extraction site nor a “reserved” site in the MLP. When reviewing the draft MLP, the planning inspector has previously rejected a number of Blackwater Aggregate's proposed sites (which had been included by ECC) because those sites would have meant an excessive concentration of quarrying in one small area.

Braintree District Council objected to a number of sites proposed by Blackwater Aggregates for inclusion in the MLP expressing concern about the environmental impact and noting that together the sites covered “a substantial part of the countryside in this location that provides separation between the villages of Silver End and Coggeshall”.

We further note that the Essex Local Aggregate Assessment highlights the increased probability of Roman settlements to the east of site A7 and this must be fully explored in significant detail.

IWMF

Whilst Honace have on several occasions stated that there is no connection whatsoever between the flood mitigation and the IWMF we have the following observations on the impact of the flood mitigation with respect to the IWMF:

- The overall impact on the availability of water for the IWMF is beyond the EA abstraction limits based on the restriction caused by the dam;
- The possibility of water being available for a greater period and at greater abstraction rates
- The impact on the incinerator itself as this is between 30-35m AOD (stack base) and may flood

The Abstraction point has been overlooked within the scheme. In addition, this change in landscape has implications on the 'visual impact of the stack' insomuch as the land would be fundamentally lower. This will inevitably have the effect of emphasising the appearance of the stack on the skyline.

Access

On the drawings access to the proposed dam location is shown as just past the bridge in Coggeshall. This is not practical due to the nature of the junction. In addition, documents do not clearly identify how access to the northern aspects of the river will be made for the machinery required to construct the dam on the northern bank.

Operational hours

Blackwater Aggregates have stated that they will adopt the same working hours as those in the quarries that are currently operating. CPC believes that this is unacceptable as the residents on West Street, Grange Hill, Kelvedon Road, Cut Hedge Lane, Green Acres, Curd Hall, The Gravel, and at the Halfway and Scrips Farm will be significantly disturbed, especially at weekends and because the works are adjacent to the settlement boundary of the village.

Working hours should be reduced, removing weekend working and changing the hours to accommodate shorter days during the winter months.

Noise

Blackwater Aggregates have stated that they will adopt their standards noise mitigation measures. CPC believes that this is unacceptable as the residents on West Street, Grange Hill, Kelvedon Road, Cut Hedge Lane, Green Acres, Curd Hall, The Gravel, and at the Halfway and Scrips Farm will be significantly disturbed especially at weekends and as the works near the village. Many of these residents can hear the existing works carried on the prevailing wind.

The reduced working hours coupled with dynamic noise mitigation could form a combined solution. We suggest that this includes increased bunding height from stage 2 of 4, and the working phases of the quarry need to maintain the current tranquillity of the river corridor. This is as identified in the 2006 Landscape Character Assessment of Braintree District "Overall strong sense of place and tranquillity away from the settlements of Braintree, Witham and Maldon and the A120, A12 and the railway line", and also Policy P12 within the Coggeshall Neighbourhood Plan.

Lighting

We understand that lighting will be required however this should be ground facing and the brightness kept to a minimum within the current H&S guideless (LUX levels). Flashing lighting should be avoided and where possible vehicle driving lights guarded and attenuated to reduce their impact.

Lighting should not be allowed to spill into Blackwater River corridor where it would negatively impact the natural diurnal rhythms of the wildlife who live and feed in the Local Wildlife Site.

Permanent lighting should only be used in staff areas and temporary lighting used as task lighting and switched off when not in use.

Referring to the hours of working above this should also be a method of mitigating any undue lighting impact or light pollution typical lighting includes LPS, HPS and low-colour-temperature LED with LPS or narrow-spectrum LEDs being preferred choices.

Please note that this landscape (on the Essex way) is a dark sky area and this need protecting as both Orion and the Milky Way are visible defining/classifying this as a Dark sky site.

Dust and particles

The prevailing wind is from a SW westerly direction and the existing quarrying not only impacts West Street, Grange Hill, Kelvedon Road, Cut Hedge Lane, Green Acres, Curd Hall, The Gravel, and at the Halfway and Scrips Farm residents from a noise perspective but regular deposits of dust are found on cars, tables and washing.

The particles from the quarry are likely to be PM2.5 and PM10, both known causes of asthma and other breathing difficulties. A full mitigation program has not been provided, so this is a serious point to take into consideration. This would need to go beyond the standard 'damping down' and the creation of 'dust deposition or landing zones when it is clear the existing ones will not work, especially as the works get closer to the more densely inhabited areas.

Visual impact

This is one of CPC's major concerns as it will dramatically change the landscape, its view and its significant impact on the village.

Landscape character & views within and across the valley are a significant landscape character feature and have a high amenity value for the local community. This is recognised in a number of documents and policies:

- 2006 Landscape Character Assessment of Braintree District (Area A9);
- 2015 Braintree District Settlement Fringes Evaluation of Landscape Analysis Study of
- Coggeshall;
- Appeal decision ref: APP/Z1510/W/16/3160474;
- The Coggeshall Neighbourhood Plan

2006 Landscape Character Assessment of Braintree District (Area A9) highlights the Blackwater river corridor as important:

"Visual Characteristics with Holfield Grange and the churches at Langford and Ulting form key landmarks along and across the river valley.

The views are open and occasionally panoramic in the lower reaches of the river valley where they are unconstrained by hedgerow trees. Views along the valley corridor.

This is a delicate important landscape and is sensitive to change. Sensitive key characteristics and landscape elements within this character area include distinctive linear poplar and willow plantations along the river banks, which are sensitive to changes in land management. The skyline of the valley slopes is visually sensitive, with potential new development being visible within several views to and from adjacent Landscape Character Areas and also within views across and along the valley."

In its consideration of landscape, the scheme ignores the "Coggeshall Settlement Fringes Landscape Area Evaluation" that was produced for Braintree District Council in June 2015. According to paragraph 1.6 of the Evaluation:

The aim of this study is to undertake a clear and concise evaluation of [the findings of the "Settlement Fringe Landscape Capacity Study - Coggeshall" produced for BDC] in order to provide a finer grain assessment of Landscape Setting Areas identified as having a 'Low' or 'Low to Medium' capacity to help determine which parts of these areas could absorb [residential] development with appropriate mitigation measures and minimal impact on the landscape.

It can be seen that the area of the proposed quarry and flood alleviation scheme includes the whole of landscape parcels 3c, 3d and 3f, and much of parcel 3b (the Blackwater Valley floor).

Parcels 3c, 3d and 3f are evaluated as having a medium-low capacity to absorb development. No guidelines are provided for developing on or mitigating these parcels whose character is such that the analysis recommends they are conserved and strengthened. It seems to the Parish Council that an analysis applicable to residential development of parcels 3c, 3d and 3f must be equally applicable to the destruction of the existing landscape of those parcels that would result from the quarry and flood alleviation scheme.

Parcel 3b is evaluated as having a low capacity to absorb development. No guidelines are provided for developing on or mitigating this parcel: the analysis recommends that it be safeguarded and managed.

An analysis applicable to residential development of this parcel must be equally applicable to any proposed alteration of the landscape in this parcel. In an appeal that was rejected (APP/Z1510/W/16/3160474), an inspector considered a nearby piece of land to be a "Framework paragraph 109 valued landscape" and concluded that *"the proposed development, even taking account of the proposed landscaping, would seriously harm the landscape in this locality and would detract from the character and appearance of the area. This would conflict with the Framework requirement to protect and enhance valued landscapes."*

This is further supported by the Coggeshall Neighbourhood Plan policies 10 & 16. Linear views along the river corridor and cross valley views cross valley views to the gentle valley slopes from the Essex Way and PROW 17, and from the public highway; West Street are designated for protection. Restoration plans do not appear to restore the landscape to maintain these protected views.

Wildlife

During the recent consultation presentation, it was stated that there are no priority species in the area. However, residents have reported seeing kingfishers, otters and potentially polecats. It is surprising that the Environment Agency, given its role, has not done sufficient research as the presence of these species should have been easily identified.

The quarrying activities and proposed dam must demonstrate that no harm will be caused to the territory, habitat and feeding grounds of priority species and emerging priority (Polecats) species in the immediate location of the quarry and dam, and down and upstream of the dam.

Environmental designations

The application site is adjacent to and within Local wildlife site Bra 186 Blackwater Plantation and Essex Wildlife Trust Living Landscape no 56. In its current form it is a vital part of the Coggeshall Neighbourhood Plans Green & Blue Infrastructure policy P7. Proposals during the working phases of the quarry and the restoration plans, must demonstrate that the existing valuable habitat remains unharmed and that the

above designations attributed to the site and which form part of one cohesive wildlife corridor of green and blue infrastructure, is not severed by either the development or the online flood mitigation proposals

Natural flooding of the river corridor

The scheme needs to consider the existing annual flooding, long term impact of the dam and the impact of the worked phase of the development. It must continue to enable the river corridor to periodically flood within the flood zones identified along the Blackwater.

Annual fluvial flooding of the river corridor is a natural event and creates and sustains the valued biodiversity and landscape character of the Blackwater river corridor. In addition, it enables economic activity of willow plantations along the banks of the river which is now a distinctive landscape feature of the Blackwater corridor.

Trees and hedgerows

The CPC acknowledge that the original medieval pattern of fields with their associated hedgerows has been replaced with an intensive agricultural landscape. However, the site does contain many hedgerows and copses of trees and the Oak tree along the Essex Way which has a Tree Preservation Order. This is estimated to be more than 300 years old, which is in addition a significant cultural landmark to the local community.

The scheme does not address the genuine reinstatement of these features, the permanent and irreplaceable loss of the 'Big Oak', nor does it propose any alternative vegetative feature except for a flood meadow.

Heritage and historic setting

The historic significance of the landscape of this area must also be borne in mind. In the "Settlement Fringe Landscape Capacity Study - Coggeshall" produced for BDC in November 2007, the area of the proposed quarry and flood alleviation scheme covers almost the whole of landscape parcel C3. In considering the sensitivity of the landscape of this parcel, the study highlights the historic contribution of its character to the setting of Coggeshall.

This and other relevant local policies around historic settings demonstrate that there is a risk of conflict with the scheme from a landscape perspective:

- CS Policy CS9 which seeks to protect and enhance the historic environment in order to respect and respond to local context, including where development affects the setting of historic buildings, conservation areas and their settings.
- Local Plan Policy LPP 56 which seeks, amongst other things, to preserve and enhance the setting of conservation areas.
- Coggeshall Neighbourhood Plan Policy P14

The Essex Way is a key PRow and part of the Historical setting and approach into the village. The EA proposes to divert it. A diversion further south would not mitigate against the loss of this footpath in this location over the next 20 years. The current location provides an immediate and convenient recreational amenity for local residents which would be removed if it were to be relocated. In accordance with the current restoration plans, the re-establishment of the Essex Way in its existing location would be unacceptable. The dramatic level change from the Grange Barn to the base of the 'flood plain' would not make this a viable route. In addition the expansive and cross valley views and the views on the approach into village heading East would be permanently lost.

Planning

As we have established, the views across the blackwater and the proposed flood mitigation/extraction site have been cited as important as part of the heritage setting for the village. This was when the inspector reviewed the appeal against the construction of housing on the land north for west street. As a result, the inspection) found there was a "valued landscape" under the NPPF.

We believe that this decision sets a precedent for the protection of this area and must be regarded as a designated heritage asset under the National Planning Policy Framework. This scheme ignores the importance of this setting, when the landscape and visual impact alone should be sufficient grounds to prevent this scheme from going ahead.

Validity of scheme

The scheme does not include a collaborative way in which the communities that the scheme intends to protect are measured for flood damage in the same period so this can be reviewed and agreed upon. Over the past 18 years, flood events have affected villages in different ways, with some experiencing more than others and it appears to vary each time. This suggests that more could be done to address surface water drainage, which could go some way to prevent some flooding without this scheme.

Consultation

We are also disappointed that in the communication and consultation process, the Environment Agency appears to have downplayed the role of the quarry, even going as far as to avoid using this word. When there will be 13 million tonnes of gravel and sand extracted, it is hard to understand how the quarry hasn't featured in the consultation as much as it should have. Furthermore, there are residents living in close proximity to where the quarry would be extended to, who had not received any direct communication from the EA.

Protection vs harm

Overall, while the scheme would provide protection to a number of houses in Coggeshall, we believe the scheme is out of proportion for the flood prevention it would deliver. Indeed, many residents who would directly benefit from it have

spoken to us saying they object to it because of its size, its location and the scheme as a whole. They have echoed the concerns we have expressed above. It seems to CPC that the balance between the level of protection afforded by the flood mitigation does not outweigh the actual potential harm or damage to the landscape and this historic area caused by the potential flooding. There will be a larger population disturbed for a longer period of time during the construction and implementation of the flood mitigation than those unfortunate enough to suffer flooding.

We have listened to residents who are in favour of the scheme, but when considering the Parish as a whole, we believe we must object to it and call on the Environment Agency to review the scheme. The Agency has a statutory responsibility for the protection of the environment, and we argue that the scheme would be in opposition to this duty. It is only being proposed due to financial reasons and should there be sufficient funding within the Agency, we have no doubt that a quarry would not be part of the scheme.

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