Ministry of Housing,
Communities &
Local Government

Christopher Lowden and Andrea Bruce, SLR Consulting Limited (for Brett Aggregates Limited)

Our Ref: APP/M1900/W/24/3346607

Brian Owen, Hertfordshire County Council

11 November 2025

Helen Skinner, Planning Inspectorate

Sent by email only

Dear Christopher Lowden, Andrea Bruce, Brian Owen, Helen Skinner

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEAL MADE BY BRETT AGGREGATES LIMITED
LAND AT THE FORMER HATFIELD AERODROME, HATFIELD ROAD, SMALLFORD, HERTFORDSHIRE, AL4 0HP
APPLICATION REF: PL/0232/21

1. The Secretary of State is considering the report of the Inspector, Melvyn Middleton BA(Econ), DipTP, Dip Mgmt, MRTPI who held a public local inquiry from 19 November 2024 into the above planning appeal. The Inspector's Report (IR) was received by the Department on 4 August 2025. A timescale was set of the decision being issued on or before 3 November 2025. On 3 November 2025, parties were notified of a variation to the timetable, with a new target date of 15 December 2025. No decision has yet been reached on this application.

2. At the inquiry, the impact of the proposal on public access to Ellenbrook Park (EP) was discussed. The Inspector notes that the Hatfield Aerodrome Supplementary Planning Guidance states that a balance should be struck between maximising the use of the mineral resource and protecting the amenity of residents and users of the park. However, he considers that the proposal has not effectively struck a fair balance. This relates specifically to:

   a) a failure of the Public Access Strategy to achieve the convenient cross-park access during the life of the quarry that is envisaged by the 2000 Agreement and MLP Policy 18(x), in part due to the proposed rerouting of the two paths

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which currently cross the site linking Sleepshyde with Salisbury Village in Hatfield;

b) a failure to integrate the restored phases into the unaffected part of EP in a timely manner, in part due to the positioning of the lagoons, which means that when the worked-out areas to the west are restored, it will not be possible to integrate them into the unaffected part of the park to the east through extensions to it, until the quarry is in its final stages of restoration.

3. The Inspector considers that it would be possible to amend the proposal to acceptably address these issues, and has therefore recommended a new condition if the Secretary of State were to grant planning permission:

Site phasing and establishment

4a. Prior to the commencement of mineral extraction, a revised Overall Phasing Plan, an Initial Site Establishment Plan and a Restoration Plan with illustrative sections where appropriate, that recognise the need for there to be convenient east-west public access across the site and an ability to meaningfully integrate restored phases into the unaffected Ellenbrook Park before the completion of the mineral operation, shall be submitted to and approved in writing by the MPA.

4. He has also proposed amendments to the following conditions:

Condition 4 (approved plans): removal of references to plans HQ 3/7R to 3/16 R inclusive;

Conditions 10 and 12: replacement of references to HQ 3/1R with revised Overall Phasing Plan required by condition 4a;

Condition 13: replacement of reference to HQ 3/1R with HQ 3/3R; replacement of reference to HQ 3/7R with revised Overall Phasing Plan required by condition 4a;

Conditions 15, 16, 20, 23, 26, 29 and 76: replacement of references to HQ 3/7R with revised Initial Site Establishment Plan required by condition 4a;

Condition 27: replacement of reference to HQ 3/1R with revised Initial Site Establishment Plan required by condition 4a. He has also added a requirement for measures to protect the privacy and security at Popefield Farm, following discussion with parties;

Conditions 62, 64, 70 and 72: replacement of references to HQ 3/15R with Revised Restoration Plan, required by condition 4a.

5. The Secretary of State considers that the new and amended conditions recommended by the Inspector constitute new matters under Rule 17 of The Town and Country Planning (Inquiries Procedure) (England) Rules 2000.

6. The Secretary State invites further evidence on the following matters:

a) 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;

b) implications arising from any changes or provisions identified above, including any implications for the submitted Environmental Statement and signed Deed of Variation;

c) the proposed amended and additional conditions set out above.

7. Given the potential wide-ranging implications of the recommended condition, as well as the number of parties potentially affected, the Secretary of State considers this matter is most effectively dealt with via a reopening of the planning inquiry. Therefore, he directs that, pursuant to Rule 17(7) of the Inquiry Rules, the inquiry will be reopened. This will ensure procedural fairness and allow for fully informed decision-making.

8. Arrangements for the reopened inquiry will be made by the Planning Inspectorate. The case officer, Alison Dyson, can be contacted at alison.dyson@planninginspectorate.gov.uk.

9. Consideration of this case is at an early stage, and no view on the final determination of the application has yet been reached. The reopening of the inquiry is to enable the Secretary of State to come to a fully informed decision, and this letter should not be read as any indication of his attitude towards the appeal scheme. Following the reopened inquiry, an Addendum Report will be submitted to the Secretary of State, and a final decision will be made on this appeal.

Timescales

10. The Secretary of State will not be in a position to reach a decision on the above appeal by 15 December 2025, as previously notified, because of the need to reopen the inquiry. A new target date will be set when the Addendum Report is received.

11. A copy of this letter is also being sent to those listed below.

Yours faithfully

Emma Hopkins

Authorised to reopen the inquiry on behalf of the Secretary of State

Copied to:

- Colney Heath Group
- Popefield Farm
- Salisbury Village
- Welwyn Hatfield Borough Council
- St Albans City and District Council
- Andrew Lewin MP
- Daisy Cooper MP