HATFIELD AERODROME, HERTFORDSHIRE

Planning Application for a new quarry and ancillary facilities on land at the former Hatfield Aerodrome

Volume 1

PLANNING STATEMENT

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INTRODUCTION

1.1 This document comprises a Planning Statement and has been prepared by SLR Consulting Limited ('SLR') on behalf of Brett Aggregates Limited ('the applicant'). The statement forms part of a package of documents being formally submitted to Hertfordshire County Council (as Mineral Planning Authority, or 'MPA') in support of a planning application in respect to land at Hatfield Aerodrome, near Hatfield.

1.2 The applicant is re-submitting a planning application for the establishment of a new quarry on land at the former Hatfield Aerodrome, being part of the allocated site referred to in the extant Minerals Local Plan[1] (refer to Chapter 4 below for further information on the policy framework for the area). The proposals would involve the winning and working, together with processing for sale, of sand and gravel over a period of around 32 years. In parallel with the extraction of minerals would be the importation of low permeability inert material to infill the mineral workings to facilitate the restoration of the site to a beneficial after use, combining recreation and nature conservation. The imported material would typically comprise excavation wastes from construction and engineering projects (soils, overburden, clays etc.) within the region. This is set out further in paragraph 1.10 below, and Chapter 3 of this statement.

1.3 The Planning Statement aims to provide the MPA with further information that does not fall within the scope of the Environmental Statement (ES). In this respect, it considers the proposed development in the light of policies in the Development Plan, and material considerations (such as national planning policy and need). Coupled with the ES, this document is intended to provide the MPA with sufficient information to determine the planning application. Unlike the ES, this statement is not a mandatory requirement and there are no statutory or regulatory guidelines governing the content of a Planning Statement.

Application Submission Package

1.4 This Planning Statement comprises the first of two volumes submitted to the MPA to accompany the planning submission. In addition to the formal planning application forms and certificates, the full submission comprises:

- Volume 1 - Planning Statement (this document);
- Volume 2 - Environmental Statement;
  - Volume 2A – ES Text;
  - Volume 2B – ES Technical Appendices; and
  - Volume 2C – A Non-Technical Summary of the ES.

[1] "Preferred Area 1", and illustrated on Inset Map 6 within the Mineral Local Plan

1.5 The ES aims to provide an objective account of the possible significant environmental effects of the proposed development by setting out the results of the Environmental Impact Assessment ('EIA') which has been undertaken. It is intended to provide the MPA with sufficient information to determine the planning application having due regard to the protection of the local amenity and the environment as a whole. The ES has been prepared in line with the framework provided in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 with cognisance of the guidance set out in the online National Planning Practice Guidance and The Institute of Environmental Management and Assessment's (IEMA) "*Guidelines for Environmental Impact Assessment*".

1.6 The Non-Technical Summary (NTS) has been produced as a separate, standalone document in line with best practice prescribed by the Institute of Environmental Management and Assessment (IEMA) to accompany the planning submission, being a mandatory part of the ES. The purpose of the NTS is to provide, in non-technical language, a brief summary of the likely significant effects that the proposed development would have on the environment.

The Site

1.7 Land to which the planning application relates (referred to as '*the application site'*) is located on the north-western edge of Hatfield and to the east of St Albans on land associated with the former Hatfield Aerodrome. It lies within an area bounded by the A1057 (Hatfield Road/St Albans Road) to the south, Oaklands Lane to the west, Coopers Green Lane to the north and the western fringe of Hatfield to the east.

1.8 The application site covers an area of around 87.1ha and comprises the southern part of the former aerodrome.

1.9 Chapter 2 within this Volume provides further information on the application site and its environs.

The Proposed Development

1.10 A planning application was submitted in January 2016 (application reference 5/0394-16) for the extraction of 8 million tonnes (Mt) of sand and gravel along with the installation of ancillary buildings, plant and machinery (including a concrete batching plant) on land at the former Hatfield Aerodrome. Despite an initial resolution to approve (in January 2017), the planning application was refused by the planning committee at its meeting on 24 September 2020, with the decision notice issued on 6 January 2021. The reasons cited for refusing the application are:

1. The proposed mineral working would be inappropriate development within the Green Belt, specifically related to the erection and use of the processing plant, the concrete batching plant, the use of haul roads to transport mineral within the site and the erection and retention of perimeter bunds for the duration of development. The proposal would result in harm to the Green Belt, in particular openness, for the extended duration of the proposed development. Very special circumstances do not exist for the development to outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm. The proposal does not

provide for adequate protection of the Green Belt and would be contrary to the provisions of the National Planning Policy Framework (Paragraphs 133, 134, 143, 144, 146).

2. The proposed rate and timing of the mineral working and restoration, lasting up to 32 years, would not provide for reclamation of the mineral working within a reasonable timescale. The proposed mineral working would thereby be contrary to Minerals Policy 13 (Reclamation Scheme) and Minerals Policy 2 (Need for Mineral Working) and Minerals Policy 18 (Operation Criteria for the Control of Mineral Development) of the Hertfordshire Minerals Local Plan Review 2002-2016 Adopted March 2017.

3. The proposed mineral working would have unacceptable impacts on the local environment related to the additional HGV traffic using the A1057, generating emissions to air (noise and dust), including the transport of minerals within the site and the use of local roads for the transport of minerals and inert fill. The proposal would result in unacceptable impacts on the local environment contrary to the provisions of Minerals Policy 16 (Transport) and Minerals Policy 18 (Operation Criteria for the Control of Mineral Development) of the Hertfordshire Minerals Local Plan Review 2002-2016 (Adopted March 2017) and Policies R18 (Air Quality) and R19 (Noise and Vibration Pollution) of the Welwyn Hatfield District Plan (Adopted 2005). The impacts of concurrent mineral workings would adversely affect the local environment, contrary to Minerals Policy 11 (Cumulative Impact) of the Hertfordshire Minerals Local Plan Review 2002-2016, Adopted March 2017.

4. The lower aquifer to the north of the application site is contaminated by Bromate. The application proposes the extraction of sand and gravels from within the lower aquifer in close proximity to groundwater contaminated by Bromate. There is a high level of local concern that extracting mineral from within the lower aquifer could; extend the bromate contamination within the mineral workings; reduce the effectiveness of the measures in place to remediate the Bromate contamination; and potentially lead to contamination of boreholes used for the public drinking water supply at Essendon. It has not been demonstrated to the satisfaction of the Mineral Planning Authority that the risks to the water environment from the mineral working are acceptable; and, that all routes to possible contamination have been appropriately investigated; and, that all necessary mitigation against all risks has been included in the proposal; and, that the proposed mitigation will be effective. The proposal would thereby be contrary to the provisions of the Hertfordshire Minerals Local Plan (Policy 17(iv)) which does not permit mineral development resulting in negative quantitative and/or qualitative impact on the water environment, and to the provisions of the NPPF (Paragraph 170) for conserving and enhancing the natural environment, and to Policy R7 (Protection of Ground and Surface Water) of the Welwyn Hatfield District Plan (adopted 2005).

1.11 The applicant is re-submitting a planning application for the establishment of the new quarry. As before, the proposals would involve the winning and working, together with processing for sale, of some 8Mt of sand and gravel over a period of around 32 years (based on an annual output of around 250,000tpa).

1.12 The quarry would be worked in a phased basis and allow for progressive restoration through the importation of inert materials to backfill the void; this minimises the amount of land taken at any one time. Sand and gravel would be worked from two discrete horizons; the Upper Mineral Horizon (‘*UMH*’), which lies predominantly above the water table, would be worked dry whilst the Lower

Mineral Horizon ('*LMH*') would be worked wet (i.e. no dewatering of the workings). The two mineral horizons are separated by a seam of boulder clay (referred to as '*interburden*') which would be used as part of the restoration scheme for the workings.

1.13 Excavated material would be processed at the quarry using a combination of screening and washing plant to produce a range of graded aggregates and sands. Processed aggregates would be dispatched from the site in HGVs. Processed aggregates would be exported via a new access constructed onto the A1057 (Hatfield Road) on the southern side of the application site.

1.14 Other ancillary development would include a weighbridge, office accommodation, fresh water and silt lagoons.

1.15 In view of the recent refusal to grant planning permission, the applicant has amended the scheme as follows:

- the erection and operation of a concrete batching plant has been removed from the proposals;
- the standoff for mineral extraction operations in the Lower Mineral Horizon (LMH) to the bromate plume (also in the LMH) has been increased from 50m to 100m;
- there will be no dewatering (pumping) of the LMH; and
- The access road from the quarry entrance has been moved by 5m to the east to allow additional acoustic screening.

1.16 Further details of the proposed development are set out in Chapter 3 below.

The Applicant

1.17 Brett Aggregates Limited (Brett) is the wholly owned subsidiary company of Robert Brett and Sons Limited (Brett Group), the Canterbury based aggregates, building materials and concrete products independent business which was established over a century ago. It is the largest independent producer of sand and gravel in the UK.

1.18 Brett manages all of its quarry, marine dredged aggregate, recycled aggregates and coated stone operations and serves Kent, East Sussex, Surrey, Berkshire, Buckinghamshire, Hertfordshire, Essex, Suffolk and London.

1.19 Brett has an enviable record of operating and restoring its quarries of which it is justifiably proud. It has achieved far more awards for the quality of its work, than any other independent company in the industry. In all, it has won over 50 awards, not only made by quarry industry associations in this country but also by European bodies concerned with care for the environment.

1.20 Brett operates an integrated management system, certified to: ISO 14001; BES 6001; and ISO 9001 at each of its sites and the proposed operations at Hatfield Aerodrome (should planning permission be granted) would be integrated into the system

PLANNING AND POLLUTION CONTROL

1.21 Government advice on waste planning makes it clear that it is important to avoid unnecessary or confusing duplication. For example, Paragraph 188 of the National Planning Policy Framework states that *"The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities."*

1.22 In addition, paragraph 7 (fifth bullet point) of the National Planning Policy for Waste[2] states:

"When determining waste planning applications, waste planning authorities should: …

- *concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced".*

1.23 The proposals for the importation of inert fill material would be governed by an Environmental Permit issued by the Environment Agency in addition to a planning permission. An Environmental Permit was issued by the Environment Agency 15 January 2018 (ref. EPR/EB3808HD) with a variation issued on 2 January 2020. The permit contains a number of conditions intended to regulate the day to day management of the site with the aim of minimising the effect of the operation on the environment; it also contains conditions regulating site management and monitoring.

THE SUBMISSION AND ITS STRUCTURE

1.24 The first chapter of this statement provides an overview of the submission and the regulatory framework in which it sits. Subsequent chapters provide a description of the application site; describe the development proposals; set out the relevant planning policy considerations and need for the development. As such, this statement, in parallel with the ES, is intended to provide the MPA with sufficient information to determine the planning application having due regard to the protection of local amenity and the environment as a whole.

1.25 This statement is organised and presented in the following way:

Background Information (Chapters 1-3) – This part of the statement is descriptive in nature. It provides the reader with an overview of the application site and its surrounding environs alongside a description of the development for which planning permission is being sought.

[2] National Planning Policy for Waste, DCLG. October 2014

Review of Planning Policy (Chapter 4) – this section provides a review of relevant planning policies within both the Development Plan and National Planning Policy Framework to demonstrate acceptability of the proposals.

Need (Chapter 5) – consideration is given to the need for the release of additional reserves having regard to the requirements of the Development Plan and national planning policy and guidance.

Conclusions (Chapter 6)

CONSULTATION

1.26 As part of the 2016 planning application the applicant undertook extensive consultation with the local community and stakeholders. This was reported in a Statement of Community Involvement and formed Volume 3 to the 2016 Submission.

1.27 Further consultation has been undertaken in respect of the current application during 2021.

1.28 The key milestone events in the consultation process are summarised below:

First Planning Application (2016)

Public Exhibition

Held at St Albans Rugby Club on 28/10/2015

300 household leaflets delivered on 16/10/2015 to invite residents to the Exhibition

Invitation letters sent to Councillors at Hertfordshire County Council, Welwyn Hatfield Borough Council, St Albans District Council, Colney Heath Parish Council and Hatfield Town Council

Newspaper Advertising

St Albans and Harpenden Review – 14/10/2015 and 21/10/2015

Welwyn Hatfield Times – 15/10/2015 and 22/10/2015

Liaison Meetings

Ellenbrook Area Residents Associations

University of Hertfordshire

Welwyn Hatfield Borough Council

Grant Shapps MP

Anne Main (former MP)

Second Planning Application (2021)

Dedicated Website

www.hatfieldquarry.co.uk

Went live on 10/05/2021

189 user hits to 16/08/2021

Direct Contacts

500 household leaflets delivered on 11/5/2021

Letters to Councillors at Hertfordshire County Council, Welwyn Hatfield Borough Council, St Albans District Council, Colney Heath Parish Council and Hatfield Town Council

Letters to Grant Shapps MP and Daisy Cooper MP

Letters to Ellenbrook Area Residents Association and University of Hertfordshire

Newspaper Advertising

Welwyn Hatfield Times – 13/05/2021 and 20/05/2021

County Council Liaison

Scoping request was made on 10/05/2021.

Scoping opinion issued on 14/07/2021.

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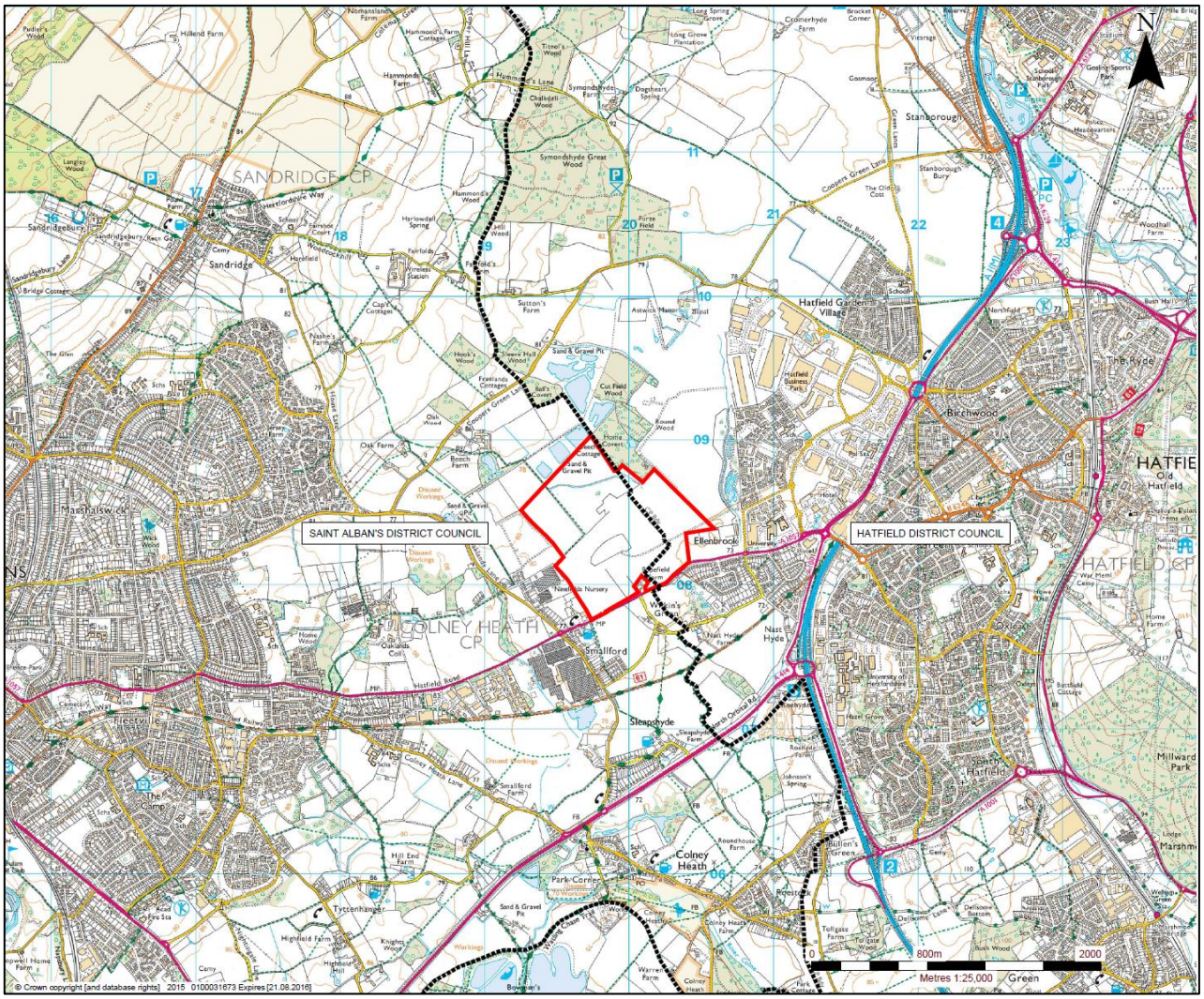
INTRODUCTION

2.1 This chapter describes the existing physical and environmental characteristics of the application site (being the area to which the planning application relates) and its surrounding environs. Allied to this, a number of the chapters within the ES (Volume 2) provide descriptions of the application site in relation to particular environmental topics.

LOCATION

2.2 The application site is located on the north-western edge of Hatfield and to the east of St Albans on land associated with the former Hatfield Aerodrome. Figure 2-1 illustrates the location of the applications site, being an extract from **Drawing HQ 2/1**.

Figure 2-1
Site Location



2.3 It lies within an area enclosed by the A1057 (Hatfield Road/St Albans Road) to the south, Oaklands Lane to the west, Coopers Green Lane to the north and the western fringe of Hatfield to the east. For identification purposes the application site is centred on National Grid Reference (NGR) TL 199084.

2.4 In terms of local governance, the application site is located in the county of Hertfordshire and straddles the boundary between the districts of St Albans and Welwyn Hatfield (the boundary between the two districts being shown by a solid black line on Figure 2-1 with St Albans lying to the west of the line).

SITE DESCRIPTION

Context

2.5 The application site covers an area of approximately 87.1 hectares (ha) and comprises the southern part of the former aerodrome. It is the same area as applied for in the previous planning application ref. 5/0394-16 (see Chapter 1). The application site comprises a broadly rectangular area of unoccupied land that is used for grazing, but is also crossed by a number of informal paths allowing public access. As such, the application site does not have any dominant land use at the current time following the closure of the aerodrome.

Figure 0-1
Site Context – Aerial Photograph (Google Earth Imagery dated October 2020)

2.6 The application site is bounded by the A1057 (Hatfield Road) to the south, the boundary of which is characterised by a mature hedgerow. To the north lie CEMEX's Hatfield Quarry, and more specifically a set of silt lagoons. To the west the boundary is predominantly formed by a mature hedgerow, particularly in the vicinity of the garden centre and residential development (see below), with the northern section being more open in aspect. At the north eastern corner is Home Covert, a small area of broadleaf woodland. The eastern boundary cuts across the former aerodrome to join up with the sports pitches located at the south eastern corner of the application site. The approximate extent of the application site is shown edged in red on Figure 2-2 and in more detail on **Drawing HQ 2/2**.

2.7 Within the application site a concrete roadway extends west into the centre of the application site from Albatross Way to the east; a number of other tracks also cross the application site.

2.8 A number of earth bunds and banks are present on site from the earlier aerodrome. There are some remnant hedgerows that cross the site.

Topography

2.9 The ground surface falls gently from northwest to southeast across the application site as illustrated on **Drawing HQ 2/3** and described below:

- ground elevations are at their lowest between 74m AOD and 76m AOD adjacent to the A1057 at the southern edge of the application site.
- levels rise to between 77m AOD and 78m AOD) in the northwest and northeast corners of the application site.
- ground elevations are approximately 75m AOD to 76m AOD adjacent to the southwest side of Home Covert.

Land Use

2.10 Following closure of the aerodrome, in common with the adjoining land to the north, the application site does not have any formal land use. Part of the application site is used for conservation cattle grazing (thus having an agricultural connotation), with areas within the western part of the application site forming hay meadow. The application site also enjoys informal recreational uses through a network of linking permissive footpaths through the areas of grassland and cattle grazing, suitable for walkers and cyclists[1]. Beyond the paths the ground is uneven making it difficult for walking or cycling.

2.11 A formal public footpath is routed in the vicinity of the western boundary of the application site; this path then heads in a north-easterly direction into the site, before heading north-west through the application site to the northern site boundary, where it heads towards Beech Farm. Other rights

[1] https://www.enjoystalbans.com/listing/ellenbrook-fields/

of way branch off this footpath: one passing through a new housing development (next to Radio Nursery) and another following the western site boundary.

Access

2.12 Vehicular access into the site can currently be gained off Albatross Way at NGR TL 207085. The southern boundary of the application site is formed by the A1057. As set out in Section 3 below, it is proposed that a new access would be constructed onto this road, to the west of Popefield Farm. The A1057 provides a link with the A1(M) at junction 3, together with the A414 and A1001.

THE SURROUNDING AREA

Landscape

2.13 The broader area around the application site is typically flat. "Area 31 De Havilland Plain" within the Welwyn Hatfield Landscape Character Assessment (Hertfordshire Landscape Strategy) describes how it "*represents a subtle watershed between the Colne and the Lea. Levels vary by as little as 2-3m over 6km. The land rises locally to the west and south*". The altitude range is described as "*Typically around the 80m contour but falling to 70m at Ellenbrook and rising to 100m within the undulating grounds of Oakland College on the edge of St Albans*."

2.14 The Ellen Brook runs in a north to south direction approximately 300m east of the proposed mineral extraction area. As noted above, the River Nast currently runs in a culvert across the application site.

2.15 There are blocks of woodland to the north of the application site, including Home Covert, Cut Field Wood and Ball's Covert and areas of ancient woodland within 5km of the application site (Symondshyde Great Wood, Home Wood, Oak Wood, Hazel Grove and Hooks Wood).

2.16 "*Area 31 De Havilland Plain*", describes how there is very limited woodland cover, few hedgerows (except to some of the roads) and few isolated trees. The vast majority of the land has been disturbed over the last century. Some of the former mineral workings support a mix of flooded gravel pits, scrub and marshland habitats.

2.17 Whilst not a landscape designation, the application site is located within a Green Belt.

Land Use

2.18 To the south of the application site the area is rural, interspersed with small settlements, areas of woodland and the highway network; clusters of housing can be found fronting the highway network, often being developed around road junctions. An area of industrial development lies to the south of the A1057, west of Station Road (in the vicinity of Smallford). To the southwest of the application site are a garden centre (operated by Notcutts), a public house, a petrol station and a small residential area.

2.19 To the north, the area is similarly rural. Immediately to the north are a series of lagoons associated with an existing mineral working (Hatfield Quarry, CEMEX); the processing plant lies to the northwest of the application site, having its access off Oaklands Lane. Also immediately to the north is an area of woodland (Home Covert).

2.20 To the east of the application site is the urban area of Hatfield, with an industrial/distribution estate, residential development and the University of Hertfordshire campus present. Between the application site and Hatfield lie the remainder of the former aerodrome, surface water drainage infrastructure (an open drain and series of lagoons, known as Ellenbrook Linear Park) and some sports pitches and associated pavilion. An outline planning application has been lodged for a large-scale mixed use development including 1,100 new homes and supporting infrastructure including a primary school, local centre and open space within this area (application 6/2018/2768/OUTLINE).

2.21 Finally, to the west the rural aspect gives way to the urban area of St Albans.

SITE HISTORY

2.22 Based on a review of historical maps from the period 1937 to 2011 the salient features are mentioned in Table 2-1 below.

Table 2-1
Historical Map Features Summary

Year	Site	Wider Area
1937	• The application site comprises fields and pasture. • Home Covert is as today with a small cottage, a pond and paths crossing through the woodland. • The Nast follows its current open water and culverted route. • The Ellenbrook is not recorded. • A Race Track occupies an area northwest of Popefield Farm	• East: Fields and pasture. • West: Fields and pasture. • North: Astwick Manor, fields and woodland. • South: Some housing, nursery/greenhouses and fields.
1960	• The application site is completely within the former Hatfield Airfield with the runway extending northeast to southwest across the centre of the application site, with part of the taxiway skirting the southern side of the development area. • Home Covert is an area of woodland on the northwestern boundary that appears to occupy the same area as today. • Remaining areas appear to be open and undeveloped.	• East: Airfield and aircraft works to the northeast • West: Woodland and fields • North: Astwick Manor, fields and woodland. • South: Housing, nursery/greenhouses and fields

Year	Site	Wider Area
	• The Nast is shown flowing onto site at the northwestern boundary before ending on the northern side of the runway where it enters a culvert (as today) • The Ellenbrook is not recorded.	
1975	• As 1960	• As 1960
1990	• As 1975	• As 1975
1999	• As 1960 • The outline of a small rectangular industrial area north of Home Covert is suspected to be related to aerodrome operations in the 1990s. Further examinations of historical aerial photographs of this feature are intriguing but not entirely clear. • A small area southwest of Home Covert is an aircraft parking stand with a fire training area. Further detail is shown on the historical aerial photographs • The Ellenbrook is not present	• The aerodrome works buildings have been removed and new commercial buildings are cover about 30% of the former aerodrome works.
2006	• The runway has been removed. • The taxiway remains. • The rectangular area northeast of Home Covert remains. • Ellenbrook is present in its current form.	• The runway has been removed and has been largely replaced with commercial warehouse-like buildings and some residential properties. • Aircraft works buildings southeast of the aerodrome taxi-way have been demolished and are in the process of being replaced with new commercial buildings. • Hatfield University buildings/campus is in place. • Ellenbrook balancing lagoons are in place adjacent to the application site.
2011	• The runway has been removed. • The taxiway remains. • The rectangular area northeast of Home Covert remains. • The Nast remains culverted across the application site. • The Ellenbrook is in place.	• Northeast: The aerodrome buildings have been redeveloped with additional commercial buildings. • Residential property has been built east of Ellenbrook. • Hatfield University is built to the south of the residential buildings. • Northwest: Mineral extraction and lagoons are present along the northwestern site boundary.

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INTRODUCTION

3.1 This chapter describes the development for which planning permission is sought. These development proposals have been formulated following a thorough site investigation and assessment of potential environmental impacts arising from the scheme. It should be noted that a more detailed description of the development proposals is provided in Chapter 3 of the ES (Volume 2).

OVERVIEW OF THE DEVELOPMENT PROPOSALS

3.2 The applicant is re-submitting a planning application for the establishment of a new quarry on land at the former Hatfield Aerodrome, being part of the allocated site referred to in the extant Minerals Local Plan ("*Preferred Area 1*", and illustrated on Inset Map 6 - refer to 4 below for further information). The proposals would involve the winning and working, together with processing for sale, of some 8Mt of sand and gravel over a period of around 30 years (based on an annual output of around 250,000tpa). In parallel with the extraction of minerals would be the importation of low permeability inert material to infill the mineral workings to facilitate the restoration of the site to a beneficial after use, combining recreation and nature consideration. The imported material would typically comprise excavation wastes from construction and engineering projects (soils, overburden, clays etc.) within the region.

3.3 In view of the recent refusal to grant planning permission, the applicant has amended the scheme as follows:

- the erection and operation of a concrete batching plant has been removed from the proposals;
- the standoff for mineral extraction operations in the Lower Mineral Horizon (LMH) to the bromate plume (also in the LMH) has been increased from 50m to 100m;
- there will be no dewatering (pumping) of the LMH; and
- The access road from the quarry entrance has been moved by 5m to the east to allow additional acoustic screening.

3.4 As with the previous scheme, the quarry would be worked on a phased basis to allow for progressive restoration; this minimises the amount of land taken at any one time. Sand and gravel would be worked from two discrete horizons; the Upper Mineral Horizon ('UMH'), which lies predominantly above the water table, would be worked dry whilst the Lower Mineral Horizon ('LMH') would be worked wet (i.e. no dewatering of the workings). Above the UMH is a clayey material (referred to as '*overburden'*) on top of which is the soil horizon. The two mineral horizons are separated by a laterally continuous layer of boulder clay (referred to as '*interburden'*): the overburden and interburden would be used to control groundwater ingress and to infill the base of the workings to provide a suitable low permeability geological barrier on top of which the imported material would be placed.

3.5 Excavated material would be processed at the quarry using a combination of screening and washing plant to produce a range of graded aggregates and sands. Processed aggregates would be dispatched from the site in HGVs via a new access constructed onto the A1057 (Hatfield Road) on the southern side of the quarry.

3.6 Other ancillary development would include a weighbridge, office accommodation, electrical transformer, electrical switch-room, and small stores and maintenance building, fresh water and silt lagoons.

3.7 The proposed development of the site is illustrated in Drawing Nos. HQ3/1 to HQ3/16 as follows (to avoid repetition, all drawings are contained in the ES and not reproduced in this Volume):

- HQ 3/1 shows the overall phasing / general layout of the quarry;
- HQ 3/2 shows the entrance design;
- HQ 3/3 shows the plant site (masterplan);
- HQ 3/4 shows the plant site layout (detail);
- HQ 3/5 shows the elevations of the processing plant;
- HQ 3/6 shows the advanced works (planting);
- HQ 3/7 shows the initial site preparation works;
- HQ 3/8 shows development within Phase A;
- HQ 3/9 shows development within Phase B;
- HQ 3/10 shows development within Phase C;
- HQ 3/11 shows development within Phase D;
- HQ 3/12 shows development within Phase E;
- HQ 3/13 shows development within Phase F;
- HQ 3/14 shows development within Phase G;
- HQ 3/15 illustrates the final restoration masterplan;
- HQ 3/16 provides illustrative cross sections.

GENERAL ARRANGEMENT

3.8 The new quarry would comprise the following key elements:

- new access onto the public highway and internal hard surfaced access road (which has been moved 5m to the east from the previous proposed alignment) between the entrance and plant site;
- weighbridge and office located to the north of the new site entrance;
- plant site including processing plant, stockpiles, office and other ancillary facilities;
- peripheral screening mounds;
- infiltration lagoon; and
- mineral extraction area divided into 7 phases.

3.9 **Drawing HQ 3/1** illustrates the overall layout of the proposed quarry.

CONSTRUCTION PHASE

3.10 Initial developments associate with the establishment of the quarry would involve the following operations:

- establishment of a new site access onto A1057 and construction of internal roadways linking the access to the plant site;
- creation of mitigation ponds/habitat for translocation of great crested newts;
- stripping of soil resources from operational areas, including plant site, fresh water/silt lagoons, haul roads and initial phase of mineral extraction;
- placement of soils into screen mounds located on the periphery of the site;
- undertaking initial landscaping works, including advance planting around Popefield Farm;
- creation of temporary permissive paths within the site to retain areas for public access;
- erection of processing plant and ancillary facilities;
- excavation of freshwater and silt lagoons; and
- excavation of a recharge lagoon within the UMH.

Site Access

3.11 A new entrance off the A1057 (which runs on the southern boundary of the application site) would be constructed close to the south western corner of the application site at NGR TL 198078.

3.12 The site access is designed with a carriageway width of 8m which forms a simple priority junction with the A1057. The junction would have 15m entry and exit kerb radii and a 1 in 12 taper, designed in order to comfortably accommodate all vehicle requirements. The internal access bends would also have a centreline radius of 20m to accommodate the necessary HGV swept-paths.

3.13 From the site entrance, the internal road would be constructed from concrete (or bituminous bound material, 'asphalt') up to the plant site. At the start of the hard surfaced access road within the plant site would be a wheel wash. Approximately 200m from the site entrance would be two surface mounted weighbridges (with attendant office) along with bypass lanes and a turning area for any vehicles refused access to the site.

3.14 In order to accommodate the entrance and associated visibility splay a section of the hedgerow that bounds the site/A1057 would need to be cleared. This would be undertaken outside of the bird breeding season (taken as being March to August).

3.15 As noted above, soils would be stripped from the footprint of the site entrance and internal access road. These soils would be placed into storage mounds located on the periphery of the site, in the vicinity of the site entrance. The line of the access road follows the western edge of the extraction area, lying at least 10m to the east of a National Grid gas main. On the western edge of the access road a new drainage ditch would be cut to intercept surface water. Allied to this, a 3m high acoustic fence would be constructed to the west of the access road.

3.16 A new fence would be erected behind the line of the visibility splay, behind which would be planted a double row of hedgerow plants. In view of the need to deter unauthorised access into the site, the fence would be post and rail, with barbed wire on top.

3.17 Two sets of gates would be installed on the access road; the first would be at the site entrance (set back from the junction) with the second located on the south side of the weighbridge area.

3.18 These details are illustrated on **Drawing HQ 3/2** and also considered further in Chapter 7 of this ES, including Drawing HQ 7/1.

Plant Site

3.19 The plant site would be located to the north of the mineral extraction area and west of Home Covert (woodland), covering an area of around 11ha. The main items within the plant site would be the aggregate processing plant; stockpile of as-dug material (surge pile); aggregate stockpiles; site office/administration building; fresh water lagoon and a small silt lagoon.

3.20 Prior to commencement of the construction of the processing plant, the Nast would be diverted to a new line around northern and eastern edge of the application site. The Nast is understood to be ephemeral and have low flows of surface water.

3.21 Soils would be stripped to a depth of around 1m from the footprint of the plant site and placed into storage mounds located to the north, east and west of the plant site. As dug sand and gravel excavated from the infiltration lagoons (see below) would be used to raise levels within the plant site by around 0.5m above original ground levels.

3.22 The processing plant would be a conventional static design (as opposed to an arrangement of mobile plant) and comprise the following elements:

- feed hopper;

- primary screen;
- washing plant and main screens;
- cone crusher;
- sand plant.

3.23 **Drawing HQ3/3** shows the layout of the plant site, whilst **Drawing HQ3/4** illustrates the layout of the processing plant in more detail. **Drawing HQ 3/5** shows the elevations of the processing plant.

3.24 Ancillary to the processing would be an electrical transformer, electrical switch-room, and small stores and maintenance building. These would all be constructed from block work.

3.25 The office and welfare accommodation would be four 'portacabin' style temporary buildings. These would be used as sanitary and drying facilities, mess room, site offices and meeting room/s.

Recharge Lagoons

3.26 Although the applicant would not abstract groundwater from the LMH, it is proposed to retain both the UMH and LMH groundwater infiltration lagoons as previously designed and presented. The UML would be the primary UMH groundwater infiltration location, but it would be connected to the adjacent LML at a high level because it makes operational sense to have the facility and option to discharge excess UMH groundwater should the need arise.

3.27 For the UML, soils would be stripped from the footprint of the lagoon (together with a narrow strip along the western and southern boundaries) and placed into storage mounds located on the periphery of the application site. Overburden would then be stripped and the underlying UMH extracted from the footprint of the lagoon: overburden would be used to form the peripheral 'seal' and ultimately internal walls to the lagoon on 3 sides, with surplus overburden material used to form the peripheral screen mounds.

3.28 For the LML, the same process would follow that described in paragraph 3.29 above, apart from the eastern lagoon boundary being fully sealed down to the upper surface of the interburden, meaning groundwater from the UMH can be dewatered within the perimeter of the LML. The excavation can then continue downward through the interburden until it exposes the surface of the LMH, at which point the excavation would stop. A manually operated high level spill-over would link the two lagoons to allow the flow of UMH groundwater into the LML. At no time would LMH groundwater flow into the UML because the water level in the LMH is over 5m lower than groundwater in the UMH.

Soil and Overburden Stripping

3.29 The sand and gravel deposit is overlain by a layer of overburden, subsoil and topsoil which varies in depth across the site. Soil stripping would be undertaken on a campaign basis (i.e. for a concentrated period lasting several weeks, as opposed to constantly throughout the year).

3.30 The soil and overburden would be stripped using a hydraulic excavator and transported across the site to the storage locations in articulated dump trucks. Soils would only be moved when they are dry and friable in order to ensure that their structures are not compromised. All soil stripping, handling and storage operations would be carried out in accordance with MAFF's Good Practice Guide for Handling Soils, published in 2000.

3.31 All topsoil stripping and other site preparation works that involve ground disturbance would be carried out with due regard to the scheme of archaeological investigation which would be agreed with the MPA.

3.32 Stripped soils would be placed into storage mounds located around the periphery of the application site. In line with best practice these would have a maximum height of 3m (to avoid compaction) compared to the 4m-5m proposed for overburden storage mounds. The outer slops of the storage mounds would have a gradient of 1:3 along the frontage to Hatfield Road, the playing fields, and adjacent to the public footpath, with gradient of 1:2 elsewhere.

3.33 **Drawing HQ 3/7** shows the areas from where soils would initially be stripped, the volumes arising and where this material would be stored.

Translocation of Great Crested Newts and Badger

3.34 As set out in Chapter 11 of this volume, Great Crested Newts have been identified in four ponds within the application site. Two of these ponds are located between the recharge lagoon and Home Covert and thus the design of the scheme seeks to avoid any disturbance to these ponds. Works would though be undertaken in close proximity, and thus a scheme of exclusion would be needed to ensure that areas to be stripped were clear of the species.

3.35 Two other ponds, located to the south of the Nast lie within the development footprint of the plant site/extraction area within Phase C. Both of these ponds would be lost to the development and thus a scheme of mitigation would be required: this would involve the creation of new ponds, (on a two for one replacement ratio) and habitat. The precise detail of the mitigation scheme would be set out in an application for a European Protected Species Licence submitted to Natural England. As part of the initial works, a scheme of exclusion would be needed.

3.36 Similarly, as identified in chapter 11, a single badger sett would need to be relocated; again the precise detail of the mitigation scheme would be set out in an application for a European Protected Species Licence submitted to Natural England.

OPERATIONAL PHASE

Mineral Extraction

3.37 It is proposed to develop the mineral deposit on a phased 'cellular' basis, whereby the workings advance in a general westerly direction with progressive restoration following behind. As noted above, the phasing of the workings is illustrated on **Drawing HQ 3/1**. Each phase is anticipated to sustain production for around four years and sand and gravel would be extracted from both mineral

horizons. The UMH would be progressively worked across each phase to its full depth to expose the interburden horizon, and removal of the interburden would take place in a series of smaller 'cells' to allow extraction of underlying mineral from the LMH once the UMH above each area of interburden has been removed. The depth of LMH extraction would be equivalent to the volume of acceptable site derived barrier and restoration material but at no time would it extend below 1m above the Chalk surface.

3.38 The UMH would be sealed at the perimeter of each phase with a low permeability bund wall keyed into the interburden and equipped with a back-wall drainage system. This would prevent further UMH groundwater flow into each phase. Once sealed remaining groundwater within the UMH would be pumped to the UMH recharge lagoon. The LMH layer would be excavated 'wet' (beneath water).

3.39 Following completion of mineral extraction from each LMH cell, suitable overburden and interburden (from the site) would be placed into the base of the workings to raise the operating level to above the level of the groundwater in the LMH, at which point an engineered thickness of barrier material would be installed and keyed into the surrounding interburden or previously engineered barrier material. The remaining void would be infilled with suitable onsite and imported inert restoration material.

3.40 Each phase would be worked in a similar fashion. Further details are set out in Chapter 3 of the ES, supported by a set of drawings to show the progression of working and restoration through the seven phases.

Mineral Processing

3.41 All mineral excavated at the site would be processed on site. As set out above, as-dug material would be transported from the working area and placed within a stock pile located on the eastern side of the plant site.

3.42 From the stock pile, as-dug material would be placed into the feed hopper of the processing plant by a rubber tyred loading shovel (such as a CAT 972 or Volvo L180) from where it would be conveyed into the primary screen. The primary screen would take off the oversize stone (i.e. greater than 100mm) and the fine fraction (sand) via two vibrating screens. The oversize material is stockpiled for sale/reprocessing, whilst the fine fraction is transferred to the sand plant. From the primary screen, the middle grading of material (i.e. 4-100mm) would be transferred via a conveyor to a scrubber mill and further screens within the washing plant (refer to Drawing HQ 3/2). Material passing over all the screens (i.e. too large, and generally over 20mm) is conveyed to the cone crusher where it crushed to reduce its size and then returned via conveyor to the screens. The screens spilt off the gravel into three fractions graded by size which are conveyed to stockpiles.

3.43 Periodically, material from the stockpiles would be transferred to larger stockpiles by rubber a tyred loading shovel.

3.44 Processed aggregates would be exported from the site by HGVs; typically these would be articulated lorries or rigid bodied tippers. Each lorry would, on entry to the site, be weighed in, and

then loaded by a rubber tyred loading shovel. The HGV would then pass over the weighbridge again before leaving the site.

Infilling Operations

3.45 Discussions with the Environment Agency have established that the void left from the removal of the 'LMH' and interburden should be replaced with site-won, low permeability cohesive material but could also include suitable materials imported for the formation of both geological barrier and infilling.

3.46 The rationale for placing inert low permeability geological barrier material up to the upper surface of the interburden is founded on the principle that perched groundwater within the UMH is kept separate from regional groundwater in the LMH: this is to minimise the potential for mixing of groundwater in the lower regional aquifer with local perched groundwater.

3.47 In view of this, surplus overburden and interburden would be progressively placed in the base of the mineral workings to raise basal levels; the indigenous material would be placed against the sides of the phase to above the level of the groundwater in the LMH, above which an engineered barrier of indigenous interburden/suitable overburden would be used to provide an effective seal to prevent the mixing of ground water. This engineered barrier would be keyed into the surrounding interburden or previously engineered barrier to provide a continuous seal, on top of which the imported inert material would be placed.

3.48 In order to be able to provide a suitable final landform (as illustrated on Drawing HQ 3/14) suitable inert fill materials would be imported. This material would be sourced from the construction and demolition waste sector within the region, and typically imported in 20t loads by rigid bodied tippers.

3.49 Details relating to the management and control of imported materials would be regulated through the Environmental Permit. In brief, each load imported would be inspected at the weighbridge for compliance with the waste transfer documentation. If the load is found to be inconsistent, the importing vehicle would be turned away. Once accepted, the importing vehicle would be directed to the disposal area where the load would be tipped and a further inspection undertaken. The load would then be placed within the tipping area and compacted by a tracked bladed machine (often referred to as a bulldozer, such as a CAT D6 or similar).

Hours of Operation

3.50 The quarry would operate to the following hours:

Site preparation works (stripping, bund formation); mineral extraction, restoration (including infilling), processing and dispatch of aggregates:

- 0700 hours to 1800 hours Monday to Friday
- 0700 hours to 1300 hours Saturdays

No operations on Sundays or bank holidays, save for emergency repairs.

Lighting

3.51 External lighting would be required around the plant site during the winter months. Lighting would be on mounted poles. All lights would be directional in order to minimize light spill, glare and sky glow, and would be aligned to ensure that the upper limit of the main beam does not project upwards. In particular, guidance provided by the Institution of Lighting Engineers[1].

3.52 It is not proposed to excavate the sand and gravel after dusk and thus no lighting would be required within the extraction area.

Environmental Controls

3.53 The EIA process has identified a number of measures that could be employed to ameliorate the effects associated with the operation of the quarry. Some relate to operational practices to help safeguard the amenity of local resident whilst others relate to the design of the quarry (for example associated with ground water protection).

Dust

3.54 As set out in Chapter 9 (of the ES), a number of mitigation measures are proposed to ameliorate the generation of dust from the development of the quarry. These include:

- use of water as and when necessary, particularly in the event of dry and windy weather;
- vehicles transporting soil/overburden/mineral not overloaded;
- reduction of drop heights;
- minimise double handling of material;
- phased activity to minimise the duration of activity;
- avoid soils handling during adverse weather conditions;
- optimise timing regarding weather and seeding season. Seed as soon as possible;
- soil bunds and mounds profiled to minimise windblown dust;
- temporary cessation of activities in the event of unacceptable dust emissions in the vicinity of receptor properties;
- where material contains less than 3mm in size the material should be conditioned with water before the point of discharge into the pile;
- areas around the base of the storage piles would be clearly designated to ensure passing vehicles do not disturb dusty material and the area should be kept clean and in good repair;

[1] Guidance Note 1 for the reduction of obtrusive light 2020, Institute of Lighting Professionals. https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2020/

- location of processing operations away from the closest receptors;
- enclosure of transfer points with chutes;
- cleaning belts with scrapers and dust catch plates;
- materials are deposited carefully into screens by reducing drop heights and the correct matching of machine;
- ensure base of stockpiles clearly marked and shielded from wind and keep moist in dry weather;
- controlled use of haul routes;
- haul routes to be regularly maintained by grading to minimise dust generation;
- speed controls of 10mph to be implemented on all haul routes;
- all vehicles exiting the site carrying material are sheeted or totally enclosed as soon as possible after loading and before leaving site; and
- wheel wash installed at the site entrance and used.

Noise

3.55 'Built in' mitigation includes the use of peripheral screen mounds at the edge of the working areas. As noted above, these would be 3m in height (for soils storage, in line with best practice) and 4m in height for the overburden storage mounds. In addition, a 3m high acoustic fence would be installed on the western side of the access road to protect properties to the west of the application site.

3.56 In addition to the noise mitigation measures incorporated into the site design, good site management practices and other specific measures would also provide additional noise mitigation. These measures (as set out in Chapter 10 of the ES) would include:

- activities within the review site would be undertaken in locations where noise attenuation from existing landforms would maximise the benefit to the noise-sensitive properties;
- internal haul routes would, wherever possible, be routed such that separation distances to the noise sensitive properties is maximised;
- all haul roads would be kept clean and maintained in a good state of repair to avoid unwanted rattle and "body slap" from vehicles;
- all mobile plant used at the proposed extension would have noise emission levels that comply with the limiting levels defined in EC Directive 86/662/EEC and any subsequent amendments;
- all mobile plant and heavy goods vehicles entering the site will move in a circular pattern to minimise, as far as is practical and safe, noise from reverse warning systems;
- plant would be operated in a proper manner with respect to minimising noise emissions, for example, minimisation of drop heights and no un-necessary engine revving;

- plant would be subject to regular maintenance. All plant at the site would be fitted with effective exhaust silencers and would be maintained in good working order to meet manufacturers' noise rating levels. Defective silencers would be replaced immediately;
- plant that is used intermittently, would be shut down when not in use; and
- pumps, generators and compressors would be located behind existing screening mounds or landform, would be electrically powered and fitted with an acoustic covers where necessary. Diesel powered pumps, generators and compressors, if used, will be installed within acoustic enclosures.

Water

3.57 The operation and restoration of the quarry would be undertaken using current technical guidance, relevant Pollution Prevention Guidelines, other codes of best practice and consents, to limit the potential for contamination of both ground and surface waters.

3.58 Best practice techniques would be incorporated within the management procedures for construction and operation activities onsite in order to protect the water environment from pollution incidents. The mitigation measures can be summarised as follows:

- during construction there would be heavy plant and machinery required on site and as a result it is appropriate to adopt best working practices and measures to protect the water environment, including those set out in the Environment Agency's Pollution Prevention Guidance (PPG1);
- in accordance with PPG2 all above ground on-site fuel and chemical storage would be bunded;
- an emergency spill response kit would be maintained on site;
- a vehicle management system / road markings would be put in place wherever possible to reduce the potential conflicts between vehicles and thereby reduce the risk of collision;
- a speed limit would be imposed on site to reduce the likelihood and significance of any collisions;
- the proposed restoration scheme would also be subject to an Environmental Permit, the application for which would include appropriate measures to avoid unacceptable impact on the environment including water;
- surface water runoff would be contained within the excavation areas and all water would be discharged to a recharge lagoon, this would reduce the risk of suspended solids entering surface waters; and
- a detailed water management plan would be prepared and agreed with the Environment Agency prior to work commencing at the site.

3.59 All groundwater pumped from the UMH would be recharged back into the aquifer so that there would be no significant loss of resource. The recharge area is relatively close to the points of abstraction and it is not envisaged that there would be a significant impact on water resources in either aquifer.

3.60 Restoration of the void with imported inert material would make a barrier to groundwater flow within the UMH. A back-drain is therefore included in the design to ensure groundwater levels do not increase above historically high elevations.

3.61 The restoration operations would be operated under an Environmental Permit that would ensure activities do not pollute the water environment.

Socio Economic Issues

3.62 The quarry would have a core staff of 6 employees. This would comprise a manager, a foreman, 2 loading shovel operatives, 1 dozer operative and 1 weighbridge operative.

3.63 The number of staff would increase to 10 during earthmoving works which will be undertaken on a campaign basis. This would be over a temporary period.

3.64 Allied to this the quarry would generate a number of indirect employment opportunities associated with the haulage of aggregates/concrete and the provision of services, such as maintenance and engineering contractors, landscaping contractors. The quarry would contribute into the economy through taxes, business rates and aggregates levy contributions. The development would thus secure these employment opportunities and wider socio economic benefits into the long term.

RESTORATION PHASE

3.65 This section of the chapter details how it is proposed to restore the application site to a beneficial after-use which has the following aims:

- to progressively deliver a landscape which is similar in character and appearance to the existing Ellenbrook Fields;
- to improve overall biodiversity interest and value at the site;
- reinstate the current accessibility of the greenspace to members of the local public; and
- fulfil all engineering requirements, in terms of managing surface water and groundwater environments at the site.

3.66 The landcover would consist of broad area of gently sloping conservation grassland (from west to east), divided by hedgerows and with some complimentary wetland and pond features, as illustrated by **Drawing HQ 3/15**.

3.67 At a more local level, areas of micro-topographical and substrate variation would be included to provide habitat diversity and enhancements (e.g. a range of species-rich grassland communities). The proposed waterbodies include both shallow scrapes, ponds and a deeper waterbody at the north-eastern end of the application site.

3.68 The scheme also aims to respond to the local landscape character of “Area 31 De Havilland Plain”, which extends from Cromerhyde in the north, southwards across the former Hatfield Aerodrome

and up to the ground of Oaklands College on the edge of St Albans, as defined in The Welwyn Hatfield Landscape Character Assessment (2005), which *inter alia* refers to "*an extensive level plain".* This is addressed further in Chapter 8 of the ES.

3.69 The Herts and Middlesex Wildlife Trust have several grassland-based nature reserves, including Hunsdon and Eastwick Meadows, which is one of the finest surviving unimproved grassland sites in the county. Also the local biodiversity action has targets for the recreation of neutral grassland, acid grassland and heathland; the aspiration for the restored application site is to contribute to these targets as far as is practical, either through interim management during working phases or long-term aftercare of the final restoration areas.

3.70 The proposed hedge planting and open ditch/swale layout uses the 1888 historic field pattern which existed on the application site prior to the aerodrome and other interventions, with the aim of reinstating the broader landscape setting of the Popefield Farm listed building. Some of this remnant field pattern is still present on site, whilst some has been lost.

3.71 This would also create potential linkages with the existing watercourses, hedgerows, woodland and tree belts around the perimeter of the application site.

Progressive Working and Restoration

3.72 The proposed progressive scheme of working and restoration aims to ensure that disturbance is limited and continued access is provided to Ellenbrook Fields, as far as possible.

3.73 For example, the western parts would be largely undisturbed (except for the access road) until the later stages. Parking is available alongside Ellenbrook Fields at Notcutts Garden Centre to the south-west of the site on Hatfield Road, and access via the public right of way would be maintained throughout the development period, but according to certain restrictions and diversions at certain periods. Access points would be installed over the perimeter storage bunds.

3.74 The initial site preparation works are shown on **Drawings HQ 3/6** and **HQ 3/7** which shows the new site access in the south-western corner and along the western part of the application site (whilst maintaining a standoff to the gas pipeline). The plant site, stocking and lagoon areas in the north and east would be stripped of soil and overburden and temporary storage mounds would be formed around the perimeters. The stripped areas of ground would then be built up as hardstanding using the mineral within the recharge upper and lower mineral lagoons in the east.

3.75 Subsequent establishment of each Phase would follow a logical sequence broadly working from east to west and where possible with soil and overburden direct placed onto worked out and backfilled void, to final restoration levels. However it is anticipated that, particularly during Phase A, soils and overburden may also need to be placed into temporary storage.

3.76 Detail methods of forming the perimeter seals within and around each phase would be determined as the development progresses.

3.77 The estimated volumes of site derived materials available from the proposed mineral extraction area are as follows:

- Topsoil (nominal 0.3m thickness) = 160,000m^3;
- Subsoil (nominal 0.9m thickness) = 478,000m^3;
- Overburden = 582,000m^3; and
- Interburden volume = 962,000m^3.

3.78 In addition approximately 150,000m^3 of topsoil and subsoil would be stripped from the access road, plant site and stocking area and areas of temporary storage (e.g. beneath subsoil or overburden) and then reinstated at the end of the development.

Restoration Landform

3.79 The final restoration landform would be based on imported inert material to backfill the worked out mineral voids near to existing ground levels, typically between 78m AOD in the west and 76m AOD in the east, to ensure that surface water can be directed towards the existing pipe which takes the Nast along the St Albans Road West.

3.80 An overflow at 75.5m AOD would be included within the waterbody to the north-east to also drain into this existing pipe. The invert of the existing Nast culvert along the side of the road is 71.78m AOD. The scheme aims to attenuate water flows and avoid flood risk.

3.81 A detailed landform design would be produced following the granting of planning permission to ensure minimum gradients typically from 1:100 to 1:200.

3.82 Overburden and interburden clays from the site would be used to provide basal lining, sidewall barriers and capping material for the tipping operation and subsequently covered by a restoration soil profile.

3.83 Approximately 235,000m^3 of suitable material would be required for the external liner around the site perimeter; this is based on a mineral cut of 1:1 down from extraction limit through the soil, overburden and upper mineral horizon down to the top of the interburden clay and then the amount of material needed to backfill to original ground levels, with a 5m wide crest at the top and 1:3 side slopes. Of this approximately 20,000 m^3 would need to be restoration soil (which is the crest area x 1m thickness), with the rest as impermeable barrier.

3.84 A further 505,000m^3 of suitable material would be required for the 1m thick engineered barrier / capping. The restoration soil profile would then be c1.2m thickness above this layer.

3.85 Thus the available 962,000m^3 interburden volume exceeds the anticipated suitable material required for the external liner around the perimeter and the engineered barrier / capping.

3.86 The plant site, stocking and other ancillary areas would also be restored using replacement of stored restoration soil and residual mineral to create ridge and furrow landform, on average 1m in thickness.

3.87 The access road and a small car parking / turning area would be retained as hard standing for continued recreational access.

Restoration Profiles

3.88 All soil and overburden resources would be conserved and reused and therefore there would be a surplus amount of material available in comparison to those required; this is dictated mainly by the inclusion of the waterbody in the east and other ponds, scrapes and wetland areas of c8ha, which would not require any soil cover and also the use of a mixture of soil and residual mineral within 10ha of the plant site area, as part of acid grassland habitat creation area and any other preferential use of soil-forming materials as part of the target grassland habitats. The total area of disturbance requiring a restoration soil profile is c65ha and the available 788,000m^3 of site-derived topsoil and subsoil volume would be sufficient.

3.89 All soils would be either direct placed onto final restoration areas or temporarily placed into storage / perimeter screening bunds. All bunds would be grass seeded, at the earliest available opportunity following construction.

3.90 Nevertheless, any potential new soils brought to site/recovered from the tipping operations would be inspected upon delivery to ascertain their suitability and quality, and any roots, debris or other undesirable materials present removed. The Planning Practice Guidance to the National Planning Policy Framework acknowledges the potential use of soil and soil-making materials where the after-use of mineral sites involves some form of plant growth.

3.91 Materials for use in species-rich grassland areas will have chemical and physical properties assessed, to ensure they deliver low fertility yet functioning restoration substrates capable of supporting these habitats in the long term. For example, acidic or alkaline material will be set aside for the creation of distinct acidic/calcareous grassland habitat types in suitable locations.

3.92 Restoration material of intermediate nutrient status (i.e. too high for use in species-rich grassland, but not good enough for (or excess to that required for) tree planting might be best targeted to the water attenuation lagoons. Similarly especially clayey material may have a specific role in the formation of ponds in these areas.

3.93 This is summarised below, although precise characteristics will be determined in accordance with Table 1 in BS 3882:2015, as appropriate:

- multi-purpose topsoil and/or medium to high pH (5.5 to 8.5), high N, extractable P and K, clay or loams – trees & scrub, wet grassland / lagoons;
- specific purpose, low fertility topsoil and/or mid pH, low/medium N, extractable P and K, loams – neutral grassland;
- calcareous topsoil and/or high pH (7.5 to 9.0), low N, extractable P and K, clay or loam – calcareous grassland; and
- acidic topsoil and/or low pH (3.5 to 5.5), low/very low N, extractable P and K, sand or loam – acid grassland.

Restoration Phasing and Techniques

3.94 The proposed development phasing would incorporate progressive restoration and landform development, involving annual programmes of soil handling, cultivations, seeding and planting undertaken at the earliest available opportunity. The details of the restoration programme would be reviewed with the mineral planning authority on an annual basis.

3.95 Compaction of the restoration soil layer would be avoided throughout all soil handling operations, as follows:

- stripping, loose-tipping and grading of soil materials, to specified profiles, would be carried out using tracked excavator or bulldozer in accordance with MAFF's Good Practice Guide for Handling Soils, published in 2000; and
- soil would only be handled when in a suitably dry and friable condition by reference to the lower plastic limit.

3.96 The only exception to the prevention of compaction within the restoration soil profile might be some localised areas to encourage wetter conditions and opportunities for marshy grassland species within the overall grassland mosaic. The permanent ponds will be lined with clay/compacted base and sides, with associated boggy margins.

3.97 Contrasting soil units would be recovered, stored and replaced separately. For example by the use of geotextile separator or the recovery of *in-situ* units before the construction of storage bunds.

Restoration After-uses and Techniques

3.98 Table 3-1 below compares the areas of existing and proposed land cover areas for the application site.

3.99 In addition around 1km hedgerows would be planted as part of the reinstated historic field pattern, in conjunction with the 2km advance planting undertaken at the outset of the development.

3.100 Approximately 0.6km of public right of way would be reinstated along its original route and permissive access paths would also be returned along similar routes to existing. Approximately 1ha access road and a small car parking area / site offices would be retained for recreational purposes.

Table 3-1
Site Summary Areas

Land-cover	Existing Site 2015 (ha)	Proposed Restoration Scheme (ha)
Grassland	84.9	72.4
Scrub	(Not measured, included in grassland above)	3
Woodland Planting		1
Waterbodies / Ponds / Wetland		8.5
Hardstanding / Parking Area and Access Tracks	1 (estimated area of former runways, etc)	1
	85.9	85.9

3.101 The restored surface would be initially cultivated to a fine tilth prior to drilling or broadcasting of the appropriate conservation grass seed mix (which would be based on substrate variation and characteristics to be determined) and sown to a low rate, typically of approximately 3-5g/m^2. In places this may be limited to bents and fescues and sown to allow a diverse sward to develop through natural colonisation.

3.102 If practicable seed material from a suitable donor site nearby may be used to aid species diversification, following consultation with the local Wildlife Trust or Natural England.

3.103 The proposed tree and shrub species mixtures for hedgerows and any other areas of advance planting would reflect the natural distribution of native trees and shrubs described by the Forestry Commission[2] and also the nature of the restoration substrate, which would be inspected and assessed prior to planting.

3.104 All plants would typically be well-grown nursery stock as seed-raised transplants, 1+0 (1 year old transplant) up to 60cm in height, depending on species. All species will be derived from stock of local origin, as defined by the Forestry Commission's "Regions of provenance and seed zones in Great Britain".

3.105 All plant handling and planting operations will comply with relevant clauses of CPSE 'Handling and Establishing of Landscape Plants' (obtainable from the Horticultural Trades Association).

[2] Creating New Native Woodlands, Rodwell & Pattersen (1999), Forestry Commission Bulletin 112

3.106 There is an area of open water in the north-east of the site that would benefit waterfowl and wader species. This would be achieved by constructing the with relatively steep banks of c1:3, to minimise the extent of marginal plant growth and omitting any perimeter tree and shrub planting.

Aftercare

3.107 The restored site would be closely monitored throughout the 5 year aftercare period so that the most suitable management regime could be defined on an area-by-area basis. An aftercare management plan would also be formulated in consultation with the MPA.

3.108 The management plan would consist of both an outline scheme, submitted at the outset that would provide the overall objectives for the management of the site and the main management operations, and an annual, detailed scheme that would be submitted to the planning authority in the autumn of each aftercare year. It is also proposed that an aftercare meeting would be held on an annual basis to discuss the condition of the site and to agree the aftercare requirements for the following growing season.

3.109 For all areas, requirements for secondary treatments would be reviewed on an annual basis throughout the aftercare period, in order to identify and remedy any localised problems. For example the following conditions would be assessed and remedied where necessary (to methods agreed with the local planning authority): differential settlement, land drainage, vegetation failure, stones/stone-picking.

3.110 Fertiliser requirements would also be assessed on an annual basis throughout the aftercare period.

3.111 It is acknowledged that under the provisions of the Weeds Act 1959, it is the responsibility of all occupiers of land, whether used for agriculture or not, to control injurious weeds so that they do not spread. For all areas, weeds would be controlled by the appropriate application of herbicides by a certified competent person, according to manufacturer's instructions or, in areas of grass, by cutting or grazing.

3.112 The new grassland mosaic would be mown twice during the first season to increase tillering. Cuttings would be removed from site where necessary to prevent the cut material suppressing germination and to remove a potential source of nutrients that might otherwise enrich the substrate and encourage colonisation by competitive grassland and ruderal species.

3.113 It may be necessary to apply brashings and/or further seed in subsequent seasons to aid the establishment of target species. This would be carried out as part of the September to November maintenance visits.

3.114 Grazing with sheep would be introduced as soon as appropriate, according to stocking densities to be agreed determined.

3.115 All new tree and hedgerow plants would be protected and maintained to a 1m diameter weed free condition. Plants, guards and canes which have become loose, over-tight or broken would be re-firmed and adjusted on an annual basis.

3.116 The general aims of the water body management would be to improve water quality, increase biodiversity and enhance amenity and appeal. Monitoring of the waterbody will be as follows:

- Water quality would be assessed by identifying concentrations and sources of pollutants (nutrients);
- Biodiversity would be assessed by carrying out surveys for aquatic plants, zooplankton and invertebrates;
- Amenity and appeal of the lakes would be assessed by visual inspection, to include erosion, odour, plant and animal deaths; and
- Freshwater algae would be monitored in particular, excessive accumulations of foams, scums and discolouration of the water. The Environment Agency would be contacted for advice in the event of algae bloom appearing on the site in response to the threat to wild and domestic animals, fish and humans.

3.117 All planting/seeding failures would be replaced on an annual basis, during the first two years of aftercare, to ensure 100% maintenance to the agreed densities/land cover. All replacements would use plants of the same species or other such species as may be agreed with the local planning authority. If abnormal plant or tree failure persists then investigations and proposals for the remedying of site conditions would be prepared and agreed with the local planning authority.

3.118 Reinstatement of footpaths and public access would also take place during the aftercare period, when it is considered safe to do so and where it won't be detrimental to the establishment of the habitats and land cover.

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INTRODUCTION

4.1 It is clear from published guidance that the Government is committed to a plan led system, with the Development Plan forming the basis of all planning decisions. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) confers a presumption in favour of development proposals which accord with the Development Plan unless material considerations indicate otherwise. Sub Section 5 of Section 38 also states that, "*if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (as the case may be)*".

4.2 This principle has been developed and clarified by subsequent case law, which has confirmed that a particular proposal does not need to accord with each and every policy in a Development Plan; the key issue is that it accords with the overall thrust of Development Plan policies taken as a whole.

4.3 Accordingly, policy and plans play an important role in determining any planning application. At the local level, the statutory Development Plan currently comprises the following documents:

- Hertfordshire Minerals Local Plan Review 2002 – 2016 (adopted March 2007);
- Waste Core Strategy and Development Management Policies Document (adopted November 2012);
- Waste Site Allocations 2011 – 2026 (adopted July 2014);
- City and District of St Albans District Local Plan Review (adopted 1994, Reviewed 2020);
- Welwyn Hatfield District Plan (adopted 2005).

4.4 Hertfordshire County Council is in the process of replacing the Adopted Minerals Local Plan Review. In this respect, in 2019 the council published the '*Hertfordshire Minerals Local Plan: Proposed Submission'* (dated January 2019). Consultation on the draft ran to March 2019. Whilst the plan has undergone consultation, it has not been considered by an Inspector appointed by the Secretary of State. As such, the weight to be attached to the draft plan needs to be moderated. However, it does give an insight into the direction of travel for new policies.

4.5 Other material considerations relative to the planning application include national statements of planning policy, such as the National Planning Policy Framework (NPPF) and associated internet based Planning Practice Guidance.

4.6 This chapter will set out the context of the main national and local planning policies relevant to the development at Hatfield Aerodrome. Chapter 4 within the ES (Volume 2) also considers planning policy, setting out those that are relevant to the EIA that has been undertaken.

NATIONAL POLICY

General

4.7 National Planning Policy guidance is set out in the National Planning Policy Framework (NPPF). The NPPF was accompanied by a 'Technical Guidance' document but has since been revoked and replaced by the internet based Planning Practice Guidance (PPG).

4.8 In terms of land use planning constraints, the application site is not located within a National Park or Area of Outstanding Natural Beauty (AONB). Neither does it directly impinge upon any ecological designations of international or national importance; however, it is located within a Green Belt. Allied to this, as noted from Chapter 2 there are no internationally or nationally designated sites of ecological or archaeological importance within 2km of the boundary of the application site. It is noted that there are the following designations within 2km of the proposed mineral workings:

- Ancient Woodland;
- Local Nature Reserve;
- Local Wildlife sites; and
- Listed Buildings.

4.9 As a result, many sections of national guidance are not relevant to the planning application.

THE NPPF

4.10 The NPPF (updated in 2021) does not change the fundamental premise of Section 38(6) of the Planning and Compulsory Purchase Act 2004. Paragraph 2 clearly states that:

> *"Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise"*

4.11 It goes on to add that the NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

4.12 Beyond the general principles of the plan-led system, sustainable development and the approach to decision making, much of the main guidance relates to the development of the built environment. Those parts relevant to the proposed development are considered within the subsequent sections.

Sustainable Development

4.13 At the heart of the NPPF is a presumption in favour of sustainable development, for which three overarching objectives are identified:

- "An economic role", which NPPF requires as contributing to building a strong responsive and competitive economy by ensuring that sufficient land of the right type is available in the right place and at the right time to support growth. The extension site is "*the right type*" in terms of the high quality mineral resource which it contains, and it is in "*the right place*" in the context of the site selection process undertaken by Hertfordshire County Council as part of the identification in the MLP (and emerging MLP) of preferred areas for extraction. It is also in the "*right place*" in the context of being able to maintain local supplies of aggregate to construction projects in the county in a way which minimises the carbon footprint associated with the delivery of aggregate to construction sites. NPPF also refers to the underlying requirement to move to a low carbon economy; the role which the planning system can play in guiding development to sustainable locations. In this context, the location of the application site to the primary road network, including the A1, is of note. This all points to a conclusion that the development is strategically and sustainably "in the right place". Its release would also be at the "*right time*" to support growth via continuity of supply, given that reserves within the area becoming depleted (two quarries have ceased production since the last application).

- "A social role" including the "*need to provide the supply of housing required to meet the needs of present and future generations*". This will be dependent upon a "*steady and adequate supply*" of aggregate raw materials to the construction industry. The social role also relies upon "*creating a high quality built environment*" which will be assisted by the supply of sand and gravel as a building material; and

- "An environmental role" which contributes to "*protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy*". The relevance of this dimension to the proposed development relates to the enhancement of the biodiversity of the restored site; the protection and enhancement of the built environment via the availability of sand and gravel aggregate; the minimisation of waste from the production process; and the supply of aggregate to local markets which reduces carbon emissions.

4.14 These roles should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

Green Belt Policy

4.15 National planning policy on the approach to the Green Belt within both plan-making and decision-taking is set out in Section 13. The protection of the Green Belt is a component of the purpose of the planning system to contribute to the achievement of sustainable development.

4.16 Paragraph 137 indicates that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

4.17 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). However, at paragraph 150, the NPPF identifies certain operations that are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include mineral extraction and engineering operations (such as formation of screen bunds). This does not mean that a minerals development is automatically allowable in Green Belt as consideration needs to be given to how it affects openness for example. However, the temporary nature of minerals developments weighs in favour as the effects are reversible (i.e. they are not a permanent effect, even if considered long term).

4.18 Referring to both the January 2017 and September 2020 Reports to the Development Control Committee, the planning officer concluded that VSC did exist and so the proposals were not contrary to Green Belt policy. In this respect paragraph 11.9 in the January 2017 Report states that the "*harm to the openness of the Green Belt is reduced as far as possible by mitigation and would be fully reinstated upon restoration of the site. The benefits of mineral extraction in supporting economic growth are considered to clearly outweigh the limited harm to the Green Belt, including to the landscape, visual amenity, and setting of listed buildings, which constitute the very special circumstances which justify the granting of planning permission for mineral extraction*".

Mineral Policy

4.19 Paragraph 209 of the NPPF re-states the long established concept that "*Minerals can only be worked where they naturally occur*[1]*"*:

"*It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation*."

4.20 All mineral proposals also need to be considered in the light of paragraph 211 of the NPPF, and in particular, those aspects which are relevant to the EIA are:

- give great weight to the benefits of mineral extraction, including to the economy (i.e. socio-economic aspects);
- as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites, Scheduled Monuments and Conservation Areas;
- ensure that in granting planning permission for mineral development that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and to take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in the locality;

[1] Paragraph 13 Minerals Policy Statement (MPS) 1

- ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;

- provide for restoration and aftercare at the earliest opportunity to be carried out to the highest environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances; and

- not normally permit other development proposals in mineral safeguarding areas where they may constrain potential future uses for these purposes.

4.21 Paragraph 213 adds that minerals planning authorities should plan for a steady and adequate supply of aggregates by *inter alia* maintaining sufficient reserves (landbank) of at least 7 years for sand and gravel, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised. This is considered further in Chapter 5 below on 'Need and Planning Balance'.

Environmental Considerations

4.22 The NPPF, together with the Planning Practice Guidance, sets out the overarching national policy and associated guidance respectively aimed at protecting the environment and local communities. This is further considered under the heading of '*Protection of the Environment*'

THE DEVELOPMENT PLAN

Legislative Background

4.23 The PCPA 2004 reformed the development plan system, replacing Local Plans with a requirement to produce a Local Development Framework (LDF). The LDF would comprise a portfolio of Development Plan Documents (DPDs). With the introduction of the Localism Act 2011, the Local Development Framework is to be replaced by Local Plans.

4.24 To maintain continuity in the Development Plan system during transition to the LDFs (and Local Plans), arrangements were put in place for the existing adopted Structure Plan and the Minerals, Waste and District Local Plan policies to be 'saved'. In this respect the Secretary of State's saving direction dating 22 March 2010 provides that all the policies in the Minerals Local Plan were saved until such time as they are superseded by the emerging Minerals Local Plan.

4.25 The statutory Development Plan currently comprises the following documents:

- Hertfordshire Minerals Local Plan Review 2002 – 2016 (adopted March 2007);

- Waste Core Strategy and Development Management Policies Document (adopted November 2012);

- Waste Site Allocations 2011 – 2026 (adopted July 2014);

- City and District of St Albans District Local Plan Review (adopted 1994, Reviewed 2020);
- Welwyn Hatfield District Plan (adopted 2005).

4.26 As noted earlier Hertfordshire County Council is in the process of replacing the 2007 Mineral Local Plan Review. Following the publication of the Proposed Submission Draft of the Minerals Local Plan, the council is working to summarise all the representations received. When all the representations have been summarised, we will produce a statement of main issues raised document. This will be followed by submitting all representations received relating to the Minerals Local Plan along with the Plan itself to the Secretary of State for independent examination, known as an Examination in Public.

4.27 The district Local Plans cover all matters involving the development or other use of land, with the exceptions of minerals and waste developments which by virtue of the Town and Country Planning (Prescription of County Matters) (England) Regulations 2003 fall to be considered against the Minerals Local Plan and Waste Local Plan respectively. The main considerations therefore relate to the general policies, and those aimed at safeguarding the environment, and thus are addressed within the sub-section "*Protection of the Environment*".

4.28 The following paragraphs consider each of the documents that currently comprise the Development Plan highlighting the key policies that are applicable to the proposed development.

Minerals Local Plan (Adopted)

4.29 The prime purpose of the planning application is to secure the release of new mineral reserves to ensure that a steady supply of aggregates can be provided to the local construction market. In view of this, the Minerals Local Plan (MLP) is the main consideration when examining whether the proposals accord with the Development Plan.

4.30 The MLP was adopted in 2007 and covers the period between 2002 and 2016. Whilst the plan period has expired, the policies still remain in force until replaced by the emerging MLP; significant weight can be afforded to its policies. Notwithstanding this, the MLP pre-dates the NPPF and thus where a policy conflicts with national policy, this may reduce its weight

4.31 Chapter 2 in the MLP sets out the aims of the Plan. Of note are:

- **Aim 1**: to encourage the efficient use of materials;
- **Aim 2**: to identify and safeguard mineral resources to ensure that there are sufficient environmentally acceptable sources to maintain an appropriate level of current and future supply in accordance with Government guidance and to prevent the unnecessary sterilisation of mineral resources;
- **Aim 3**: to ensure that the adverse impacts on the environment and people caused by mineral operations and the transport of minerals are kept, as far as possible, to an acceptable minimum; and
- **Aim 4**: to ensure sensitive working, reclamation and aftercare practices so as to preserve or enhance the overall quality of the environment and promote biodiversity where appropriate.

4.32 As such, the Plan seeks to balance an adequate and steady supply of aggregates against the environmental harm that may result through the extraction and processing of minerals. In the context of Aim 2, the Plan "*seeks to identify the most suitable resources for potential sand and gravel extraction*".

4.33 In terms of the strategic polices, Chapter 3 provides, through **Policy 1**, that the county will ensure that adequate supplies of aggregates are available and will seek to maintain an appropriate landbank throughout the Plan period. **Policy 2** then provides the framework for considering the need for releasing new mineral reserves. These are a material consideration in relation to the merits of the planning application. The need for new minerals reserves is considered in the following chapter.

4.34 As noted in paragraph 4.32 above, the MLP seeks to identify areas from where sand and gravel should be extracted to maintain supplies throughout the plan period and beyond. Section 3.4 of the MLP, culminating in **Policy 3** identifies three sites, including the application site.

4.35 The three allocated sites in the MLP are (with the amount of reserves is shown in brackets):

- Preferred Area 1: Land at former British Aerospace, Hatfield (8Mt)
- Preferred Area 2: Land adjoining Rickneys Quarry, near Hertford (5Mt – 6Mt)
- Preferred Area 3: Land at Coursers Road, near London Colney (4.5Mt)

4.36 The southern part of Preferred Area 1 is the application site to which this planning application refers. Whilst a small part of the application site lies outside of the Preferred Area, it is a very small area compared to the remainder of the site (which is in the Preferred Area). In view of this, it is not considered that the proposals are a departure from the Plan. This was accepted by the MPA in considering the previous planning application.

4.37 Preferred Areas 2 and 3 are extensions to existing quarries. Planning permissions have been granted for Preferred Areas 2 (in part as an easterly extension to Rickneys Quarry) and 3. Referring to paragraph 3.4.2 of the MLP, it is noted that "*the County Council has undertaken an extensive site selection process in order to identify the most suitable locations for future aggregates extraction*". Allied to this, paragraph 3.4.6 comments that the 'Preferred Areas' are the parcels of land likely to be required to make up the balance of the County's contribution to the regional apportionment for the plan period (to 2016) and the landbank period beyond.

4.38 **Policy 5** seeks to avoid the sterilisation of mineral reserves, encouraging prior extraction where possible. The Preferred Area 1 includes land to the north which is being considered for mixed use development. The applicant has considered the mineral quality within the northern part of the allocation and has concluded that it is not viable.

4.39 The cumulative impact of mineral workings, be it simultaneous or successive, is addressed through **Policy 11**. An operational sand and gravel quarry Hatfield Quarry (CEMEX) lies to the north of the application site, with land adjoining the application site having been worked. The cumulative impacts associated with developing the application site have been considered as part of the EIA process and no significant effects have been identified, either individually (for one facet of the environment) or collectively. Referring to the September 2020 Report to the Development

Control Committee clear consideration was given by the planning officer to the potential cumulative effects of traffic (paragraphs 8.73 to 8.76) and Hatfield Quarry (8.77 to 8.83). The officers own analysis concluded that there should not be any unacceptable cumulative impact on the environment of the area. Moreover, paragraph 9.10 notes *"… the operation of the new quarry in parallel with the continued operation of Hatfield Quarry would not have significant adverse cumulative impact on the local area*". Consequently, the officer advised committee members that the proposals accorded with Policy 11.

4.40 Section 4.4 of the MLP addresses the reclamation of mineral workings. Paragraph 4.4.2 recognises that traditional schemes of agricultural restoration may not always be appropriate and should not be seen as the only option. It cites biodiversity is a suitable option and advises that cognisance is given to both the UK and Hertfordshire Biodiversity Action Plans. **Policy 13** indicates that the council will not allow land worked for minerals to become derelict or remain out of beneficial use. Applications for mineral extraction are to be accompanied by a detailed and comprehensive restoration scheme. To this end, the restoration proposals are set out in Chapter 3 above and are considered to be in accordance with the spirit of Policy 13. The applicant has a proven track record of restoring its mineral operations, having won over 50 awards from industry affiliated bodies. Careful consideration has been given to the restoration scheme, ensuing that the water environment is adequately protected, that the scheme reflects local landscape character, and also adds biodiversity value whist allowing public access. This also reflects the provisions of **Policy 14** which requires restoration schemes to have a sustainable after-use. The policy sets out ten criteria that need to be considered, including *inter alia*:

- respect and/or enhance the local character of the area;
- benefit the local community;
- provide improved and increased public access to the countryside and recreation and create public open space;
- create new or enhance existing water bodies for wildlife; and
- support and enhance national, regional and local biodiversity action plan objectives.

4.41 Linked to the restoration of mineral workings, including the application site, is the use of inert materials to infill the void left once the mineral has been removed. Paragraph 4.5.1 indicates:

> *"… The level of restoration needs to be addressed on a site-specific basis as restoration to a lower level than the original may be more appropriate than restoration to pre-extraction/original levels. The landscape character assessment and the provisions of Policy 18 (ii) (form of restoration) will be considered when determining the appropriate levels for any restoration."*

4.42 The supporting text recognises that infilling mineral workings as part of a restoration scheme is not without its problems, potentially increasing the area of disturbance at any one time or duration of operations. It also refers to potential environmental issues; however, these are mainly in relation to infilling with non-hazardous wastes, as opposed to inert materials. **Policy 15** indicates that "*The reclamation of mineral workings with waste will only be permitted where it can be demonstrated that the disposal of waste is necessary to achieve the restoration proposals*". The policy goes on to add that timescales to achieve the restoration should be appropriate and

that there is "*a sufficient total quantity of fill likely to be available to ensure restoration at the required rate*".

4.43 In preparing the restoration scheme, consideration was initially given to a scheme that used minimal volumes of imported material. However, given the depth of the workings, this would have resulted in a single, large, deep water body with limited variation at the margins to create marginal habitats. Overall it was considered that this would have minimal ecological, landscape or recreational value as a restoration scheme, potentially conflicting with Policies 13 and 14 considered above.

4.44 Finally, **Policy 18** sets out fifteen criteria that are to be taken into account to control mineral workings, and in particular, the potential impacts on the environment or local communities. In many respects it provides an overarching policy re-iterating the requirements of other policies in the MLP. Considerations include *inter alia*:

- provision of comprehensive scheme of working and restoration covering all stages of the development;
- restoration landform and long term management to provide that the final landform has the appearance of being created naturally and set harmoniously within its surroundings;
- measures to minimise visual intrusion;
- proximity to retained trees, hedgerows;
- stability of slopes, particularly adjacent to public highways;
- buffer zones in order to safeguard sensitive land-uses;
- noise intrusion;
- air quality;
- public rights of way; and
- cleanliness of public highways.

4.45 It is considered that these aspects have been taken into account in designing the working scheme and restoration proposals. Moreover, through the EIA process, as reported in the ES (See Volume 2) environmental considerations have been taken into account and that no significant environmental impact would occur. Again, referring to the September 2020 committee report, the planning officer found no conflict with any part of this policy.

4.46 The MLP also contains a number of polices aimed specifically at protecting various facets of the environment and amenity of local communities. This is further considered under the heading of '*Protection of the Environment*' below.

Waste Core Strategy and Development Management Policies

4.47 The Waste Core Strategy and Development Management Policies DPD (WCS) was adopted in November 2012 and covers the period between 2011 and 2026. The WCS sets out the county council's strategic vision, overall spatial strategy and development management policies for waste planning in Hertfordshire. In addition it contains the policies needed to implement these objectives and detailed development management policies that will be used to make decisions on waste planning applications and used in the determination of applications for other local

developments that could have waste implications. In the context of the planning application, it is material to the proposals to import inert materials to facilitate the beneficial restoration of the workings.

4.48 The vision for the WCS is set out in Chapter 2 and indicates that waste management facilities "*will be well designed, appropriately sized and sensitively located so that they reduce the environmental and social impacts, meet the needs of communities and businesses, and seek enhancement of the locality*". As the purpose of importing the inert infill material is to facilitate the beneficial restoration of the mineral workings, then it is the latter part that is of relevance to the planning application. The vision goes on to add that facilities will be located as close as practicable to the origin of waste.

4.49 Chapter 4 of the WCS sets out the strategy for waste management. It is set against the policy framework of the NPPF and former Planning Policy Statement (PPS) 10: this latter policy document has been superseded by the National Planning Policy for Waste (published in October 2014). At the outset, the chapter refers to the waste hierarchy, whereby 'disposal' lies at the bottom tier and should be considered as a final option. However, for the type of material to be imported to the application site (inert soils, clays and other material from excavation works associated with new development projects) there are few options available, unlike non-hazardous wastes, where recyclable elements can be removed and the residual fraction used as a fuel.

4.50 Paragraph 4.12 re-states the proximity principle that is enshrined in national policy, requiring waste to be managed as close to its source as practicable. The paragraph recognises that some residual waste will come into the county from London, but this should be limited to residual waste requiring landfill. The paragraph indicates that "*The county could accept the residue for landfilling, if sufficient sites can be identified for arisings from within Hertfordshire in the first instance*". Paragraph 4.14 adds that the county's waste strategy needs to be balanced and flexible enough to allow sufficient sites to come forward to meet the county's needs for a range of different types of waste management facility. Paragraph 4.23 comments on the spatial element of the WCS, taking into account:

- the need to match overall capacity with future demand including pressures arising from outside the county;
- give priority to the reuse of previously developed land;
- the council's sustainable transport policy;
- promoting waste management development close to the source of origin of the waste materials where possible, that provides ready access to the primary route network;
- green belt considerations.

4.51 Paragraph 4.24 then adds that one of the key elements of the Plan's spatial strategy is the need for new facilities to be located in those areas where there is pressure for growth. The application site is located on the edge of Hatfield and in close proximity to St Albans. Allied to this is has access onto the A1057, which in turn provides access to the A1(T) allowing efficient access to other urban areas where growth is planned.

4.52 The paragraphs of the WCS considered above are drawn together in **Policy 1.** This provides an overarching policy that seeks to make provision for dealing with waste management in the county

by providing the capacity and facilities to meet the waste management needs of communities and businesses in Hertfordshire and an agreed apportionment from outside the county for pre-treated waste.

4.53 **Policy 1A** and associated paragraphs 4.27 to 4.31 provide for sustainable development, as required within the NPPF. It recognises the three elements to sustainable development (environmental, social and economic) commenting that "*development should contribute to building a strong, responsive and competitive economy*". Paragraph 4.29 recognises that plans and developments need to take account of local circumstances so that they respond to the different opportunities for achieving sustainable development in different areas.

4.54 Of particular relevance to the planning application is **Policy 4** and the supporting text at paragraphs 4.44 to 4.57, which address landfill. It acknowledges (at paragraph 4.44) that landfill lies at the bottom of the waste hierarchy, but will still have a role to play through the Plan period, be it a diminishing role. In considering opportunities, paragraph 4.48 comments that there are more opportunities for inert waste to be disposed of in landfill within Hertfordshire (than non-hazardous wastes) given the reduced pollution potential. It goes on to refer to the preferred areas identified in the MLP (see above) commenting that they may be suitable for inert waste disposal as part of their restoration. In this context, the paragraph refers to the Sustainability Appraisal[2] undertaken for the WCS which concluded that the use of mineral voids for disposal of waste by landfill is a sustainable option because it limits the need to transport waste outside the county and also reduces the land-take that would be needed for new landfill sites.

4.55 In terms of a policy approach for landfill, paragraph 4.56 indicates that the policy will only allow landfill as a last resort and each proposal will be dealt with on a case by case basis, whilst paragraph 4.57 adds that mineral voids suitable for inert landfill will be safeguarded to help ensure Hertfordshire deals with its own waste as much as possible. This is reflected in **Policy 4** where it provides:

> *"Proposals …for new landfill sites will only be granted planning permission as a last resort where it can be demonstrated that the residual waste has already undergone extensive treatment and there are no other suitable means of disposal".*

4.56 The policy goes on to identify constraints relating to the water environment and then refers to providing details of pre-treatment, which principally relates to non-hazardous waste streams, given the fifth criteria which refers to energy recovery. Such aspects are not pertinent to the importation of inert fill materials for restoration of mineral workings. The policy also includes a requirement to consider the visual impact of a proposal and its impact upon landscape character. The final part of the policy indicates that for proposals for the disposal of waste and restoration with inert material, planning permission will only be granted where:

- the land is derelict or degraded;
- it would result in significant other environmental benefit;

[2] Sustainability Appraisal Report, September 2010, produced by Land Use Consultants

- it can be demonstrated where applicable, that it is necessary to achieve restoration for mineral voids; and
- it can be demonstrated that it will not give rise to unacceptable implications to human health, amenity, landscape and the environment.

4.57 Policy 4 concludes by stating:

> *"Reclamation proposals should ensure that the site is restored to a state that is of equal or greater environmental or agricultural value than the previous land use."*

4.58 As noted above, the proposals for importing inert infill materials are to ensure that a suitable restoration scheme can be delivered that is compatible with the surrounding landscape character and provides ecological/biodiversity benefits. This scheme has therefore balanced environmental protection, particularly the water environment, with ecological and landscape considerations. By infilling the mineral workings a suitable landscape can be created that is consistent with its surroundings, benefits local ecology by increasing biodiversity, but also allows for public access.

4.59 **Policy 7** sets out the general criteria for assessing applications outside of identified locations. The supporting text recognises that sites may come forward that are not specifically allocated. In this context, the policy indicates that proposals will need to demonstrate how the proposal contributes to the overall spatial strategy for waste management within the county, with account given to:

- meeting a specific waste management capacity shortfall;
- scale and timeliness of providing facilities contributing to short-term capacity gap in waste management;
- proximity to and service provision for major urban areas and main population areas and other localised sources of waste;
- location within or adjacent to established or proposed Employment Land, Previously Developed Land, Industrial Land or compatible land use; and
- minimising transport distances to the existing network of waste management facilities and the strategic road network.

4.60 Again, as noted above the scheme is based on providing a beneficial restoration scheme. Moreover, it would seek to replace other sites within the county whose planning permissions have/will expire in the short term. The site is well placed, having access to the A1057 which in turn links with the strategic road network, linking major urban areas where development is either planned or expected.

4.61 **Policy 11** is an overarching policy that sets out the general criteria for assessing waste planning applications, having regard to a number of environmental aspects. It details ten considerations including:

- whether the siting, scale and design is appropriate for the location and character of the area;
- whether the development would adversely affect amenity;

- whether the development would adversely affect wildlife habitats, the natural, built or historic environments;
- adequate provision for restoration, aftercare;
- whether any adverse cumulative impact would arise.

4.62 Finally, **Policy 14** refers to 'buffer zones' indicating that proposals should incorporate an appropriately defined buffer zone in order to safeguard sensitive land-uses. It then sets out four criteria that can be used to define the buffer zone. Given the nature of the material to be imported, it is considered that any buffer zone needed for the infilling operations would be no greater than that established for the mineral extraction operations. In particular the imported material would not be odorous.

Waste Site Allocations Document

4.63 The Waste Site Allocations Document was adopted in July 2014. It allocates eight sites specifically for waste management uses and identifies a number of '*Employment Land Areas of Search*'. The application site is not one of the allocated sites. However, paragraph 3.13 recognises that there may be unforeseen circumstances that could affect the delivery of sites and **Policy WSA2** indicates that planning permission will be granted for waste management uses outside of the identified locations where they accord with Policy 7 of the WCS.

Emerging Minerals Local Plan

4.64 The emerging Minerals Local Plan (eMLP) does not carry the same weight as the adopted plan, even despite the age of the adopted plan. However, the eMLP is a material consideration that can be taken into account in the planning balance.

4.65 The plan acknowledges that minerals are a limited natural resource and can only be extracted where they are found (para 5.8). It adds that "*at present, primary aggregates are the main source of mineral. The Plan aims to reduce, as far as practicable, the quantity of material required, then to use as much secondary and recycled mineral in development as possible. The Plan looks to secure the remainder of mineral demand through primary, landwon mineral from designated extract*".

4.66 Key messages from the Plans Vision include:

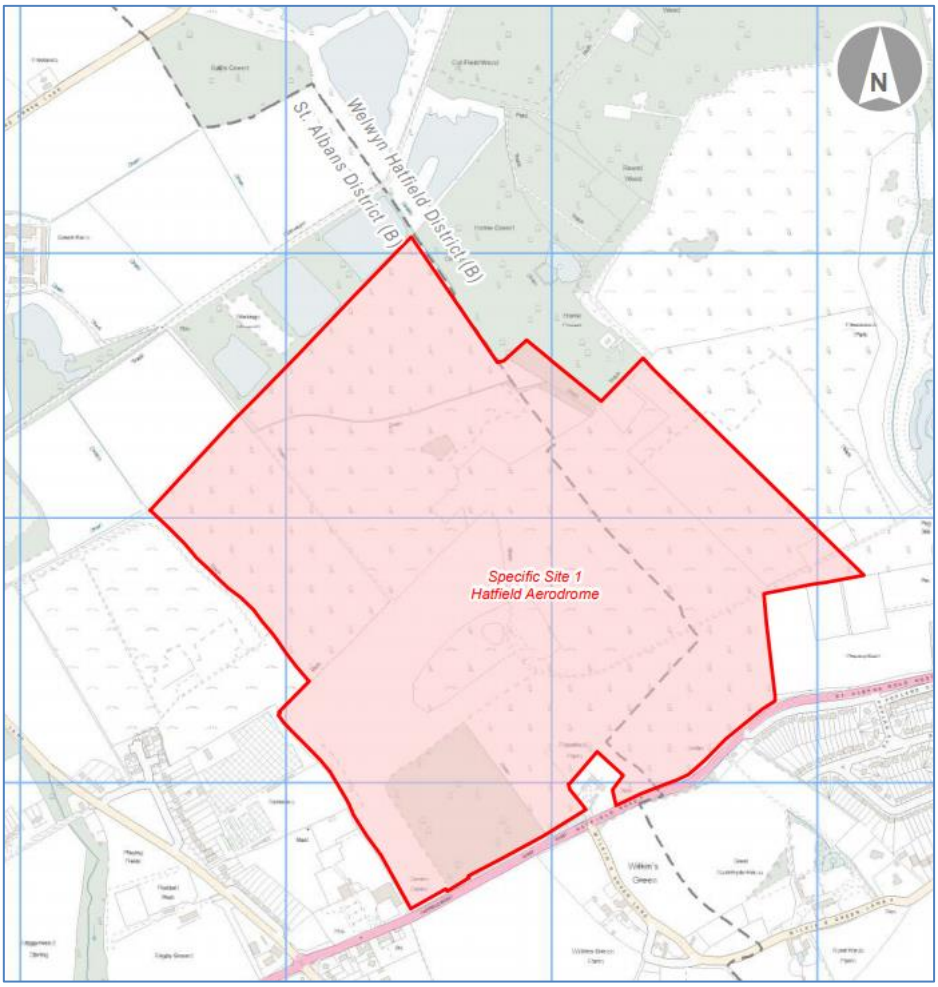
- continue to provide a steady and adequate supply of sand and gravel to enable local economic growth and support wider and national supply obligations. This will be achieved by permitting sand and gravel reserves within Hertfordshire for extraction;
- supply of naturally occurring mineral resources will be conserved for future generations by employing the sustainable use of minerals and utilising the supply of alternative materials in construction projects.
- High quality restoration and subsequent management of mineral sites will be carried out as early as possible to conserve and enhance the character and quality of Hertfordshire's landscape and environments. Opportunities for outdoor recreation, net gain in biodiversity, improved agricultural land and water management will be delivered.

4.67 This vision is translated into eight objectives (Obj1 to Obj8); The first three relate to sustainable supply of minerals reflecting the first two bullet points above. Obj4 promotes/encourages sustainable transport of minerals, with Obj5 seeking to "*protect people from harm, positively contribute to local residents' health and the natural, built and historic environments*". Obj8 is also similar to Obj5 by providing benefits for health and wellbeing through positively planned restoration which improve and enhance the county's green infrastructure offer for recreation and physical activity. Obj7 also relates to restoration indicating that proposals should "*positively contribute to the natural, built and historic environments with high quality, progressive and expedient restoration to achieve a beneficial after-use. The after-use will protect and enhance the environment, including agricultural land, landscape and biodiversity improvements*". Finally, Obj6 relates to climate change.

4.68 Turing to the policies **Policy 4** is the key policy to note as it relates to the future provision of sand and gravel during the plan period. The policy opens by stating that "*Provision for Hertfordshire's apportionment contribution will be met by the identification of Specific Sites and Preferred Areas*". In relation to specific sites, Hatfield Aerodrome is listed as 'Specific Site 1'. Table 3 indicates that the reserve is estimated as being 8Mt. The supporting text at para 8.14 notes that the MPA "*has undertaken an extensive site selection study in order to identify the most sustainable locations for future aggregate extraction*". Paragraph 8.18 adds "*It is therefore intended that, unless exceptional circumstances indicate otherwise, the county's needs for land-won aggregate will be met from the sites and area identified in Policy 4: Working of Specific Sites or Preferred Areas of this Plan. Planning applications for mineral extraction at unallocated sites would not be supported unless a significant case for mineral demand could be demonstrated with particular reference to Policy 3: Aggregate Supply*".

4.69 The extent of the allocation for Specific Site 1 is shown in Appendix 3 to the eMLP. The area reflects the application site and is illustrated in **Figure 4-2** below.

Figure 4-2
Extract from eMLP showing allocation at Hatfield Aerodrome



4.70 From the Site Profile in Appendix 3 in the eMLP the following is noted:

- Reserve: 8Mt;
- Annual output: 250,000tpa;
- Duration: 30 years;
- Starting: years 1 – 5 of the Plan Period.

4.71 The planning application accords with these parameters.

4.72 It also comments on environmental considerations noting:

- Restoration and aftercare of the site should be consistent with any existing legal agreement and the Hatfield Aerodrome Supplementary Planning Guidance;
- Proposals will require an extensive plan of groundwater level and quality monitoring before, during and after the working to protect the water supply. The Bromate plume will

need to be assessed and shown that it will not be spread either vertically or laterally as a result of proposed works. This is of particular importance for proposals which extend below the water table or into the lower mineral horizon; and

- Developments associated with the mineral extraction should be designed and positioned appropriately to prevent conflict with the purposes of the Green Belt.

4.73 These aspects have been taken into account within the formulation of the proposals and in undertaken the EIA.

4.74 Chapter 12 of the eMLP addresses the Green Belt. The opening paragraph states the intentions of the NPPF in relation to Gren Belts, but notes "… *With over half of Hertfordshire designated as Metropolitan Green Belt, the need to protect the Green Belt is an important local consideration*." Paragraph 12.2 adds "*Taking into account the temporary nature of mineral extraction and associated development, the NPPF deems mineral extraction 'not inappropriate' within the Green Belt, provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt. Minerals working can therefore be accommodated within the Green Belt provided that the associated developments, including buildings and processing machinery, are designed and positioned appropriately to prevent conflict with the purposes of the Green Belt*". At paragraph 12.4 the eMLP recognises that there is also an opportunity to enhance beneficial use of land in the Green Belt following the restoration. Mineral extraction proposals that are restoration-led can be used to enhance Hertfordshire's Green Belt.

4.75 These matters are encapsulated in **Policy 12** which provides a positive approach to development in the Green Belt, indicating that *"Proposals for mineral extraction and associated development in the Green Belt will be permitted subject to the development complying with national Green Belt policy and other policies set out in this Plan*." It goes on to add "*Proposals must site machinery to preserve the openness of the Green Belt and prevent conflict with the purposes of including land in the Green Belt throughout the duration of mineral operations*". In the context of inappropriate development the policy indicates that VSC must be demonstrated and that the VSC must outweigh the harm to the Green Belt (by reason of inappropriateness) and any other harm identified. The final part of the policy relates to restoration with proposals "*should preserve the openness of the Green Belt and where possible enhance the beneficial use of the Green Belt and improve the character and appearance of the countryside*". It is considered that the proposed scheme, which is restoration driven, accords with the aims of this emerging policy. Indeed, as noted above in connection with the NPPF policy on Green Belts, in both the January 2017 and September 2020 Reports to the Development Control Committee, the planning officer concluded that VSC did exist and so the proposals were not contrary to Green Belt policy.

4.76 **Policy 13** addresses Cumulative impact indicating that providing a positive approach where cumulative impact would not result in unacceptable adverse impacts on the environment of an area or on the amenity or health of a local community. The policy indicates that this can be "*either in relation to the collective effects of different impacts of an individual proposal or in relation to the effects of a number of developments occurring either concurrently or successively*". This policy is similar in effect to Policy 11 in the adopted MLP considered above.

PROTECTION OF THE ENVIRONMENT

4.77 Both the NPPF and the Development Plan contain specific policies on safeguarding and protecting the environment, covering all aspects such as the countryside; the natural environment; built and cultural heritage; agriculture; and landscape. They also set out policies aimed at minimising the loss of amenity through pollution. In this respect, **Policy 17** in the adopted MLP provides an overarching framework for safeguarding critical capital and other important environment assets. These are defined in paragraph 4.8.2 of the MLP and include European and nationally designated sites for nature conservation; Local Nature Reserves and wildlife sites; protected species (either by law or identified in the UK BAP); nationally important heritage assets and identified landscapes of high historic value. Allied to this, **Policy 18** (adopted MLP) also addresses amenity aspects that may arise through noise or degradation of air quality or water environment. In the WCS, **Policy 11** is similarly an overarching policy covering landscape, ecology and the historic environment.

4.78 The emerging MLP also contains policies aimed at protecting the environment in Chapters 13 to 15. As the plan has not undergone examination, the policies are not considered in this section as the adopted MLP will take precedence.

4.79 The following paragraphs provide a brief overview of those policies aimed at protecting the environment. To recap, the various documents that constitute the Development Plan are abbreviated as follows:

NPPF	National Planning Policy Framework
MLP	Hertfordshire Minerals Local Plan
WCS	Waste Core Strategy and Development Management Policies
WHDP	Welwyn Hatfield District Plan
SADP	St Albans District Local Plan Review

Landscape

4.80 Section 15 of the NPPF, "*Conserving and enhancing the natural environment*", sets out criteria that are relevant to landscape. These include the protection of valued landscapes in a manner that is commensurate with their statutory status or identified quality in the development plan, recognition of the intrinsic character and beauty of the countryside and maintaining the character of undeveloped coast.

4.81 In paragraph 176 it is stated that "*great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues*". It also set out that "*the scale and extent of development within these designated areas should be limited" and that "planning permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that that the development is in the public interest*".

4.82 At a county level, in addition to the policies addressing restoration (Policy 13) and after-use (Policy 14) the MLP at **Policy 12** indicates that mineral proposals will be required to take account of existing and, where appropriate, historic landscape character and maintain its distinctiveness. Planning applications may be refused where there is significant local landscape intrusion and loss of important landscapes or distinctive landscape features. It goes on to add that proposals will be expected to respect landscape character; ensure any distinctive features are protected; and be accompanied by landscape conservation, design and management measures that both strengthen the character and enhance the condition of the landscape. Allied to this, **Policy 18** also requires a consideration of visual intrusion and impact on the local landscape.

4.83 As noted above, **Policy 11** in the WCS covers *inter alia* the siting, scale and design of waste management developments in the context of the surrounding landscape character and that the landscaping and screening of the site is designed to effectively mitigate the impact of the proposal.

4.84 The key landscape-related policy in the WHDP is **Policy R28** which recognises the importance of historic parks and gardens and the contribution these make to the landscape, and seeks to promote the preservation and maintenance of this resource.

4.85 The SADP policies relating to landscape include **Policy 74** which seeks to protect existing landscape features such as trees and hedgerows. This policy also requires new landscaping with the use of native trees and shrubs and the retention or creation of wildlife corridors. **Policy 104** seeks to protect and conserve landscape quality throughout the District

4.86 These policy issues have been taken into consideration within the Landscape and Visual Impact Assessment of this Volume which is reported in Chapter 8 of Volume 2. The assessment concludes that "*Overall there are no significant landscape or visual effects predicted as a result of the proposed development, influenced in part by the proposed mitigation and landscape strategy*".

4.87 In considering the previous planning application no objections were raised in relation to landscape and visual impact by technical consultees, such as the County Landscape officer. The proposed development no longer includes the concrete plant which would have represented the tallest element on the operational mineral site and an increase in the overall level of development. The tallest element is now the mineral processing plant which represents an essential element of the mineral extraction process; with the principal of mineral extraction in the Green Belt being identified in the NPPF (as previously identified in the policy section of the chapter).

4.88 It is noted that landscape does not form one of the draft reasons put forward to refuse the planning application, but Green Belt has been cited (in relation to the duration of the development). The review of Green Belt objectives above indicates limited effects on sprawl, coalescence and encroachment may occur. However, the level of these effects is not considered sufficient to have a significant impact on the function of the Green Belt, particularly in the context of the phased restoration proposals and temporary (although long term) nature of the proposed development.

4.89 The proposed development seeks to improve the recreational and ecological aspects of the development site without removing it from Green Belt through development that is not inappropriate in the Green Belt.

Natural Environment

4.90 Relevant paragraphs in the NPPF are 180 to 182. These paragraphs provide that:

180. When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons58 and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

181. The following should be given the same protection as habitats sites:

a) potential Special Protection Areas and possible Special Areas of Conservation;

b) listed or proposed Ramsar sites; and

c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites."

4.91 As noted above, **Policy 17** in the MLP seeks to protect a range of ecological designations, including sites of European, national and local importance, along with protected species. The policy recognises that the degree of protection will be commensurate with the status of the designation according to their international, national or local importance. Under the policy, planning permission will not be permitted where "*it would result in the permanent loss or damage or significant and irreversible change to those particular characteristics and features that define the special quality of critical capital or other environmental assets*". It also adds that proposals for

mitigation, where appropriate, should be included that will provide for the maintenance and enhancement of critical capital or other environmental assets, including where temporary loss would occur.

4.92 Allied to this, **Policy 9** provides that, where appropriate, proposals provide opportunities to contribute to the delivery of the national, regional, and local biodiversity action plan targets. Conversely, proposals that "*prejudice the delivery of these targets or would result in the loss of, or damage to habitats and/or species will not be supported.*"

4.93 In the WCS **Policy 17** provides protection to sites of international and national importance, indicating that planning permission will be permitted where it can be demonstrated that they would not have an irreversible adverse impact on the designation. The policy indicates that such assets should be conserved and where possible opportunities sought to enhance them. In a similar vein, **Policy 18** indicates that planning permission will be granted where it can be demonstrated a development would not have an irreversible adverse impact on the character, appearance, ecological, geological and amenity value of Regional and Local Sites and Features of importance. The policy adds that such assets should be conserved and where possible opportunities sought to enhance them. Where there are unavoidable negative impacts, adequate mitigation measures should be proposed to address such impacts and/or compensation provided for their replacement. **Policy 19** seeks to protect and safeguard Hertfordshire's diversity of natural environmental assets. It firstly requires consideration to be given to provide opportunities to contribute to the delivery of the national, regional and local Biodiversity Action Plan targets. It also seeks to protect and enhance existing woodland, trees and hedges through improved management and new planting, including management, over the long-term. Finally, as noted above, **Policy 11** in the WCS also covers *inter alia* ecological aspects, with parts iv) and v) relating to wildlife habitats and the natural environment. In this context development proposals should not have an adverse impact upon such interests, either through the development or operational phases.

4.94 The WHDP contains a number of policies to protect the natural environment. **Policy R11** is an overarching policy that seeks to protect and enhance biodiversity, and requires new development to positively contribute to biodiversity. **Policy R13** gives protection to Sites of Special Scientific Interest (SSSI), and **Policy R14** gives protection to Local Nature Reserves. **Policy R15** covers all regionally important wildlife sites. **Policy R17** recognises the importance of trees, woodlands and hedgerows to biodiversity and to the landscape, and requires new development to protect and retain existing trees, woodland and hedgerows wherever possible and replant using locally native species.

4.95 The SADP contains one key saved policy relating to nature conservation. **Policy 106** affords protection to SSSI, Nature Reserves and other sites which have conservation value, and states that conditions will be imposed to protect the special features of the site from adverse effect.

4.96 The nature conservation value of the application site, together with consideration of any ecological designations in the vicinity of the application site is addressed at Chapter 11 of Volume 2. That assessment concludes "*the net residual effect of the proposals in terms of the key ecological receptors is anticipated to be at worst neutral and at best a positive effect measurable*

at least at the District level of significance. The difference relates to a degree of residual and unavoidable uncertainty over the success of the restoration scheme and subsequent long-term management in securing similar or enhanced habitats to the baseline position and, in particular, the extent of visitor pressure and its management over the long-term.

The project would give rise to minor temporary negative effects on certain key faunal receptors (in particular great crested newts) during various stages of the working sequence, but none of these receptors are predicted to be subject to negative effects of high magnitude (e.g. significant in terms of wider local populations), subject to mitigation measures which, in respect of great crested newts, are required under statute in any event. There is no impediment to mitigation proposals being delivered that are in accordance with standard best practice, and in that context there is no cause to believe that the requisite licenses would not be forthcoming in due course. There is also a high certainty that all temporary negative effects on key faunal receptors related to habitat loss would be at least fully compensated in the long-term through the restoration scheme".

4.97 From the September 2020 Committee Report paragraph 9.98 comments "*The short term impacts of mineral extraction will significantly affect existing habitats including the areas of managed and unmanaged grasslands, however, the creation of new habitat as part of the restoration of the site is likely to produce long term net biodiversity gains with significant new habitat areas including woodland, conservation and grassland areas which will to compensate the short term biodiversity impact during mineral workings. Long term management of the restored site is proposed to be secured via the Landscape Management Document. The proposed restoration would be consistent with the aims of the NPPF and Minerals Policy 9 with regards to long-term overall enhancement to local biodiversity through restoration*".

Historic Environment

4.98 Relevant guidance can be found at paragraphs 189 to 208 in Section 16 of the NPPF

4.99 Paragraph 194 recognises that heritage assets are an irreplaceable resource and the need to conserve them in a manner appropriate to their significance. Paragraph 194 states:

"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance".

4.100 In terms of assessing the potential impacts a development may have on cultural heritage assets, paragraphs 199 to 208 are relevant. In particular:

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional*

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

4.101 As noted above **Policy 17** in the MLP seeks to protect a range of historic and heritage designations. The policy recognises that the degree of protection will be commensurate with the status of the designation according to their international, national or local importance. Under the policy, planning permission will not be permitted where "*it would result in the permanent loss or damage or significant and irreversible change to those particular characteristics and features that define the special quality of critical capital or other environmental assets*". It also adds that proposals for mitigation, where appropriate, should be included that will provide for the maintenance and enhancement of critical capital or other environmental assets, including where temporary loss would occur.

4.102 In the WCS **Policy 17** provides protection to sites of international and national importance, indicating that planning permission will be granted where it can be demonstrated that the proposal would not have an irreversible adverse impact on the designation. The policy indicates that such assets should be conserved and where possible opportunities sought to enhance them.

In a similar vein, **Policy 18** indicates that planning permission will be granted where it can be demonstrated a development would not have an irreversible adverse impact on the character, appearance, ecological, geological and amenity value of Regional and Local Sites and Features of importance. The policy adds that such assets should be conserved and where possible opportunities sought to enhance them. Where there are unavoidable negative impacts, adequate mitigation measures should be proposed to address such impacts and/or compensation provided for their replacement. As noted above, **Policy 11** in the WCS also covers *inter alia* heritage aspects, with parts iv) and v) relating to the built and historic environment. In this context development proposals should not have an adverse impact upon such interests, either through the development or operational phases.

4.103 The WHDP policies on the historic environment are set out in the District-wide Policy section. **Policy R28** relates to the protection of historic parks and gardens and has already been acknowledged. **Policy R29** affords protection to sites and assets of archaeological potential and actual importance.

4.104 The SADP policies relating to the historic environment include **Policy 83**, giving protection to listed buildings, and three policies relating to archaeology. **Policy 109** affords protection to Scheduled Monuments as listed in the policy; and **Policy 110** gives similar protection to archaeological sites, also listed in the policy. **Policy 111** lists a number of archaeological sites where development would not normally be refused but the assets should be investigated prior to disturbance (a "recording condition").

4.105 Consideration of any archaeological designations in the vicinity of the application site is addressed at Chapter 12 of Volume 2. The assessment concludes:

"There would be no adverse direct effects upon designated assets such as listed buildings or scheduled monuments. […]

The effects upon archaeology would be negative. However, taking into account the proposed mitigation measures and lack of archaeological evidence to date, it is considered that the effect is not significant. […]

Taking into account the proposed mitigation measures, it is considered that the effect upon Popefield Farm is not significant and upon other offsite designated heritage assets the effect is neutral. […]

No additional mitigation is considered necessary in connection with the effects upon offsite designated heritage assets."

Water Environment

4.106 Guidance formerly contained in PPS25 is now found within paragraphs 152 to 173 of the NPPF, together a complete section on flood risk contained in the web-based PPG (paragraphs 7-001 to 7-078).

4.107 Again, **Policy 17** in the MLP seeks to safeguard *inter alia* the water environment. In this respect parts iv) and v) of the policy are relevant. Part iv) indicates that proposals that adversely affect the water environment will not be permitted unless appropriate measures can be imposed to mitigate any harmful effects. Part v) restricts development that would increase the risk of flooding or have a material negative impact on the storage or flow capacity of the floodplain.

4.108 Within the WCS **Policy 16** provides protection to inter alia the water environment indicating that proposals should not have a negative impact on the water environment unless appropriate measures can be imposed to mitigate harmful effects.

4.109 The WHDP contains a number of policies to protect the water environment, particularly in terms of flood protection and protection of the water resource. **Policy R7** affords protection to surface water and ground water quality, and encourages the use of sustainable drainage systems. **Policies R9 and R10** cover the protection and conservation of water resources and water quality.

4.110 The SADP policies on the water environment are principally concerned with flood protection and surface water management. **Policy 84** seeks to reduce the risk of flooding and ensure proper catchment management. **Policy 84A** covers drainage infrastructure to avoid flooding.

4.111 These policies have been considered as part of the hydrological and hydrogeological assessments that are reported in Chapter 6 of Volume 2. [add conclusions]

4.112 From the January 2017 Committee Report it is noted that the Environment Agency raised no objections subject to the imposition of conditions including a water management plan (paragraph 8.5). Similarly no objections were raised by the Local Lead Flood Authority.

4.113 The planning officer's analysis on the water environment is set out in paragraphs 10.190 to 10.202, with conclusions set out at 11.5, noting that "*The effect of the mineral operation on the environment in terms of noise, air quality, traffic and groundwater would be limited and where there are impacts it is possible to mitigate them by the use of planning conditions*".

4.114 In the period between the two committees the SLR submitted further information to the Council in relation to the water environment, notably the Ground Water Management Plan that was to be required under a planning condition.

4.115 Turning to the September 2020 Report paragraph 7.11 sets out the EA's response to the Groundwater Management Plan. It is noted that the EA considered that a "*significant body of site-specific hydrogeological information*" had been provided. The EA indicated that the proposed development "*will be acceptable if it proceeds in line with the submitted documents referred to above, and a planning condition is included requiring the submission of a Water Monitoring & Management Plan for each phase*". Paragraph 8.25 notes the discussions with the EA and Affinity Water and that it has been demonstrated that risks will be mitigated, with paragraph 8.45 indicating that no objection is raised by the EA. Paragraph 8.47 then refers to discussions with Affinity Water, indicating that they are satisfied that arrangements will ensure that sources of water that we use for public water supply are protected during quarrying activity. In their view the Groundwater Management Plan condition proposed by and agreed with the Environment

Agency is appropriate and adequate in accordance with the relevant Government Guidance. The officers report then states at paragraph 8.48 (emphasis added):

"*Having taken into account the environmental information submitted with the application together with the submitted monitoring data from 2013 to 2019, and the contents of the submitted Groundwater Management Plan, it is considered the proposed development will meet the requirements of [paragraph 170] NPPF in preventing the new and existing development from contributing to, being put at unacceptable risk to, or being adversely affected by unacceptable levels of pollution in relation to the water environment.*"

4.116 Finally, the September 2020 report concludes that the additional borehole monitoring data and Groundwater Management Plan has demonstrated that the potential risks are capable of being managed throughout mineral extraction and restoration via the condition recommended by the Environment Agency and operation of the Environmental Permit

Transport

4.117 At the national level paragraphs 104 to 113 in Section 9 of the NPPF are relevant. All developments that generate significant amounts of movement should be required to provide a Travel Plan and be supported by a Transport Statement or Transport Assessment[3]. Plans and decisions should take account of whether:

- appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users; and
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

4.118 Paragraph 111 then adds that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.119 In the MLP, **Policy 16** is relevant. This policy provides that development will only be permitted where the traffic movements likely to be generated by the development would not have an unacceptable impact on highway safety, the effective operation of the road network, residential amenity or the local environment.

4.120 In the WCS, **Policy 9** considers "*sustainable transport*" indicating that waste management facilities should be well located in relation to the strategic road network. **Policy 13** (again in the WCS) reflects Policy 16 in the MLP, indicating that permission will be granted where it is demonstrated that HGV movements would not have a significant adverse impact on highway safety; effective

[3] Paragraph 111, NPPF

operation of the highway network; amenity; human health; and the historic and natural environment. The policy also adds that:

> "*Applicants must demonstrate, by a detailed transport appraisal, that the safest and least environmentally damaging methods of transporting waste are both practically achievable and will be used to minimise road miles and where appropriate, utilise more sustainable modes of transport such as by rail and water*".

4.121 In the context of public rights of way, **Policy 18** in the MLP and **Policy 15** in the WCS are relevant. Both require that good quality, safe and convenient temporary alternative provision is made and long-term reinstatement or suitable replacement of rights of way is secured where it is not possible to safeguard and existing route.

4.122 The WHDP policies on transport are contained in the section on Movement (section 6). **Policy M2** requires developers of proposals which may generate significant traffic to carry out transport assessments to demonstrate measures that are proposed to minimise traffic movements and minimise the impact on the local transport network. **Policy M3** requires developments that exceed certain criteria to also have a Green Travel Plan in place. **Policy M14** sets out the expectations in terms of parking provision for new development.

4.123 Further WHDP policies relevant to this subject are contained in the section on policies specific to rural areas. **Policy RA25** gives protection to public rights of way and states that the council will work with others to improve the public rights of way network. This protection extends to bridleways (Policy RA26) and greenways (Policy RA27). **Policy RA28** seeks to limit development which would have an adverse effect on rural roads and nearby properties.

4.124 The SADP Review Policies 34 and 35 are key District Council policies on highways considerations and development control. Where a development is likely to give rise to significant levels of additional traffic or a new access onto the public highway, **Policy 34** sets out a range of considerations aimed at minimising the adverse impact of the development on the local highway network, including road safety, capacity and environmental impact. **Policy 35** requires highway improvements under certain circumstances to avoid adverse impacts. **Policy 39** sets out the criteria relating to off-road parking provision associated with new development.

4.125 Transport considerations have been assessed and presented in Chapter 7 of Volume 2. It concludes the residual impacts of the operation of the application proposals would be negligible and would not result in an unacceptable impact on road or junction capacity, driver delay, road safety or amenity; by virtue of this, the application proposal is deemed acceptable in traffic and highways terms.

4.126 It is noted from the September 2020 Committee Report it is noted that the planning officer considered that the proposals complied with Policies 16 and 18. Moreover, at paragraph 8.83, the report states: "*The HGV traffic generated by the development will not have a severe impact on the road network and the Highway Authority accepts that the increase in traffic will be within the daily fluctuation of the road, in accordance with Policy 11 of the adopted Hertfordshire Minerals Local Plan and the NPPF*". Paragraph 9.9 then concludes "*In terms of the cumulative impact of quarrying activities on the road network the Highway Authority is satisfied the road will continue to operate*

within capacity. There is no other reasonable alternative options to the transport of mineral over the use of the local road network. The proposal complies with the site brief and Policy 16 of the Hertfordshire Minerals Local Plan".

Pollution and Amenity of Local Communities

4.127 Pollution issues are set out in paragraphs 174 and 183 to 188of the NPPF. Paragraph 174 refers to preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

4.128 Paragraph 185 provides that "*decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life60;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation".

4.129 Finally, paragraph 188 notes that LPAs should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.

4.130 Guidance can also be found in the web based Planning Practice Guidance. Firstly, the guidance addresses the ability to comply with the noise criteria is set out in the Planning Practice Guidance (paragraphs 019 to 022[4]). Secondly, the ability to adequately control and mitigate dust emissions is set out in the Planning Practice Guidance at paragraphs 023 – 032[5].

4.131 In the MLP, the only relevant policy is Policy 18 which requires consideration to be given to noise and air quality.

4.132 In the WCS, air quality is addressed in Policy 16, where a development should not significantly degrade the quality of air (particularly from dust and emissions).

4.133 In the WHDP, policies are included to protect the amenity of local communities. **Policy R18** covers air quality, **Policy R19** covers noise emissions and **Policy R20** covers light pollution. All three

[4] Reference ID: 27-019-20140306 to 27-022-20140306
[5] Reference ID: 27-023-20140306 to 27-032-20140306

policies seek to control unacceptable levels of emissions and require the developers to put forward measures to minimise levels of air emissions, noise and light pollution.

4.134 In the SADP, the only 'saved' policy relating to the protection of local amenity is **Policy 80**, which seeks to minimise the adverse effects of floodlighting on neighbouring properties.

4.135 The need to minimise impacts upon the environment and local amenity have been a key consideration of the design process. These issues have been addressed within separate Chapters of the ES (Volume 2), namely Chapters 9 and 10. In both cases, the assessments undertaken demonstrated that no significant effects would arise and that the proposals would be within acceptable limits. In addition, a Health Impact Assessment has been undertaken, which is reported in Appendix 13/1. That assessment concludes that "*the proposed development is not predicted to give rise to any significant adverse health-related impacts, and that there will be some benefits particularly to the economy during the site operation and to biodiversity and public access in the longer term. The potential benefits are likely to benefit certain groups within local communities through the provision of skills training and career development. An Employment and Skills Plan is recommended to help reduce potential inequalities in access to work and to ensure that local people, particularly those that may be disadvantaged in terms of employment opportunities, gain maximum benefit from the proposed development.*

In summary, the proposed development is not expected to have a significant adverse impact on health for those living near the site, working on the site or using nearby areas for recreational purposes. Where required, the proposed development provides for appropriate mitigation measures to minimise adverse effects and enhance beneficial effects."

4.136 Referring to the September 2020 Report the following is noted (para 8.68, 8.69):

"In terms of air quality, the site is not within an air quality management zone and there is no local air quality monitoring data for existing levels of pollutants. The local Environmental Health Unit advised that background air quality monitoring should be undertaken for a sixth month period prior to the commencement of mineral extraction. This scheme forms part of the planning conditions. Monitoring locations have been agreed with the Environmental Health Unit.

The traffic generated by the development forms a relatively small proportion of the overall traffic using the A1057. The proposal provides for air quality monitoring. The proposal has demonstrated that it will not give rise to significant degradation to air quality. The proposal complies with Policy 18 (Operational criteria for the control of mineral development) of the adopted Hertfordshire Minerals Local Plan in respect of air quality."

4.137 In relation to noise, Again, referring to the officers September 2020 Report the following is noted (8.67):

"Subject to the mitigation measures being implemented prior to the extraction and processing of minerals an acceptable noise environment should be maintained. The proposals have demonstrated that no significant noise intrusion will arise from the development. The proposal complies with Policy 18 (Operational criteria for the control of mineral development) of the adopted Hertfordshire Minerals Local Plan".

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INTRODUCTION

5.1 As noted from the previous chapter, Section 38(6) of the Planning and Compulsory Purchase Act 2004 confers a presumption in favour of development proposals which accord with the Development Plan, unless material considerations indicate otherwise. The previous chapter has set out the relevant provisions of both national planning policy and the Development Plan, identifying how the proposals accord with the relevant policies.

5.2 Planning policy therefore plays an important role in determining any planning application. However, there are times when other 'material' considerations can over-ride the provisions of a particular policy, or when taken collectively, weigh in favour of a development, despite it being contrary to the Development Plan. Even when a proposed development is in accordance with the Development Plan, other material considerations can lend further support, such that the case in favour of allowing it becomes overwhelming. This process of weighing the relative benefits of an application is often referred to as the "*planning balance*".

5.3 As noted from the previous chapter, the prime purpose of the planning application is to release around 8Mt of sand and gravel reserves through the establishment of a new quarry. The need for new mineral reserves is a material consideration which is to be balanced against the assessment of the acceptability (in terms of environmental harm) of the proposed development. However, planning for mineral provision must be seen in the context of the wider economy and the government's growth agenda. The proposals also seek permission to import inert materials to facilitate the beneficial restoration of the mineral workings. This is a secondary aspect of the planning application.

5.4 This chapter examines the need for the new mineral reserves that would be released in granting planning permission for the new quarry at Hatfield Aerodrome in terms of current supply of aggregates and permitted levels of consented reserves.

NATIONAL POLICY

General

5.5 The supply of aggregates is governed by the Managed Aggregate Supply System (MASS)[1]. This seeks to ensure a steady and adequate supply of aggregates, to handle the significant geographical imbalances in the occurrence of suitable natural aggregate resources, and the areas where they are most needed. It requires mineral planning authorities which have adequate resources of aggregates to make an appropriate contribution to national as well as local supply, while making due allowance for the need to control any environmental damage to an acceptable level. It also ensures that areas with smaller amounts of aggregate make some contribution towards meeting local and national need where that can be done sustainably.

[1] National Planning Practice Guidance: Minerals. Paragraph: 060 Reference ID: 27-060-20140306

5.6 The MASS works through national, sub-national and local partners working together to deliver a steady and adequate supply of aggregates.

5.7 A key tool which underpins the working of the MASS is the aggregate landbank, which is principally a monitoring tool. However, planning for mineral provision must be seen in the context of the wider economy and the government's growth agenda, as opposed to over analysing historic trends of aggregate sales.

The NPPF

5.8 National Minerals Policy is set out in NPPF in paragraphs 209 - 214.

5.9 The central themes of the predecessor to the NPPF (MPS1) are restated in the NPPF, notably the recognition that "*It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.*" (NPPF paragraph 209).

5.10 Most notably, the NPPF emphases the need for Mineral Planning Authorities (MPAs) to plan for a "*steady and adequate supply of aggregates*" by *inter alia*:

a) *preparing an annual Local Aggregate Assessment, either individually or jointly, to forecast future demand, based on a rolling average of 10 years' sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources);*

b) *participating in the operation of an Aggregate Working Party and taking the advice of that party into account when preparing their Local Aggregate Assessment;*

c) *making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans, taking account of the advice of the Aggregate Working Parties and the National Aggregate Co-ordinating Group as appropriate. Such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate;*

d) *taking account of any published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates;*

e) *using landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans;*

f) *maintaining landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised;*

g) *ensuring that large landbanks bound up in very few sites do not stifle competition; and*

h) *calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.*

5.11 In relation to landbanks, the Planning Practice Guidance[2] to the NPPF advises that:

"There is no maximum landbank level and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank. However, where a landbank is below the minimum level this may be seen as a strong indicator of urgent need

There are a number of reasons why an application for aggregate minerals development is brought forward in an area where there exists an adequate landbank. These could include:

- *significant future increases in demand that can be forecast with reasonable certainty;*
- *the location of the consented reserve is inappropriately located relative to the main market areas;*
- *the nature, type and qualities of the aggregate such as its suitability for a particular use within a distinct and separate market; and*
- *known constraints on the availability of consented reserves that might limit output over the plan period."*

National and Regional Guidelines for Aggregates Provision in England

5.12 Since the 1980's landbank calculations have been based upon an agreed contribution which MPA administrative areas should make to regional aggregate supplies. Until 2012 the figures for such calculations were derived from national and regional guidelines for aggregate production issued by Central Government, which were then 'apportioned' to individual MPA areas based upon their historical percentage contribution to regional supplies. The most recent exercise stems from the National and Regional Guidelines for Aggregate Provision in England 2005-2020, published by DCLG in June 2009. This indicated that the land won production of sand and gravel in the East Midlands region in the period 2005-2020 should be some 174 million tonnes.

5.13 Following the introduction of the NPPF in March 2012, the Government confirmed a desire to decentralise more power to MPA's to determine the appropriate level of aggregate extraction. This principle was set out in 'Guidance on the Managed Aggregate Supply System' published by DCLG in October 2012. This confirmed that each MPA should prepare a 'Local Aggregate Assessment' (LAA) of the demand for and supply of aggregates, with the LAA to include:

- a forecast of the demand for aggregates based on the average of 10 year sales data and other relevant local information;

[2] Reference ID: 27-084-20140306.

- an analysis of all aggregate supply options as indicated by landbanks, mineral plan allocations and capacity data; and

- an assessment of the balance between demand and supply, and the economic and environmental opportunities and constraints that might influence the situation. It should conclude if there is a shortage or a surplus of supply and, if the former, how this is being addressed. (reference Guidance on MASS, paragraph 6).

5.14 The provision of the 2012 MASS Guidance Note are now included within the web based Planning Practice Guidance.

THE DEVELOPMENT PLAN

Hertfordshire Minerals Local Plan

5.15 As noted from the previous chapter, Policies 1 to 3 in Chapter 3 of the MLP consider the supply of sand and gravel within the county. At paragraph 3.2.1 the MLP indicates that *"… the County Council is committed to permitting extraction of primary aggregates so as to make an appropriate contribution to the Regional needs for the plan period*". This is translated into **Policy 1**, which in the first instance provides that:

> "*Planning permission for the extraction of proven economic mineral reserves will only be granted where it is necessary to ensure that adequate supplies are available to meet the county's agreed apportionment of regional supply*"

5.16 The policy goes on to provide a commitment to maintain "*an appropriate landbank of sand* and gravel reserves in accordance with government guidance, throughout the Plan *period*". In the supporting text, an annual apportionment of 1.99Mt is used to calculate the requirements over the plan period.

5.17 **Policy 2** sets out the requirements that will be taken into account when considering planning applications for new reserves. In this respect:

i. the existing quantity of permitted reserves of the mineral;
ii. the rate at which, and the proposed timescale over which it is expected that those permitted reserves will be worked;
iii. the proposed rate and timescale in the application for working the mineral deposit;
iv. the existence of resources of the mineral which are identified as Preferred Areas within the Plan and which are shown as being desirably worked at an early stage of the Plan period; and
v. the particular nature and qualities of the mineral deposit concerned, such as the suitability for a particular end use not met by other available sources in the area or region.

5.18 Finally, the MLP seeks to identify areas from where sand and gravel should be extracted to maintain supplies throughout the plan period and beyond. Section 3.4 of the MLP, culminating in **Policy 3** identifies three sites (reserves are quoted in brackets):

- Preferred Area 1: Land at former British Aerospace, Hatfield (8Mt)
- Preferred Area 2: Land adjoining Rickneys Quarry, near Hertford (5Mt – 6Mt)
- Preferred Area 3: Land at Coursers Road, near London Colney (4.5Mt)

5.19 The southern part of Preferred Area 1 is the application site to which this planning application refers. Preferred Areas 2 and 3 are extensions to existing quarries operated by Hanson and Lafarge respectively. During the course of the MLP planning permissions have been granted for Preferred Area 2 (in part as an eastern extension releasing around 1.24Mt) and Preferred Area 3 (around 7Mt released). Referring to paragraph 3.4.2 of the MLP, it is noted that "*the County Council has undertaken an extensive site selection process in order to identify the most suitable locations for future aggregates extraction*".

5.20 As such it can be seen that in the extant MLP there is a commitment to release the reserves within the application site to fulfil the county's requirements to ensure that a steady supply of aggregates can be provided. The applicant has undertaken a number of investigations to determine both the quantity and quality of the mineral reserve, as well as ascertain the hydrogeological characteristics of the application site; this demonstrates that there is a proven viable reserve which can be worked. Moreover, as the Plan period is nearing its end, then there is little question over the premature release of the reserves within the current Plan period.

5.21 From the September 2020 Report to the Development Control Committee (in relation to the previous planning application) it is noted at paragraph 8.8 "*The supply of sand and gravel from Hatfield and Tyttenhanger Quarries combined make up the large majority of the current landbank. Taking into consideration the annual sales from these two sites the landbank is likely to fall below the minimum 7 years without additional new sources of supply in the future*". In addition paragraph 8.17 states "*The proposal is consistent with the NPPF in terms of maintaining an adequate and steady supply of sand and gravel from within Hertfordshire and the maintenance of an appropriate landbank above the minimum requirement. The proposal will assist in facilitating the sustainable use of minerals from within Hertfordshire*".

HERTFORDSHIRE LOCAL AGGREGATE ASSESSMENT 2020

5.22 The LAA is an evidence base document that contributes towards the review of Hertfordshire's Minerals Local Plan. Its primary purpose is to set out the current level of aggregate supply and demand for Hertfordshire and to calculate the current landbank of sand and gravel. The LAA also acts as a monitoring report for aggregates and reports on the supply of secondary and recycled aggregates within Hertfordshire and the imports of sand and gravel and crushed rock at Hertfordshire's rail aggregate depots.

5.23 The LAA has been prepared to fulfil the requirements of the NPPF, to produce an annual LAA which forecasts future demand of aggregates in Hertfordshire and assesses all other supply options.

Annual Apportionment

5.24 The LAA indicates that the current annual apportionment for Hertfordshire is 1.39 Mt of sand and gravel, which is lower than the figure used in the MLP. The county's sand and gravel apportionment figure has changed over time due to periodic reviews. In 1998 the annual apportionment was set at 2.4 million tonnes. The annual apportionment in the current adopted Minerals Local Plan was set at 1.99 million tonnes for the period 2002-2016[3]. This figure was subsequently reviewed through the National and Regional guidelines in 2009 and now stands at 1.39 million tonnes for the period 2005-2020. This sub-regional apportionment was approved by the East of England Aggregate Working Party.

5.25 The LAA states that the 1.39Mtpa apportionment figure more closely reflects the sales figures and at the same time still provides flexibility to account for the anticipated continued rise in sales of sand and gravel in Hertfordshire, in line with the high levels of growth being planned for in the Hertfordshire District and Borough Local Plans.

5.26 The LAA also refers to guidance contained in paragraph 207 of the NPPF whereby MPA's should prepare an annual LAA '*based on a rolling average of 10 years sales data, and other relevant information, and an assessment of all supply options (including marine dredged, secondary and recycled sources)*'. At paragraph 3.18 the LAA comments that "*the NPPG suggests the use of the 3 year sales average to identify a general trend in sales and consider increasing supply if this is appropriate. The NPPG states that the rolling 10 year average, 3 year average sales and sub-regional guidelines should all be taken into account in order to establish a broad view of planned provision*". On this basis, the LAA calculates that the apportionment based on ten years sales average would be 1.19Mt per annum and the three year sales average (2017 to 2019) would be 1.21Mt per annum. Both are lower than the agreed apportionment of 1.39Mt per annum. Allied to this the ten year average is lower than that derived from the last three years of sales, which implies that there is an increasing trend of supply (i.e. demand for aggregates is increasing). This is probably to be expected given the economic downturn that occurred from 2007 together with the Government's agenda for growth.

Sales of Sand and Gravel

5.27 From paragraph 3.3 of the LAA sand and gravel sales at the end of 2019 stood at 1.25Mt; an increase of approximately 41,504 tonnes when compared to the previous year's figure (which was 1.21Mt at the end of 2018). This means that sales have reached 1.20Mt and above, 5 times over the last 10 year period (2010-2019) and are also the highest they have been since 2011. From Figure 4 in the LAA, the 2019 sales exceed the 10 and 3 year average sales figures.

5.28 The LAA goes on to note that the average sales of sand and gravel in Hertfordshire over the last 10 years is 1.19Mt (2010-2019). As a comparison, this figure was 1.19Mt as of the end of 2018, 1.16Mt as of 2017 and 1.15Mt as of 2016, thereby remaining relatively constant but seeing a small increase over the last few years.

[3] as detailed in former Minerals Planning Guidance Note 6: Guidelines for Aggregates Provision in England, 1994-2016, April 1994, and amended June 2003

5.29 Similarly, the rolling 3 year sales average is 1.21Mtpa (2017-2019). This figure was 1.18Mt at the end of 2018 and 1.19Mt at the end of 2017. The sales in the last 3 years (2017-2019) have continued to steadily increase resulting in the highest 3 year average recorded since 2011.

5.30 Table 5-1 below reproduces the data presented in Table 3 in the LAA.

Table 5-1
Sales of sand and gravel 2010 to 2019 and Permitted Reserves

Year	Sales of soft sand and sharp sands and gravel (tonnes)	Permitted reserves of soft sand and sharp sands and gravel (tonnes)
2010	1,172,890	10,786,465
2011	1,268,465	16,700,000
2012	1,123,645	15,792,000
2013	1,130,295	16,260,000
2014	1,209,532	14,440,000
2015	1,224,284	13,215,716
2016	1,164,633	11,752,000
2017	1,166,921	10,458,308
2018	1,206,507	10,056,000
2019	1,248,011	8,951,000

5.31 In terms of permitted sites, paragraph 2.11 notes that there are eight permitted sand and gravel quarries in Hertfordshire as of the end of 2019. Of these eight sites, sand and gravel extraction is currently taking place at three (as of the end of 2019). These three sites are outlined below.

- Tyttenhanger Quarry, Colney Heath;
- Hatfield Quarry with the linked Symondshyde extraction site; and
- Thorley Hall Farm

5.32 The remaining five sites are not extracting sand and gravel and are either not currently operating or are in the process of infill/restoration or are close to reaching aftercare.

5.33 Thorley Hall Farm is an extraction of 500,000t of sand and gravel to create a reservoir and has an end date of 30 June 2021. In view of this, there is the potential for an oligopolistic market within the county; this has not changed since the original application, be it the number of operational sites has halved.

5.34 In terms of the cessation of mineral extraction at the operational sites, Tyttenhanger Quarry is due to cease by 31 December 2032 and Hatfield Quarry by 1 October 2020. Notwithstanding this, planning permission has been granted for an area known as Furze Field, which will be worked as an extension to Hatfield Quarry; at the time of drafting the LAA the permission had not been started. The Furze Field permission allows operations until 31 December 2023.

Permitted Reserves

5.35 Table 5-1 above shows the level of permitted reserves for each year since 2010. In 2010 reserves stood at 10.8Mt. In 2011 there was a significant increase of permitted reserves by nearly 6mt. In 2012 and 2013 the level of permitted reserves fell by 900,000t and increased by 468,000t respectively. The significant uplift in permitted reserves in 2011 followed the grant of planning permission for an extension to Tyttenhanger Quarry. Since 2013 the level of permitted reserves has decreased steadily; with the exception of 2018 (where the decrease was 402,000t), the reduction ranges between 1.1Mt and 1.8Mt.

Future Reserves

5.36 The LAA refers to the grant of planning permission at Land adjoining Coopers Green Lane, Hatfield Quarry (planning reference number PL\0963\18); that permission would increase the level of permitted reserves by 3.5Mt.

5.37 Allied to this, the LAA notes that an application was submitted for a variation of condition (time limit for commencement) on a previous planning application for an eastern extension to the previously mothballed site at Rickneys Quarry, to extract 1.24Mt of sand and gravel (planning reference number 3/2077-13). LAA states that this application remained undetermined as of the end of 2019; the council's website indicates that this is still the case. It is understood that a resolution was made in January 2014 to permit the application subject to the conclusion of a legal agreement to reflect the obligations constrained in the existing Section 106 agreement. The committee minutes also indicate that permission should be implemented prior to 23 December 2017.

Landbank of Permitted Reserves

5.38 As noted above, the level of permitted reserves stood at 8.951Mt at the end of 2019. Based on the annual apportionment of 1.39Mt, this equates to 6.4 years. Paragraph 3.26 in the LAA shows that since 2013 there has been a steady decline in the landbank from 11.7 years (2013).

5.39 The LAA then goes on to calculate the landbank based on the 3 and 10 year rolling average sales, indicating that the landbank is 7.4 years (based on 3 year average sales) and 7.5 years (10 year average sales). Accordingly, the LAA comment's (paragraph 3.30) that when using the 1.39Mtpa apportionment figure, Hertfordshire's landbank sits just below the required minimum [required by the NPPF].

5.40 Given that planning permission has been granted for a further 3.5Mt of sand and gravel (which was not taken into account in the figures provided in the LAA) then the landbank would be closer to 8.96 years. However, to arrive at an accurate position for 2021, sales for 2020 would need to be deducted from the total level of permitted reserves. With sales averaging 1.21Mt between 2017 and 2020, the landbank at the beginning of 2021 would be closer to 8 years.

Future Aggregates Supply

5.41 The LAA notes the resolution made to refuse to grant planning permission for the working of mineral resources within the application site. Notwithstanding this, the LAA indicates that "*Whilst the application at Land at Hatfield Aerodrome was refused, it still remains as an identified Preferred area (Preferred Area 1) in the adopted Minerals Local Plan 2007 and has a potential yield of up to 8Mt of sand and gravel*". It also adds that "*Specific Site 1 [Hatfield Aerodrome] has been subject to extensive assessment through a Sustainability Appraisal and Site Selection Study (both documents prepared by Land Use Consultants and produced to support the review of the Minerals Local Plan) and is seen as a suitable for identification as a Specific Site in the emerging Minerals Local Plan*".

5.42 The LAA concludes by stating that there are significant levels of growth being planned for within the Hertfordshire Local Plans and planning applications for large scale development are continuing to come forward. This level of projected housing supply and increased frequency of large-scale applications coming forward, will require an adequate provision of minerals to be planned for and supplied.

5.43 It adds that:

> "*This year, both the 10 year average sales figure (which stands at 1.19Mt) and the 3 year average sales figure (which stands at 1.21Mt) are once again lower than the total sales figure, which stands at 1.25Mt as of the end of 2019. This is an indicator that the annual apportionment figure of 1.39Mt is more appropriate for Hertfordshire and will accommodate the increase in demand for sand and gravel in line with the high levels of planned growth.*
>
> *The county council, as Minerals Planning Authority will continue to use the sub regional apportionment figure of 1.39Mtpa to calculate its landbank supply of sand and gravel. Although using this figure results in a lower landbank figure it is considered that this figure is more appropriate as the economy recovers out of the recession to avoid undersupply. It is also important to ensure that a sufficient level of sand and gravel is supplied to support the projected level of housing, development proposals and other large-scale infrastructure projects that may affect the county*".

Analysis

5.44 National policy indicates that a landbank of at least seven years reserves needs to be maintained for sand and gravel. This is a minimum amount and not a limit; as such it is acceptable to have a landbank in excess of seven years. Referring to the Planning Practice Guidance (see paragraph **Error! Reference source not found.** above) "*There is no maximum landbank level and each application for minerals extraction must be considered on its own merits regardless of the length of the landbank. However, where a landbank is below the minimum level this may be seen as a strong indicator of urgent need*".

5.45 The current landbank is stated as being 6.4 years at the end of 2019 based on the agreed annual apportionment figure. In the intervening period some 3.5Mt has been approved through a further permission at Hatfield Quarry and sales of aggregates have continued (around 1.21Mt based on the average of the last three years). This gives a net increase of around 1.84Mt to the figures published.

This would bring the landbank to just over 8Mt. As such, the landbank is estimated to stand at around one year over the minimum level.

5.46 Since the submission of the previous application there has been a decline in the number of operational sites, with mineral extraction ceasing at Westmill and Panshanger. As such it is advantageous to replace the operational units to maintain flexibility and productive capacity in supply.

5.47 Finally, consideration needs to be given to the lead in time for developing the application site. As a new quarry, it would take longer to bring new aggregates to market due to the need to establish the site infrastructure (access, processing plant etc). Allowing for the planning process to run its course and site establishment following the grant of planning permission, it could be c. 2023 before the first aggregates are sold (i.e. a further two years) by which time the landbank would be below seven years, and thus the urgency to released new reserves becomes greater.

NEED FOR INERT FILL

5.48 As noted in the introduction to this chapter, the need to import inert fill material arises through the need to provide a beneficial restoration scheme. The material to be imported would be non-recyclable material that has a high clay content, being derived from site clearance works associated with new developments within the region.

5.49 As described in Chapter 2 above, there are two mineral horizons underlying the application site, separated by a layer of boulder clay. In view of this, there are also two aquifers. Discussions with the EA has indicated that the void left from the removal of the 'LMH' and interburden should be replaced with site-won, low permeability cohesive material but could also include suitable materials imported for the formation of both geological barrier and infilling. The rationale for placing inert low permeability geological barrier material up to the upper surface of the interburden is founded on a key issue for the Environment Agency, which is that perched groundwater within the UMH is kept separate from regional groundwater in the LMH.

5.50 In view of this, it is necessary to import inert materials to facilitate the restoration of the site and avoid leaving a deep water body with little variation in vertical or horizontal profile at the edge. Such a feature would have little, if any ecological benefit and would not be consistent with the local landscape character.

5.51 The infilling of mineral workings with inert materials is not unusual within the county. For example. As noted in the 2014 AMR it comments at paragraph 3.28 *"… three quarries accepting inert waste for restoration purposes in 2012 (Tyttenhanger, Hoddesdon and Great Westwood)."* Appendix 2 of the same document indicates that:

- restoration of Hoddesdon Quarry is due for completion in August 2016;
- planning permission allows inert material to be deposited in Pole Hole Quarry (planning permission expired in November 2014);

- planning permission allows inert material to be deposited in Waterhall Quarry (planning permission expired in November 2014);
- planning permission for Great Westwood Quarry expired in April 2014

5.52 Referring to more recent AMR's, in 2017 and 2018 the AMR's comment on permissions at Water Hall Quarry (application and appeal to extend date for restoration to December 2019) and Great Westwood Quarry (end date of September 2018) for restoration using inert wastes.

5.53 In the 2020 AMR there is little reference to inert waste being used to restore mineral workings; from Appendix 2 (List of Safeguarded Waste Sites) it notes that inert waste is used at Panshanger Quarry, Tyttenhanger Quarry and Hatfield Quarry.

5.54 Referring to the Waste Core Strategy ('WCS', refer to Chapter 4 for details), paragraph 3.20 states:

> *"Construction and Demolition (C&D) waste arisings amounted to 1,382,000 tonnes in 2008. Some arisings will be disposed of to exempt sites or for construction purposes. It is therefore difficult to match total arisings and disposals. Information from the Environment Agency indicates that the annual disposal to inert landfill equated to 705,000 tonnes in 2010. There are currently a number of mineral extraction sites that are taking between 200,000 and 500,000tpa inert fill as part of their restoration, in addition to over 100,000tpa currently being recycled at existing sites across the county. It is therefore concluded that there is sufficient permitted capacity at the current rate of fill until 2020, and it is expected that this would be supplemented by additional capacity arising from other construction projects incorporating inert waste, particularly excavation waste arising on-site"*

5.55 Under the heading of "*Spatial Strategy and Strategic Policies*" paragraph 4.12 indicates that capacity should be provided within the county for residual waste streams from London that require landfilling (as opposed to other forms of treatment). This is subject to sufficient sites being identified. Paragraph 4.48 then adds that there are more opportunities for inert waste to be disposed of in landfill within Hertfordshire given the reduced pollution potential. It refers to the three allocated sites in the MLP (see above) which "*once worked may be suitable for inert waste disposal as part of their restoration*". Paragraph 4.48 concludes by stating "*The Sustainability Appraisal concludes that the use of mineral voids for disposal of waste by landfill is a sustainable option because it limits the need to transport waste outside the county and also reduces the land-take that would be needed for new landfill sites. However, to ensure restoration opportunities for environmental protection, recreation and local amenity, disposal of waste by landfill should only be allowed subject to satisfactory restoration and environmental protection*."

5.56 In view of this, the policy approach in the WCS is explained in paragraphs 4.56 and 4.57 in that "*The policy will only allow landfill as a last resort and each proposal will be dealt with on a case by case basis*" and "*Mineral voids suitable for inert landfill will be safeguarded to help ensure Hertfordshire deals with its own waste as much as possible*".

5.57 There is therefore clear policy support for infilling using mineral voids to dispose of inert waste arisings, and each application will be considered on its merits. However, against this it is noted that

"Target 8" in the WCS does seek to divert 90% of the construction and demolition waste from landfill by 2026.

5.58 In terms of arisings, as noted in the 2016 Planning Statement the 2014 and 2013 AMRs provide data showing the how C&D wastes are managed within the county.

Table 5-2
C&D Waste Arisings and Management (t)

Year	Landfilled	Transferred	Treatment	Metal MRS	Total
2011	925,808	354,901	229,206	4338	1,514,253
2012	922,312	156,992	231,001	149	1,310,454

5.59 Between 2011 and 2012 there has been a 13.5% reduction in waste arisings; however, there has not been a corresponding reduction in the quantity of C&D wastes landfilled. In this respect there was a reduction of around 3,500t. The main change is in the amount transferred. With the completion of restoration of a number of quarries within the county (as noted in paragraph 5.51 above), new capacity will be required.

5.60 Turning to more recent AMR's the following has been reported:

- 2016 - 44% was diverted from landfill equating to a 3% increase from 2015 figures. This figure is based on the total of the waste management category CD&E (2,331,412t) minus the landfill figure for this category (1,315,131t). (Paragraph 3.13)
- 2017 - 43.8 % was diverted from landfill equating to a 0.2% decrease from 2016 figures. This figure is based on the total of the waste management category CD&E (2,462,594) minus the landfill figure for this category (1,384,279). (Paragraph 3.12)
- 2018 - 44.13% was diverted from landfill equating to a 0.33% increase from 2017 figures. (Paragraph 3.2.16)
- 2019 - 41% was diverted from landfill equating to a 3.13% decrease from 2018 figures. (Paragraph 3.1.17).

5.61 The most recent AMR (2020) states at paragraph 3.1.12 "*Based on the data taken from the Waste Data Interrogator 2018, a total of 1,295,200.6 tonnes of C&I waste was recycled or composted. Of the C&I waste dealt with in Hertfordshire 80.8% was recycled or composted. This is compared to 52.1% in the previous year".* However, the AMR notes *that "One record within the WDI (2018) accounts for 66% of the total C&I waste generated. The entire C&I waste arisings from that record where sent for recycling and therefore the total recycled or composted figure is significantly higher than the previous year. Removing this single record gives a total of 43% of C&I waste recycled or composted*"

5.62 It then adds (paragraphs 3.1.13 and 3.1.14*)*:

> *"Based on data taken from the Waste Data Interrogator 2018, of the Construction, Demolition and Excavation (CD&E) waste dealt with in Hertfordshire in 2018, 38.6% was diverted from landfill, which equates to a 2.4% decrease from last year's figures, which were based on data obtained from the Waste Data Interrogator 2017.*
>
> *This is a low percentage and shows that the predominant form of management for CD&E waste remains as landfill. The 90% diversion target is to be achieved by 2026 and as such will be carefully monitored."*

5.63 From the AMRs it can be seen that the landfill of inert (CD&E) wastes is still the predominant form of management within the county; this in part can be attributed to the beneficial use of the inert waste arisings to restore mineral workings.

CONTENTS

INTRODUCTION 1

INTRODUCTION

6.1 This Planning Statement sets out the details of a planning application for the extraction of sand and gravel from a site referred to as Hatfield Aerodrome. The application site includes land identified in the adopted (and current) Hertfordshire Minerals Local Plan as a 'preferred area' for sand and gravel extraction. It is noted in the Minerals Local Plan that the County Council has undertaken an extensive site selection process in order to identify the most suitable locations for future aggregates extraction. The site is also included in the emerging Minerals Local Plan.

6.2 The applicant, Brett Aggregates Limited, is re-submitting a planning application for the establishment of a new quarry on land at the former Hatfield Aerodrome, being part of the allocated site referred to in the extant Minerals Local Plan[1] (refer to Chapter 4 below for further information on the policy framework for the area). The proposals would involve the winning and working, together with processing for sale, of sand and gravel over a period of around 30 years. In parallel with the extraction of minerals would be the importation of low permeability inert material to infill the mineral workings to facilitate the restoration of the site to a beneficial after use, combining recreation and nature conservation. The imported material would typically comprise excavation wastes from construction and engineering projects (soils, overburden, clays etc.) within the region.

6.3 Land to which the planning application relates covers an area of around 87.1ha and comprises the western part of the former aerodrome. It lies within an area bounded by the A1057 (Hatfield Road/St Albans Road) to the south, Oaklands Lane to the west, Coopers Green Lane to the north and the western fringe of Hatfield to the east.

6.4 This statement incorporates the formal planning application forms and the application plans (the latter being in Chapter 3). It also describes the individual elements of the working and restoration scheme, together with the related engineering and other operations which constitute the planning application development.

6.5 The statement includes an overview of the need to release additional reserves of sand and gravel in the context of national and local planning policy and guidance. It concludes that there is a compelling case of need for the development in the context of the landbank of permitted reserves of sand and gravel in the county. The release of the reserves at the application site would be fully consistent with planning policy objectives relating to maintaining "*steady and adequate supplies*" advocated in the NPPF.

6.6 The ES (Volume 2) has reached the underlying conclusion that the development could proceed without giving rise to significant adverse impacts on the comprehensive range of environmental issues which have been assessed. That conclusion is corroborated by the parallel exercise of reviewing the development against planning policy objectives and requirements for environmental protection.

[1] "Preferred Area 1", and illustrated on Inset Map 6 within the Mineral Local Plan

6.7 The NPPF confirms that, at its heart is a presumption in favour of sustainable development which, for decision takers, means approving development proposals that accord with the development plan without delay. It is contended that the proposal is in accordance with the development plan, and should thus be entitled to a presumption in favour of planning permission being granted (ref Section 38(6) of the Planning and Compulsory Purchase Act).

6.8 In those circumstances the applicant considers that there should be a firm presumption in favour of planning permission being granted for the proposed development.