

From: [REDACTED]
To: [Joanna Vincent](#)
Subject: Ellenbrook Country Park and the Quarry Application
Date: 13 November 2024 16:55:11

Dear Joanna Vincent

My wife and I live at [REDACTED] which borders the western edge of the proposed quarry site which is the subject of a public inquiry starting on 19th November that I understand you are managing. These will be among the closest houses to the proposed quarry. We remain extremely concerned about the impact this quarry would have on our lives and we ask the Inquiry please to consider the following very carefully.

This development would introduce another intrusive, open air industrial activity very close to us and adjoining residential developments. Please note that we will already have had continuous quarrying at Smallford for almost 100 years. This quarry would continue for at least 40 more years, or another generation. The national Planning Framework says that continuous quarrying should be avoided. Please also note that the parish of Colney Heath (on which the bulk of the site is located) is already collectively impacted by more waste processing, landfill and quarries than any other Hertfordshire parish.

I have made a series of objections to and comments about this and the previous applications but I wanted to write to you directly to ensure you are fully aware of the above as well as our specific concerns outlined below before the Inquiry.

Traffic, traffic pollution and access

There will be noise, dust and other air pollution caused by vehicle movements within the site as well as the quarrying activities.

As I have said we live in Jove Gardens which borders the western edge of the proposed quarry site. The proposed internal haulage road is extremely close to the boundary of our development and the site. This road is intended to carry high volumes of HGV movements throughout each working day. This will create noise, dust and other pollution. I can see there is planned installation of an acoustic fence but we do not know how effective this will be in eliminating all noise and dust from vehicle movements. We also see that the proposed location of the road was moved by 5 meters in the last application. This is a very small amendment which would make little practical difference.

We cannot see any reason why the proposed internal road has to track along the edge of the site boundary. It could be located anywhere more central through the site, well away from any houses, which would surely give the best possible chance of minimising its impact on all local residents. The part of the site where the proposed road is shown is not due to be quarried for at least 25 years. It should have been possible to allow for an easterly re-routing of the internal road at the appropriate time. This would be a relatively small additional cost. The applicant may suggest that this would affect the financial viability of the project. I would suggest that if the budgeted financial viability of the project rests on such small margins then there is a considerable risk that the project will not be financially viable anyway.

We ask the Inquiry to please to reflect on this simple measure which, if it had been incorporated in the revised plan, might have indicated a true desire on behalf of the applicant to address the concerns about adverse effect on residents' daily lives.

Furthermore there will inevitably be increased traffic, including lorries, on the surrounding public roads. This will increase the strain on already busy road network. It will also increase the danger along the A1057 and the roads leading to and from it including the Comet Roundabout and the Ellenbrook Lane roundabout. There are pedestrian crossings around those junctions which are used by many including university students.

Any measures taken to improve visibility and widen the A1057 road at the proposed entrance will inevitably damage the wooded environment to the side of the road to the detriment of the look and feel of the area and the local wildlife.

Public access and wildlife

The site is Green Belt land and is a very valuable asset for public leisure, relaxation and for wildlife. Not only that, it provides a separation between the Hatfield and Smallford communities which would effectively be joined if this proposal is approved.

This land should, by now, have become protected public land under obligations entered into by Arlington in 2000 which have not been adhered to.

The proposed quarry layout appears to have remained largely unaltered as the applications have progressed and it cannot therefore be said that the concerns raised in previous hearings have been addressed.

Access to the fields around the quarrying will be particularly bad for Smallford Residents during the life of the proposed quarry. There is a bridleway which passes through our estate and enters the site onto a path across the former Aerodrome from West to East (and vice versa). Lawrence Close has a similar access point to the site. These would be blocked by the proposed internal access road running from the entrance (as already described).

Walkers, runners & cyclists (including us) often use that path for leisure activities. It is also used to commute to cross the proposed site to Hatfield and its railway station. This route is a much safer alternative to the Hatfield Road which is dangerous for cyclists and will be even more so with the increased traffic from the proposed development.

We live in times of extreme threat to our wildlife. Quarrying on this land would only increase that threat. We must also pay close attention to the importance of ecosystems and be mindful of the damage we do when substantially altering those ecosystems.

The application talks of the land being fully restored after quarrying activity ceases. It would be at least 40 years, likely longer, before proper access to the park is restored. Furthermore, any plan put forward that is supposed to be implemented in 40 years' time should be not be given any weight in considering this application – much will change in 40 years.

Risk to Health

Noise, silica dust and other air pollution caused by vehicle movements and quarrying activities will have an impact on residents' mental and physical health.

As is already well known the land on that site is contaminated by Bromate, a known carcinogen. This pollution extends from Sandridge to the New River. It has already polluted a public borehole in Hatfield and the public treated supply does not use source water polluted by bromates. Quarrying so close to the boundary of the bromate plume is irresponsible. It runs the risk of further pollution and could potentially affect public water sources.

Lack of engagement since previous applications

My understanding is that engagement between Brett Aggregates and the local communities was deemed very important by the Inspector who heard the Appeal for the previous application. We are not aware of any substantial engagement between Brett and the residents before or since the last hearing.

For all of the reasons set out above we believe that this proposed development should be turned down.

Landowner's obligations

As already noted, under s106 conditions attached to an application that was previously granted in relation to adjoining land, the landowner (Arlington) was required to obtain country park status for this land. The landowner failed to do so and failed to make any required financial contribution, apparently without penalty or sanction. It appears that the landowner has been able to disregard its legal obligations and treat the local community with contempt.

If granted, the quarry will, no doubt, result in further considerable financial gain for the landowner. I hope the inquiry will also consider whether it should be possible for the landowner to be able to blatantly disregard its legal obligations and, instead, benefit from further financial gain from the very piece of land in respect of which those obligations applied.

Legal advice presented to objecting parties

I have attended several of the previous hearings. It has seemed clear that this has been the Hertfordshire County Council planning officers' preferred site. Certain comments after the last two refusals have led me to be concerned that legal advice might be used as leverage to persuade opponents that voting against would not be a good idea. That appears to be precisely what has now happened and it has seemingly diminished the power of the many parties who have worked so hard over the years to oppose this application to respond.

It appears that the legal advice, on the basis of which the various opposing bodies have declined to give evidence, will not be made public. Whilst I understand there may be good reasons for this it does not enable any external assessment of the terms of reference that formed the basis of the legal advice or of the advice itself. In my experience legal opinions are often complex, very rarely clear cut and are often capable of being challenged – lawyers giving formal opinions often take a conservative position. Terms of reference that are given to lawyers when seeking an opinion can often be carefully crafted such that the resulting opinion is likely to reflect the desired outcome. For example "If conditions or assumptions X, Y and X are met then what would your advice be" where X, Y and Z can often be highly subjective. I hope the inquiry will consider whether this legal advice was based on appropriate terms of reference and the advice itself was given proper context and not just used as a "scare tactic"?

Kind regards,

Nick Trigg

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