

Evidence Report

Appendix 1: Site Briefs

**Hertfordshire Minerals and Waste
Local Plan 2040**

Hertfordshire County Council



For information about this document please contact:

Minerals and Waste Planning Policy
Spatial Planning Unit
Hertfordshire County Council
Tel: +(44) 01992 556227
Email: MineralsandWaste@hertfordshire.gov.uk
hertfordshire.gov.uk/mwlp

Spatial Planning Unit CHN216
Hertfordshire County Council
County Hall
Hertford
SG13 8DN

If you require assistance interpreting or translating this document, please contact 0300 123 4040.

1. Introduction

- 1.1. Hertfordshire County Council is reviewing its adopted Minerals Local Plan, Waste Local Plan and supporting documents. These comprise the following documents (with adoption date):
 - Minerals Local Plan Review (March 2007)
 - Minerals Consultation Areas SPD (November 2007)
 - Waste Core Strategy and Development Management Policies DPD (November 2012)
 - Waste Site Allocations DPD (July 2014)
 - Employment Land Areas of Search SPD (November 2015)
- 1.2. The documents listed above are to be replaced by a single Minerals and Waste Local Plan (MWLP) covering the period to 2040. The new MWLP will set the overall spatial framework and development management policies for sustainable minerals and waste management development in Hertfordshire.
- 1.3. This Evidence Report provides an overview of and response to the main issues raised during the Regulation 18 consultation relating to the Minerals and Waste Local Plan Draft Plan Appendix 1: Site Briefs.

2. Document Context

- 2.1. The purpose of Appendix 1: Site Briefs is to give site specific information on each of the Minerals Allocation Sites (MAS) outlined within Policy 2: Meeting Sand and Gravel Needs in the Plan.
- 2.2. Policy 2 states that *'Proposals for sand and gravel extraction within MAS must fulfil the Site-Specific Requirements above and must clearly demonstrate how they have addressed all of the Site Considerations set out in the corresponding Site Brief.'*
- 2.3. Alongside a map showing the MAS, an overview of the site is given (including address, size, planning status and operational specifics) and specific considerations are set out that would need to be taken into account as part of a development proposal at the MAS.

3. Minerals & Waste Local Plan Policy

3.1. The Draft Minerals and Waste Local Plan was published for a Regulation 18 public consultation from 22 July to 31 October 2022. During the consultation period, members of the public, industry and other bodies were invited to comment on the Plan and its appendices.

4. Main Issues Raised

4.1. During the Regulation 18 consultation, 19 representations were made in relation to this document. The representations have been split by Minerals Allocation Site (MAS) and a section included for general comments relating to the entire appendix. The main points of these are summarised below:

General comments:

- a) The inset maps could be improved by showing the presence of designated heritage assets.
- b) The site considerations should be placed within site specific policies to make it clear how much weight is to be given to these.

MAS01 comments:

- c) To be consistent and avoid contradiction with the Plan, it is suggested that the MSA01 Site Brief should specify that direct access must be constructed to carry traffic between the site and the A414 without using any B roads and that the constructed infrastructure allows access to and from the site to the East and West directions on the A414.
- d) There should be a pre-requisite for solution and further investigation of the infrastructure required to enable travel to and from the site to the west on the A414 without travelling through Stanstead Abbots and without creating unacceptable highway impacts elsewhere.
- e) The restoration plan should prioritise the opportunities for wildlife/nature towards a working natural environment that has provision for active travel and recreational access.
- f) Provision should be made for equestrians and other users that improve the recreational and active travel opportunities (between St Abbots and Hunsdon including connecting the PRow to the north and west of MAS01) delivered in advance of the extraction and restoration activity.
- g) Consideration should be given to the opportunity to reduce HGV traffic to and from the site, by considering the timing of extraction relative to the timing of the HGGT developments.
- h) Consideration should be given to the railhead at Harlow Mill, to help contribute to meeting wider sustainability and climate change objectives.

- i) There should reference active monitoring undertaken by the site operator, to ensure agreed access arrangements are maintained.
- j) There should be a requirement for early engagement with owners of surrounding property and a requirement that reasonable steps are taken to mitigate the inconvenience and loss of amenity and other value which these proposals will cause to them.
- k) Enhancement of the river corridor should be included in the site considerations for MAS01.
- l) It is proposed the inclusion of other stakeholders in agreeing a restoration strategy, specify post restoration management responsibilities and how funding for this will be secured.
- m) It should identify the opportunity to deliver biodiversity gain using regional and local biodiversity strategies and specify that designs for restoration must be future-proofed with consideration of potential impacts of climate change.
- n) It is suggested that the following conditions be added to the MSA01 Site Brief to ensure Green Belt protection:
 - (i) A legal agreement that the entirety of the site should be returned to farmland and that it should be restored incrementally as quarrying in each incremental area is completed.*
 - (ii) A strictly imposed timetable for the completion of quarrying operations and the restoration of the site.*
- o) It is suggested that the following conditions be added to the MSA01 Site Brief to ensure protection of the Historic Environment:
 - (i)The Heritage Impact Assessment being rewritten to take account of the extensive documentation available on the history of the site and to come to a balanced and informed view based on this as to how the historic landscape can be both preserved and enhanced.*
 - (ii)The existing landform being preserved or restored to the extent possible with no lakes or depressions being permitted with only inert infill being used by way of fill.*
 - (iii)A comprehensive hedge and tree planting plan to incrementally restore the original field form and the Stanstead Bury deer park, using the research of Anne Rowe and Professor Tom Williamson (The History of the Parks and Gardens at Stanstead Bury – Hertfordshire Gardens Trust 2010) and the John Linell picture of Briggens and Stanstead Bury as the core guidance.*
- p) It is suggested that the following conditions be added to the MSA01 Site Brief to ensure protection of the rural nature of the area:
 - (i)As much of the site as possible should continue to be farmed throughout the period in which gravel is being extracted.*
 - (ii)The entirety of the site should be returned incrementally to working farmland.*
 - (iii)The proposal for a Country Park for Harlow North should be dismissed. This site should have everything to do with rural Stanstead Abbots. It should not form part of suburban Harlow North. Harlow already has very extensive*

parkland; indeed “rus in urbe” is the whole point of the original Sylvia Crowe and Frederick Gibberd design.

(iv) The line of trees on the east side of the B181 between the A414 and Stanstead Abbots, which was given to the village by Joan Trower, should be preserved.

(v) The site should be protected by agricultural fencing and gates not by industrial style fencing and gates.

(vi) No external lighting should be permitted.

(vii) The gravel washing and other plant should not be permitted on the highest and most visible point of the site as currently proposed. This part of the site is visible for many miles on both sides of the River Lee from Hertford Heath, Haileybury, Roydon and down into Central London and for many miles across the Stort Valley. It should be placed in the least visible part of the site.

(viii) The access to the site should be as discrete as possible. No widening of the B181 should be permitted. Wider roads and verges create faster traffic, a more urban feel and greater danger.

(ix) No westward access to the A414 should be permitted. Westward access would only be possible by either taking land from Stanstead Bury or driving a road across Netherfield Park or allowing gravel lorries to use the B181 through Stanstead Abbots. All of these options should be dismissed.

(x) There should be a clear limit to lorry movements outside working hours and these should be strictly monitored.

(xi) Tarmac should be tied into a very tight timetable for the extraction of gravel and the restoration of the existing landform on the overall site. There should be no repeat of excessive time that quarrying operations have been allowed to continue over the extended areas on other large sites across Hertfordshire.

q) It is suggested that the following conditions be added to the MSA01 Site Brief such that the site would only be permitted once:

(i) An independent report has been commissioned outlining the impact on the lower Stort Valley, the River Stort itself, the Juicy Brook and the Hunsdon Mead SSSI of the combined effect of quarrying operations by Tarmac and the development of Harlow North on:

-Water flows

-Flooding

-Water borne pollution

With appropriate mitigations being put in place to improve on the current situation.

(ii) Thames Water have put in place sufficient treatment capacity to prevent the continued discharge of untreated sewage into the River Stort and onto surrounding land, including land owned and farmed by Stanstead Bury. However, if it is not removed then a comprehensive effort will need to be made to bolster and enhance Stanstead Bury’s surroundings in order to increase its chances of survival. In addition to the conditions outlined in sections 1-4 above the following should also be required:

- (i) An unconditional guarantee from both Tarmac and the County Council of the continued supply of pure water in an amount sufficient to meet Stanstead Bury's farming and environmental needs at no more than the current costs of supply.
- (ii) The transfer to Stanstead Bury at reasonable costs of the fields in the ownership of the Briggens Estate to the south of A414 in order to enable a comprehensive tree planting and woodland creation scheme.
- (iii) Financial and other assistance with woodland management, earth bunding and hedging along Stanstead Bury's northern boundary in order to reduce the impact of the quarrying operations.
- (iv) A well designed earth bunding, hedge and the tree planting scheme along the Briggens Estate's southern boundary in order to protect Stanstead Bury from the noise and visual intrusion of quarrying operations.
- (v) A comprehensive plan in consultation with the Hertfordshire Garden Trust and Stanstead Bury to re-establish the historic links between the Briggens Estate and both Stanstead Bury's and Briggens' Parks.
- (vi) No reversing or other alarms to be used on vehicles involved in quarrying operations.
- (vii) Control of vermin across the Briggens Estate and comprehensive arrangements to pick litter in order to avoid plastic and other pollution of Stanstead Bury's water supply and grazing. Such vermin control and litter picking to be required on both the Briggens Estate, the A414 and the B181.
- (viii) All conditions to be implemented by way of a comprehensive legal agreement. Tarmac to undertake to pay Stanstead Bury's legal costs.
- r) The following set of changes were proposed to the site brief for MAS01:
- Current use of site: Agricultural, **with woodland compartments.**
 - Timings: ~~The site is expected to be worked in the latter half of the plan period, although if there is a requirement to bring the site forward to support the development of the housing allocated under Policy GA 1 of the East Herts District Plan, this will be supported by the council.~~ Extraction expected to take 18 years, **with progressive restoration to be completed there after using on site and imported restoration materials.**
 - The site sits within the Green Belt. **Notwithstanding the fact that mineral extraction and engineering operations are not "inappropriate development" in the Green Belt,** developments associated with the mineral extraction, **including for the establishment and operation of primary processing plant to process the sand and gravel won from the site** should be designed and positioned appropriately to prevent conflict with the purposes of the Green Belt.
 - Proposals, including operation and final restoration, would need to address the potential impacts on these sites and the potential use of the site and its surroundings by SPA birds **that use the SPA.** Proposals for site **restoration** should reference early engagement with the Lea Valley

Regional Park Authority, RSPB, **Hertfordshire and Middlesex Wildlife Trust**, and other relevant organisations.

- Depending on the timing of delivery, the proximity of **existing residential development and** the proposed residential developments
- The site is to be worked in a phased **and progressive** manner. ~~from east to west~~ Advance planting **comprising trees and/or hedgerows** should, **where required, be undertaken** ~~take place to provide an appropriate buffer along the northern and western boundary of the site. Work on the implementation of this buffer must commence no later than commencement of the first phase of extraction, and the buffer should be established and be functional prior to extraction taking place on the western half of the site.~~
- ~~Consideration of and,~~ if necessary, associated alterations to the existing bus stops on the B181
- ~~Consideration should be given~~ to vulnerable road users
- **Any application shall be accompanied by an HGV routing strategy secured by a Planning Obligation.**
- As such, a Heritage Impact Assessment has been produced for **the allocation at The Briggens Estate, which includes recommendations, with** which any proposal at the site must be in accordance.
- Any proposal at the site must identify heritage assets (**including non-designated assets**) whose significance and setting may be affected as part of any application for extraction (**including restoration**)
- The proposal ~~must~~ **where required,** will demonstrate how designated and non-designated
- Where preservation in situ of archaeological remains ~~within areas of open space~~ is proposed
- inform an appropriate scheme of working and restoration **for the operations at the site.**
- **Where possible and appropriate such a Management Plan should provide for the installation and maintenance of Interpretation Board, in particular on any recreational links across the Hunsdon Brook SM.**
- **The scheme of restoration shall prioritise restoration to farmland with significant enhancement for biodiversity (provision of wetland, woodland, and grassland habitats), supplemented by a network of permissive paths providing improved access for walkers, cyclists and horse riders.**
- **Wherever possible,** ~~a~~Any restoration proposals following mineral extraction phases should complement **existing residential communities around the site as well as the delivery development of Harlow Gilston Garden Town HGGT** with the provision of open space **and/or managed recreational access. This open space or managed access should be delivered to provide means of access for the quiet enjoyment of the countryside.**

~~This open space should be delivered in accordance with the principles of a Country Park~~

- Any impact on the Rights of Way network needs to be suitably mitigated and the agreed restoration scheme ~~must~~ **should wherever possible** include provision of improved connectivity, particularly east-west, both during and after mineral extraction. All proposals will need to be safety audited and approved by the Highway Authority, **and where required subject to the approval of Historic England. This would include any proposals to link the allocation site and HGGT where such routes cross the Hunsdon Brook SM and designated cultural heritage sites therein.**
- A restoration strategy for the site must ~~be agreed in~~ **subject to** consultation with the Lea Valley Regional Park Authority, **and any other interested stakeholders.** The strategy will be required to take into account historic landscape characterisation of the site and its wider setting, **as well as the ecological and agricultural setting of the site.**

MAS02 comments:

- s) In Appendix 1 in the site brief for MAS02, an inclusion is suggested to reflect the inspector's conclusions about access in the appeal report [January 2022] for refusal of the initial application.
- t) The following addition to the MAS02 site brief is suggested: *'Proposals for working and restoration should detail steps, within a restoration strategy, to **maintain public access to the unquarried areas and** restore the site to serve as Ellenbrook Country Park.'*
- u) It is suggested that provision of active travel/recreational routes across the MAS02 site should be delivered in advance of extraction and restoration. The site brief should reflect current negotiations underway for this.

MAS03 comments:

- v) It is stated that the site brief for MAS03 should include a restoration paragraph which offers opportunity to deliver an active travel facility parallel to the Coopers Green Lane which links to the wider PRoW network.

4.2. The council's response to the main issues is as follows:

General comments:

- a) The Draft Policies Map shows the spatial policies in the emerging Plan, i.e. those relating to minerals and waste. The adopted Policies Map for the relevant area (i.e. that produced by the Local Planning Authority) shows heritage assets.
- b) Policy 2: Meeting Sand and Gravel Needs states that any proposals *'must fulfil the Site-Specific Requirements above and must clearly demonstrate how they have addressed all of the Site Considerations set out in the corresponding Site*

Brief. Therefore, it is considered that the weight given to the site considerations is clearly stated.

MAS01 comments:

- c) There is no contradiction between the policies in the Plan and the Site Briefs. Site traffic will exit the site onto the B181 and travel to the A414, this is supported by the Highways Authority.
- d) The site brief and Policy 2 specify that site traffic must not travel through Stanstead Abbots. The Site Brief accounts for vehicles heading west via, for example, a potential reopening of the west facing slip roads. The policy must remain flexible to allow for a potential range of options. The Highways Authority raised no objections to the Site Brief.
- e) The Site Brief allows for this, specifically mentioning the provision of open space and enhanced connectivity. The Environment Act requires a minimum 10% biodiversity gain. The final restoration scheme will need to be agreed with the Lea Valley Regional Park Authority, Natural England, the Wildlife Trust and the RSPB.
- f) The Site Brief requires enhanced connectivity, particularly east and west.
- g) This is covered in the Site Brief.
- h) This is ultimately a commercial decision, however any proposals will be assessed against all policies in the Plan, including Policy 24: Transport which requires a full Transport Assessment.
- i) This would likely form part of any planning proposal on the site. The promoter has stated that a Community Liaison Group would be set up so that any issues arising can be dealt with effectively and in a timely manner.
- j) This is set out in the Council's Statement of Community Involvement.
- k) It is not clear why this should be the case, however Policy 15: Biodiversity and Geodiversity covers requirements to consider green and blue infrastructure.
- l) Policy 2 lists the stakeholders who need to agree the restoration strategy, and this will be amended to include additional stakeholders (see answer to e) above).
- m) Policy 15: Biodiversity and Geodiversity sets out requirements for all minerals and waste development proposals in relation to biodiversity. Policy 1: Climate Change states the need to incorporate mitigation measures for future climate change effects.
- n) It is not appropriate to amend the policy as suggested. Minerals extraction is temporary development, and the status of the greenbelt will not change. The entirety of the site cannot be returned to farmland because there is a legal requirement to include a minimum 10% biodiversity gain. Other policy in the Plan requires a phased approach to be taken. Any timetable for extraction and restoration will be determined at planning application stage and conditioned as appropriate.
- o) The Heritage Impact Assessment is been revised and consulted on with Historic England. Policy 2 requires proposals to be in accordance with the requirements

in this document. It is not clear why the current landform must be preserved. Policy must retain a degree of flexibility and not be over prescriptive.

- p) The site will be worked and restored in a phased manner to reduce the amount of farmland being out of production at any one time. Reference to Country Park will be removed from the Site Brief. Much of the suggestions are more appropriately dealt with at planning application stage, not plan allocation stage. The Site Brief remains flexible to allow for the option of westward vehicular movements. Policy 2 prevents vehicles travelling through Stanstead Abbots.
- q) It is not necessary for such a report to be commissioned. The Environment Agency, Thames Water and other relevant stakeholders have not raised concerns, and these organisations will be consulted further on the Plan and on any subsequent planning application. In addition, they have also been consulted on the Harlow Gilston Garden Town proposals. Other suggestions here are outside of the scope of a Local Plan, and/or are requirements of health and safety legislation.
- r) Many of the changes are minor textual changes which have been recommended for clarity, the majority of which are accepted by the Council, and appropriate changes will be made to the Site Brief.

MAS02 comments:

- s) It is unclear which aspect of the Inspector's conclusions are sought here. The Inspector found no conflict with relevant policies, and found that HGVs wouldn't have an unacceptable impact on highway safety, and therefore there were no grounds for refusal in this regard.
- t) This is covered by Policy 25: Public Rights of Way, however wording will be included in the Site Brief for clarity.
- u) It may not be appropriate to deliver such infrastructure before extraction takes place, as it will be adversely affected by extraction and will need to be delivered again.

MAS03 comments:

- v) A planning application for the extraction of minerals on MAS03 has already been approved, including the restoration strategy.

5. Conclusion

- 5.1. This Evidence Report highlights the main issues raised in relation to Appendix 1: Site Briefs, and summarises the council's response to those issues.
- 5.2. Any representations received on this at the Regulation 19 consultation stage will be submitted alongside the Local Plan to the Secretary of State as part of the examination process.

5.3. This Evidence Report was written to support the Proposed Submission Plan (Regulation 19) consultation. This report forms part of the Regulation 22 statement, as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012.