

Appeal Reference 3346607
Re-opened inquiry
Land at former Hatfield Aerodrome, Hatfield Road Smallford
Ref: APP/M1900/W/24/3346607

David Jackson – Interested party - CMC Note
Owner Popefield Farm

1.0 Attendance

At the re-opened public inquiry I had intended to represent myself on behalf of the owners and residents of Popefield Farm.

I now find that I am unavoidably having to be in France at the time of the Inquiry.

I own a very historic Property in Brittany that has suffered severe collapse to an ancient tower due to a small earth tremor.

I mention my reasons for my absence so that it is understood my interest is in no way diminished but also to bring home in stark reality the potential for substantial damage to ancient buildings from major intrusions in the surrounding area. A point I will return to

I am therefore providing the Inspector with a written submission giving my observations on the latest proposals, my view on the overall flaws on the scheme and the conditions I would wish to see imposed should the consent be given.

2.0 The brief of the reopened Inquiry

We are naturally very pleased and relieved that the Secretary of State having reviewed the points raised in the Inspectors report has asked the Inspector to re-open the Inquiry for a further discussion on the core issues that give rise to the problems on achieving the correct public access arrangements.

The Secretary of State has asked that the following points are considered in the re-opened Inquiry

1. The potential for changes to phasing or redesign, or any other provisions, to lead to improved public access to Ellenbrook Park, including to the unaffected eastern part of the park.
2. Implications arising from any changes or provisions, including any implications for the submitted Environmental Statement and signed Deed of Variation
3. Proposed amended and additional conditions.

We note and understand these limitations though are firmly of the belief that the issues are borne out of some very basic flaws with the proposals which are the very reason it has been turned down by successive Councils and is still trying to seek consent over a decade on.

3.0 Our overview of the principles of the extraction application

1. A deep flaw in the plans submitted from day one was the uneasy compromise of trying to introduce a massive mineral extraction project onto a piece of land in the green belt designated and used as a country park.
2. Successive councils, from county to local, have also been massively at fault in keeping this area on the outdated mineral plan.
3. As the years have passed, the idea of the country park has not become more defined, but nature has rewilded the area, and the increasing human population and wildlife have found necessary refuge here. As a result, mental wellbeing for humans and pure survival for various animals and birds has come to the fore.
4. The mineral extraction applicant, together with the spatial unit at Herts County and the landowner, have sought to plaster over the widening cracks and dichotomy of an area of high residential/educational density with a plan which maximises extraction yields. An unwillingness of the landowner to settle past dues on previous Section 106 agreements relating to the Ellenbrook Trust showed a contempt for society which, reasonably, even the county council took umbrage at by rejecting an application which had been pushed through in 2016.
5. The plan as it stands, even in the new forms submitted, has as many flaws as previous plans and is akin to trying to fit a quart into a pint pot. Noise, visual impact, flooding on site, path degradation, safety, and umpteen other issues raised by objectors cannot deflect from the major issues, and this plan carries significant risk because it has maximized yield extraction over everything.

4.0 The phasing and its impacts

1. By way of background, we would say that we were very pleased that the Inspector and Secretary of State saw the fundamental flaws in the previous scheme and initiated the need for a fresh look at the plans.
2. From day one, 2017 for us we have been saying that the cart wheel formation of the phases was flawed in so many ways with its impacts across the park. It did also have a particularly negative impact on Popefield Farm.
3. The intransigence of the applicant and his previous legal team was very frustrating as was their lack of ability to listen and understand other parties' views and suggestions.

4. The Sec of State has, we are pleased to say, blown away that insular approach with the applicant finally realising his model was wrong in so many ways.
5. It was a refreshing experience to have the opportunity of a meeting with the applicant where they said Well "how would you do it then" One hopes that such a question was asked with sincerity, it certainly was somewhat surreal after the years of unwillingness to move even against the votes against the scheme from the County Council and the refusal of the first proposal by the Inspector
6. So are they listening now and are they remain willing to make alterations as the inquiry progresses. If they are it will be positive constructive process.
7. Firstly, we would say and share with you the proposals that we put to them being options A and B below



8. The principle of these proposals was to change the phasing to allow much easier East West routing and retention of rights of way and from a Popefield point of view to take the pain in as few years as possible.
9. We commend these models to the applicant and the Inspector.
10. The applicant was clear that the alternative models would have to be tested for practicality and geophysics which we do accept, it did however open the debate on the principles of a different phasing

5.0 Revised proposed phasing

1. Now turning to the proposal that the applicant have now come up with for the revised phasing and the east west routes through the park changing with the phases.
2. We note that two options have been proposed and that each has its own pros and cons
3. We would make clear that neither meet what we belief is the high level of positive routing of paths proposed by our routing but we assume they are driven by the science in terms of what they can do. A point I am sure they will explain at the Inquiry and will be robustly challenged
4. Of the two choices looking at them from the perspective of Popefield Farm we would confirm that we would prefer to see **Option 2**.
5. Our reasoning is that it does mean that there will be years when the property is not as blighted with close quarters excavating though it does return to our boundaries at the later phases. We are however not under any illusion that whatever phase that are doing the noise will continue, the dust will blow and the 270 lorries a day will still roll and much of the area will be blighted in overall terms by the sheer scale of the extraction program.
6. Both options have the same negative impacts and concerns for Popefield in terms of funneling people towards the farm end of the site which is really not the way at moment
7. On the positive side after discussions with the applicant they have moved the proposed southern access route to the outside of the bund and completed a full bund along the whole edge of Popefield. While desirable, it also cuts off access from Popefield farm residents to the park. Other aspects as detailed below are still of concern as we explain hereunder

5.0 Revised phasing impacts on Popefield Farm

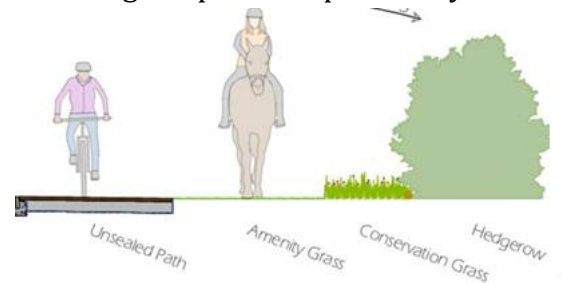
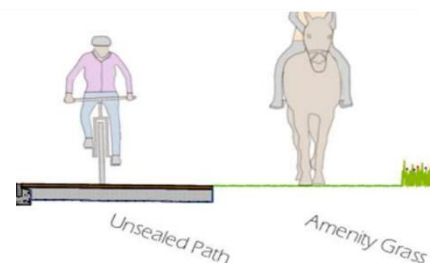
1. Popefield Farm, as a group of listed buildings, is 50–70 metres from a bund which sets a 3-metre-high earth wall, which is itself removed when, in theory, the last part of the park is modelled. We set a negative national precedent here. This surely cannot be an adequate boundary. You can adjust phasing to alter perceived

distances, but this artificially inflates the seeming distance to extraction. Dust, noise, and light do not care for the armchair draughtsman's plan.

2. The core of this renewed debate concerns the paths and how they do not provide adequate access. Regarding Popefield, we have a 6-metre-wide multi-user path adjacent to a bund, adjacent to a fence, adjacent to a slope. This multi-user path could reasonably be described as a road. The surface will be destroyed if it receives even a modest level of human or animal traffic.
3. The diagrams and comments below explain the issues
4. The construction of a multi user route round Popefield Farm was not part of the discussions we had with Brett recently. A footpath was discussed but this has morphed into a 6m route for walkers, cyclist and horses giving a major and new access to the park at this very southern end.

Our concern on this is

- a. This route itself will not be adhered to by the general public if a short cut can be found. This is often seen in many angular paths where people choose the shorter path
- b. Depending on the underfoot conditions of this multi user path it is our view that the bund top might become the route or the land between Popefield boundary and the edge of the bund. Flooding is a practical possibility
- c. A fence or hedge on the edge of the bund slope might stop this. We were shown a plan enclosed that showed a hedge but have then been told that is not the plan. We think it should be
- d. If this multi user route becomes the highway you will be effectively making Popefield into an Island.
- e. **It should on no account be allowed to have vehicular access and believe that banning any vehicles should be an absolute planning condition**
- f. The difference however with this is that people can use Popefield as a 'rat run' you will have them exiting on the Hatfield Road. There are no paths or car parks or places for people to walk at the exit. Putting it mildly .it is very dangerous not to close off the park to Popefield direction of exit.
- g. If access is allowed to the bund, it is human nature to climb to the high point affording a view of the works but also into Popefield Farm and the privacy of the occupiers. We wish to see this avoided with the inclusion of a hedge.



- h. Indeed, if a decent 1.5 m plus hedge is installed we believe a fence with gate will need to be installed by Brett with some solution to the continuous bund idea to allow key access to the park by Popefield residents.
5. On the reverse side of this problem is currently people from Popefield use the park...but then returning to Popefield does not pose a threat to life and limb. They have cars on site. The route is well established by them into the centre of the park. That has not attracted people coming the other way as it is an obscure path heading north not one that has the east west linkage that is proposed.
6. A fence with gate would deter park users from using Popefield farm as a place for opportunist theft, as well as exiting on to a road hazard or indeed just innocently wandering onto the Popefield land.
7. **We would like to see a Condition included that would require the applicant to provide an effective hedge/ fence and a key access gate solution for the community of Popefield**
8. Because this site is not interconnected, as a true country park would be, with adequate parking, entry, and exit, because, let's face it, the mineral extraction proposal has not been designed as a park. You do not want people using a mineral extraction zone. It presents safety and risk issues, especially for children and dogs. Popefield does not have paths leading from it onto Hatfield Road. Anyone exiting on foot, legally or otherwise, is at risk of being run over.
9. **Popefield residents can currently access the park, which is one of the benefits of living there.** Four families and a university student letting business currently occupy the site. Any plan needs to be gated onto this multi-user path, as previously we did not have this large roadway. Introducing such a roadway will invite many people to pass through Popefield.
10. If this path floods regularly, we must ask the developer: **what is to stop the top of the bund becoming the defacto route rather than this 6 metre wide multi user path (roadway). It is elevated and unlikely to flood. If this occurs, people will have direct views into Popefield Farm.**
11. In good faith, one might think that many issues can be resolved by discussion. However, as a small community in a listed building, it is not sufficient simply to hope. We need to have solid conditions in place for protection. We have fought this gravel proposal for ten years and get zero benefit in any form.

6.0 Conditions

In the event that the Secretary of State is minded to grant consent for the quarry I have always maintained that there are some essential conditions that should be applied to protect Popefield Farms physical integrity and to protect the living conditions of the occupiers.

We would restate these conditions hereunder.

1. Details of additional bunding and landscaping

We note the bunding details will all have to be approved by HCC before work commences.

We ask that a requirement is added that the bunds around Popefield should remain in situ for the duration of the phases of work to allow maturity and reduce interim stages of noise and disturbance

How the bunds are designed to allow people from Popefield to access the park while discouraging a flow of people into Popefield and on to the Hatfield road is a SAFETY issue..

We furthermore request that no vehicular access is allowed or created between Popefield Farm and the bunds at anytime

We also ask in the context of vehicle access that the 6m right of way is expressly stated to not allow any vehicular access at anytime

12. We would like to see a Condition included that would require the applicant to provide an effective hedge/ fence and gate solution for the community of Popefield.

2. Phased delivery of rights of way and public access strategy

We note that the 75m from the boundary is only 55m to the bund so any rights of way will be potentially close to Popefield.

We ask that the rights of way on the far side of the bund have a clear demarcation at the base of the bund of either a hedge / fence to stop people walking to the top of the bund and having visual fr actual access to Popefield Farm

3. Advanced planting and landscaping scheme

The planting around Popefield is of great importance to the setting of the listed building and the quiet enjoyment of the property by the residents. This is of particular importance with the public rights of way now being brought further south towards Popefield.

We ask that planting and landscaping around Popefield is to be in line with the proposals set out on plan HQ 3/16R as revised

Such planting to be of mature plants and trees which will survive and be linked to a rigorous maintenance and replacement of failures policy

4. Air quality Monitoring baseline position

The matter of air quality is the owners of Popefield's greatest concern as it goes to the heart of the protection of the residents and indeed resident retention and therefore income protection

We ask that air monitoring is undertaken on a day one base line from the all sides of Popefield as the phases impact three sides, then in addition the haul road which has been brought closer to Popefield and increased traffic impact on the fourth side.

We also ask to be formally included within those who have access to the results so that we understand the base position and can share with residents

5. Noise monitoring and management

The matter of noise levels is of great importance to Popefield Farm residents given even the revised phasing of the extraction will impact them for a substantial part of the 30 plus years

We ask that noise monitoring is undertaken to give a day one base line from the all sides of Popefield for the same reasons as above

We would ask for sight of the regular noise level updates and where levels have exceeded what is agreed an explanation of the remedial action taken and the results

We also ask to be formally included within those who have access to the results so that we understand the base position and can share with residents

6. Liaison Group

Given the pivotal position of Popefield Farm on the site and in the interests of its owners and residents we would seek agreement to be specifically included within the liaison group rather than having to constantly chase others for information second hand. We would also hope that our positive feedback will assist all.

We ask that the owners of Popefield Farm are included in the liaison group

7. Groundwater Monitoring

The particular challenges of maintaining an historic building such as Popefield have been explained. Recent experiences in France bring this into sharp focus as a harsh reality.

Popefield sits on old foundations and is of a timber framed construction. Any changes to historic ground water patterns of either drying out or flooding will create significant risk. It has been said in the Inquiry that underpinning of historic buildings can be necessary though it is hoped that the clay bunds will minimize the impact. There can be no absolute certainty so we seek reassurance through an agreed base position.

We ask that there is an agreed structural survey undertaken prior to commencement to avoid uncertainty and conflict if anything should occur in the future.

Also, that the owner now and in the future is regularly updated on changes to ground water conditions so they can potentially take precautions if any are possible.

7.0 Conclusion

The inspector has viewed the site. We cannot go back in time and redesign this extraction. Or should we insist upon this, given the green belt status, listed buildings, and increased population? A park from the outset, on a third of the site, with more east-west paths, would prioritise reality over maximising gravel extraction. Local councils, who have not performed well in this matter, should match the money owed by Arlington to the trust. Brett should be given an extraction area two-thirds the size, north of Popefield.

This spirit of compromise in scheme scale, rather than compromising human and environmental protection and listed building safeguards, which set Great Britain apart in its progressive thinking, would address access issues and allow adequate parking for park users. It would also place the park firmly in the present, rather than leaving it as a promise that may remain unfulfilled.

If however, the Inspector is minded recommending the scheme to the Secretary of State our preference is revised option 2 and we commend our proposed conditions to the Inspector purely for the protection of the historic Popefield Farm and its residents.

My apologies again for not being able to be with you in person but trust, that the above statement will still be given due weight in the Inspector and Secretary of States deliberations. If this point changes I will of course request latitude

David Jackson & Victoria Jackson Restorer, Owner and custodian of Popefield Farm's heritage and representing residents and small business.

Paul Harding...

26th March 2026