Appellant's Note re National Planning Policy Framework August 2026

1. The Inspector has invited consideration of whether the newly released Framework has relevance to the Appellant's case. The Appellant has interpreted this as an invitation to provide comment on the relevance of any changes between the NPPF December 2024 and the newly adopted version (**NPPF 2026**). The consultation draft version of Policies PM3 PM4 S3 S4 S5 and M1 – M6 were included at CD17.07. The Statement of Common Ground: Planning Policy between the Appellant and Hertfordshire County Council dated 20 March 2026 (CD17.13 Need SOCG 2026) (**SOCG**) comments on the draft NPPF dated Dec 2025 (consultation version), including policies PM3, S5, M1-M4 and GB7, at paragraphs 51-76.

2. The wording considered in the SOCG remains in the NPPF 2026 and the conclusions set out in the SOCG have not altered. The Appellant relies on these statements within the SOCG.

3. The Appellant has reviewed the final version of the draft policies considered in the SOCG, including the additions to them, and considers they strengthen the case in favour of the development. The minerals chapter (11) of the NPPF 2026 bolsters the existing commitments to maintaining landbanks of sand and gravel, by referring to these as a minimum (M3 1a). In the objective fronting the minerals chapter, the government has re-inserted the recognition that minerals are 'essential' from the NPPF 2024. Policy M3.1 now sets out that '*substantial weight should be given to the benefits of mineral extraction and processing*' which strengthens the corresponding paragraph 224 of the December 2024 version of the NPPF.

4. In terms of Green Belt, GB7(f)(i) maintains the established principle that mineral extraction is a form of development that is appropriate in the Green Belt. Moreover, it now specifies that this includes "processing" which was not referenced in the previous version, albeit this was implied in practice.

5. It remains the case that, as a matter of principle, the Appeal Scheme should not be regarded as harmful to the Green Belt and there is no need to demonstrate very special circumstances. The Appellant and the MPA both contend that the Appeal Scheme has firstly "minimised" its impact on the openness of the Green Belt and secondly, would not cause "significant" conflict with the Green Belt purposes.

6. One of the main thrusts behind the NPPF 2026 is accelerating decision making and supporting the delivery of a sufficient supply of homes and supporting growth. The Minerals chapter makes the link between achieving this objective and ensuring that there is a 'sufficient and timely' supply of minerals provided to do so (M1(1)).

7. Turning at this point to consider the presumption in favour of sustainable development, national decision-making policies S3 and S5 are both relevant.

8. Policy S3 states: *Decisions on development proposals should apply a presumption in favour of sustainable development. This means: (c) In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay*.

9. Whilst the MLP is of some age by the present time, none of the parties to the Appeal contend that its policies are inconsistent with national policy. Moreover, the MPA and the Appellant agree that the proposed development, both in its original form and in its amended form, accord with the relevant MLP policies. Notably, the MPA invite the Inspector and the Secretary of State to allow the Appeal on the basis that the proposed development accords with the development plan.

10. If a different view is taken to applicability of S3, Policy S5 is also relevant. This concerns development proposals outside the settlement boundary, which the Appeal Site is. In this instance, criteria (a), (i) and (j) all apply.

11. Firstly, mineral extraction and processing is a form of development identified as permissible by the first criterion.

12. Secondly, the Appeal Site is identified in the development plan for mineral extraction where prevailing circumstances require an increase in the supply of minerals.

13. Thirdly, the MPA cannot demonstrate the required 7-year land bank for sand and gravel and thus there is an evidenced unmet need which the Appeal Scheme would contribute towards. The qualifications in criterion j(i) are met; the fact the Site is identified for mineral extraction substantiates it is an appropriate location in these terms, and necessary infrastructure requirements are addressed to the MPA's satisfaction via planning conditions and planning obligations.

14. To the extent that there are adverse effects, which the Appellant acknowledges, these are a consequence of and contemplated by the MLP in any event, and cannot reasonably be said to <u>substantially</u> outweigh the Appeal Scheme's benefits. In this regard, the benefits of mineral extraction should in the first instance attract substantial weight itself as per Policy M3.1.

15. In terms of other evidence presented at the appeal (including Hydrology/Hydrogeology, Transport, Ecology, Heritage, Landscape and Public Access (including Communities/Safety in Design) in comparison to the Dec 2024 NPPF, the 2026 version makes no difference to the conclusions reached on compliance with national policy.

16. The NPPF 2026 will be a consideration when any schemes to be submitted pursuant to the conditions are approved, noting that there are both overall schemes and phase scheme requirements. On this basis any changes from the NPPF 2024 relating to matters of detail will be addressed at the appropriate time; the principle of the development as acceptable being unaffected by the NPPF 2026.

17. Finally, the 'planning balance' given in evidence by Owen Jones, remains the same, leaning decisively towards the grant of planning permission.

18. With regard to the Appellants closings (both the 29 November 2024 closing and the 23 April 2026 closing of the reopened inquiry , INQ41 and CD19.16-1 respectively), we have tabulated the NPPF references made therein with the relevant paragraph that now appears in the NPPF 2026 version on the attached Appendix, to assist the Inquiry and for ease of reference.

Date: 26/08/2026