1. Introduction

The purpose of this topic paper is to provide information on updating the transport section in the adopted Minerals Local Plan (MLP) 2007, including the associated policies, in preparation for the review of the plan.

This topic paper includes an outline of the current transport section and related policies within the adopted Minerals Local Plan, the changes to the planning system and how other Mineral Planning Authorities have included transport policies within their Local Plans. The topic paper outlines the responses from the Initial Consultation (August 2015) specifically related to transport issues and also includes suggested new policy wording and supporting text for Hertfordshire’s new Minerals Local Plan.


The current Plan includes section 4.6 on Transport with eight paragraphs of supporting text around Minerals Policy 16: Transport.

The policy wording is currently as follows:
Minerals Policy 16: Transport

Proposals which include the transport of minerals to or from the development site by non-road transport such as water or rail will be supported.

Mineral development will only be permitted when the provision for vehicle movement within the site, the access to the site, and the conditions of the local highways network are such that the traffic movements likely to be generated by the development including the proposed afteruse would not have an unacceptable impact on highway safety, the effective operation of the road network, residential amenity or the local environment.

In assessing the likely impact of traffic movements, account will be taken of any highway improvements, traffic management or other mitigating measures that may be provided in association with the development. Applicants must demonstrate, by a detailed transport appraisal, that the safest and least environmentally damaging methods of transporting minerals from extraction/production to markets, that are practically achievable, are used.

Planning permission will normally only be granted for the extraction of minerals which are capable of being transported from sites via Primary and Distributor Roads (as defined in the County Council’s Local Transport Plan).

Where the transport of material would require the use of local roads (as defined in the County Council’s Local Transport Plan) to gain access from the site to the major road network, or where other roads may be unsuitable on traffic safety, engineering or environmental grounds for increased levels of heavy traffic, applicants seeking planning permission will normally be required to carry out, and submit the results of a study of the impact of heavy goods vehicle traffic on road safety and the environment.

3. Current National Planning Policy

The planning system has undergone significant changes since the adoption of the Minerals Local Plan. These changes have occurred at a national and regional level which has impacted on the overall planning structure outlined in the Minerals Local Plan. The emerging MLP must be developed in line with national policy. Paragraph 30 of the National Planning Policy Framework\(^1\) (NPPF) states that, in preparing local plans, local planning authorities should:

“Support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport”

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Paragraph 32 of the NPPF also states that:

““All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.”

In addition to the above statements, Paragraph 143 of the NPPF states that in preparing Local Plans, local planning authorities should:

“set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality”

And that in preparing Local Plans, local planning authorities should safeguard:

“existing, planned and potential rail heads, rail links to quarries, wharfare and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials”

Introduction of National Planning Practice Guidance (NPPG)
On 6 March 2014 the Department for Communities and Local Government (DCLG) launched the Planning Practice Guidance, a web-based resource which provides guidance to the policies set out in the NPPF. The guidance was accompanied by a Written Ministerial Statement which included a list of all the previous planning policy statements and guidance documents which were cancelled by the introduction of the new guidance.

4. Other Local Considerations

The review of the Minerals Local Plan will also need to take into account other countywide documents including Hertfordshire-wide strategies and district and borough council local plans.

A list of local strategies to consider in relation to the transport section of the MLP is set out below; with the general aim of each strategy:

Hertfordshire Local Enterprise Partnership (LEP)- Strategic Economic Plan (LEPSEP)
This plan brings together key partners from business, academia and the public sector to provide necessary strategic leadership, vision and focus to
deliver an aim of accelerating business-led economic growth in Hertfordshire. These will be achieved through the Growth Deal.

Hertfordshire County Council Economic Development Strategy 2009-2021
This strategy was produced by Hertfordshire Works which is Hertfordshire’s new economic development partnership (public, private and 3rd sector). This strategy has five economic objectives: create vibrant low carbon economy, stimulating enterprise, innovation and inward investment; develop well skilled workforce; provide quality locations and infrastructure; and create vibrant towns and communities.

Hertfordshire County Council Corporate Plans 2013-2017
Priorities aimed at ensuring Hertfordshire remains a county where people have the opportunity to live healthy, fulfilling lives in thriving prosperous communities.

Hertfordshire Local Transport Plan
The definition of primary and distributor roads is of paramount importance due to the adopted policy containing reference to this and mineral extraction sites being large sites and involving the movement of significant amounts of material.

5. Initial Consultation representations
Following a policy audit in line with national policy and a need to provide a robust foundation to the Minerals Local Plan to achieve the Plan’s vision and objectives, a series of strategic policies was proposed within the Initial Consultation document. In addition development management policies are also proposed to provide a framework that ensures that mineral extraction takes place in an environmentally acceptable way and maintains a balance between the need for extraction and impacts on people and the environment.

At the Initial Consultation stage of document production it was considered relevant to include policies under the following headings for which this topic paper covers:

Strategic Policies:
Policy 12: Sustainable Transport

Development Management Policies:
Policy 22: General Environmental and Amenity Protection
Policy 23: Road Traffic and Transport
Policy 24: Public Rights of Way

Below is a brief summary of the main representations made at MLP Initial Consultation stage (August 2015) and the HCC responses in respect of actions related to transport within issues 21-23 set out in the MLP Initial Consultation document.
Issue 21:

Does the list of strategic policy headings cover all the topics that should be included in the Minerals Local Plan?

There was a general consensus that the list of strategic policy headings contained the necessary topics related to minerals planning. It was not always clear to consultees where a particular topic would be included within policy so the policy headings will be reviewed to ensure clarity in the draft Minerals Local Plan.

There was some confusion regarding the difference between Strategic Policies and Development Management policies. This may have been due to the two lists being separated in the Initial Consultation document. A decision will be made regarding whether or not to keep Strategic and Development Management policies separate in the draft Plan. This decision will be based on the layout and clarity of the document together with policy considerations. Specific policy wording will be included and consulted on as part of the draft Minerals Local Plan in autumn 2017.

Issue 22:

Does the list of development management policy headings cover all the topics that should be included in the Minerals Local Plan?

There was a general consensus from representations to the consultation and from Development Management input that the list of Development Management policy headings contained the necessary topics related to minerals planning. It was not always clear to consultees where a particular topic would be included within policy so the policy headings will be reviewed to ensure clarity in the draft Minerals Local Plan.

A decision will be made regarding whether or not to keep Development Management policies separate from Strategic policies in the draft Plan. This decision will be based on the layout and clarity of the document together with policy considerations.

Specific policy wording will be included and consulted on as part of the draft Minerals Local Plan in autumn 2017.

Issue 23:

Referring back to Chapter 5: Objectives, does the draft list of policy headings meet the objectives which will be included in the Minerals Local Plan?

There was a general consensus that the draft list of policy headings meets the draft objectives. Following revisions to the draft objectives taking account of the representations received from this consultation, the policy headings will be reviewed to ensure clarity in the draft Plan and policy wording will be
drafted with an aim to ensure the list of policies continues to meet the objectives.

Please see the next pages for examples of consultee responses.
<table>
<thead>
<tr>
<th>Comment ID.</th>
<th>Issue No.</th>
<th>Name of Consultee</th>
<th>Summary of Representation</th>
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<tbody>
<tr>
<td>MLPIC136</td>
<td>21</td>
<td>Hertfordshire County Council - Highways (Manjinder Sehmi)</td>
<td>As mentioned above for objectives 4 and 5, the Highway Authority is fully supportive of sustainable transportation, although road haulage is likely to remain the predominant mode of transport for minerals and waste for the foreseeable future. For Minerals development that generate significant amount of movement, ‘Transport Assessments’ would be required in support of planning applications. It should provide information on the consideration given to the sustainable transport of minerals including impacts on highway safety and congestion. In addition, Both Site and Construction Management Plan would be required to set out developers’ mechanisms to control traffic movements within the locality and the issues such as lorry routing, hours of movement and considerate driving. This will help minimise the environmental impacts of transporting minerals. Transport Assessments will be a requirement of the Development Management policies for developments that generate a significant amount of movement. A decision will be taken on a site-by-site basis as to what the transport assessment should contain and what other plans might be required in addition.</td>
<td></td>
</tr>
<tr>
<td>MLPIC192</td>
<td>21</td>
<td>Codicote Parish Council (Lorraine Ellis)</td>
<td>The list missed certain topics - Hertfordshire's roads are full. More focus is needed on sustainable transport. Whilst the Plan aims to promote sustainable transport, it is accepted that the predominant method for the transportation of minerals will be by road. Opportunities to use alternative, non-road methods of transportation are paradoxically limited by the intention to use minerals close to their source, to reduce transportation distances, as rail or water transportation is economically and logistically unfeasible for short distances. The site selection methodology will incorporate the use of sustainable transportation by identifying sites for extraction that have good transportation links.</td>
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Additionally, the Development Management policies will safeguard the existing sustainable transportation infrastructure to enable the use of rail and water transportation should the opportunity arise now or in the future.

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<tr>
<td>MLPIC20</td>
<td>22</td>
<td>Individual (Ian Hardy)</td>
<td>The list missed certain topics - No explicit mention of rights of way contained within the document paragraphs (14.12-14.15, or 14.16-14.17). There is only one reference made to rights of way within the document and this is for Policy heading 24 in Table 6. &quot;Rights of way&quot; are not mentioned as a topic or an issue. The consultee is keen to see this policy developed.</td>
<td>It is intended that criteria will be included within the Development Management policies referring to Rights of Way to encourage improved and enhanced access into the countryside. The text within the Initial Consultation was included merely as an introduction to some of the requirements of the Plan.</td>
</tr>
<tr>
<td>MLPIC136</td>
<td>22</td>
<td>Hertfordshire County Council - Highways (Manjinder Sehmi)</td>
<td>Yes - The minerals development policy headings related to &quot;Transport&quot; to be included in the MLP.</td>
<td>Comment noted. Transport policies to be retained.</td>
</tr>
<tr>
<td>MLPIC192</td>
<td>22</td>
<td>Codicote Parish Council (Lorraine Ellis)</td>
<td>The list missed certain topics - Hertfordshire's roads are full. More focus is needed on sustainable transport.</td>
<td>Whilst the Plan aims to have a focus on sustainable transport, it is accepted that the predominant method for the transportation of minerals will be by road. Opportunities to use alternative, non-road methods of transportation are paradoxically limited by the intention to use minerals close to their source to reduce transportation distances. The site selection methodology will incorporate the use of sustainable transportation by identifying sites for extraction that have good transportation links.</td>
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Additionally, Development Management policy will safeguard the existing sustainable transportation infrastructure to enable the use of rail and water transportation should the opportunity arise now or in the future.

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<td>MLPIC163</td>
<td>23</td>
<td>Transport for London (Andrew Hiley)</td>
<td>Determining applications in terms of Policies 12 (Sustainable Transport) and 13 (Railheads and Wharves) is supported.</td>
<td>Noted - retain policies.</td>
</tr>
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</table>
6. Other Mineral Authority Examples

It is important that, as well as looking at Hertfordshire’s own plans and strategies, the approach of other minerals planning authorities is examined examples of best practice. The table below outlines the transport policies within other Minerals Local Plans. This information has been used to help shape the suggested transport policies for the review of Hertfordshire’s Minerals Local Plan.

<table>
<thead>
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<th>Local Plan</th>
<th>Transport Policies</th>
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<tr>
<td><strong>Essex Minerals Local Plan (Adopted July 2014)</strong></td>
<td><strong>Policy S11: Access and Transportation</strong>&lt;br&gt;Proposals for minerals development shall be permitted where it is demonstrated that the development would not have unacceptable impacts on the efficiency and effective operation of the road network, including safety and capacity, local amenity and the environment. Proposals for the transportation of minerals by rail and/or water will be encouraged subject to other policies in this Plan. Where transportation by road is proposed, this will be permitted where the road network is suitable for use by Heavy Goods Vehicles or can be improved to accommodate such vehicles. The following hierarchy of preference for transportation by road shall be applied:&lt;br&gt;(i) Access to a suitable existing junction with the main road network, as defined in Section 7, via a suitable section of an existing road, as short as possible, without causing a detrimental impact upon the safety and efficiency of the network.</td>
</tr>
<tr>
<td><strong>Hampshire Minerals and Waste Plan (Adopted October 2013)</strong></td>
<td><strong>Policy 12: Managing traffic</strong>&lt;br&gt;Minerals and waste development should have a safe and suitable access to the highway network and where possible minimise the impact of its generated traffic through the use of alternative methods of transportation such as sea, rail, inland waterways, conveyors, pipelines and the use of reverse logistics. Furthermore, highway improvements will be required to mitigate any significant adverse effects on:&lt;br&gt;a. highway safety;&lt;br&gt;b. pedestrian safety;&lt;br&gt;c. highway capacity; and&lt;br&gt;d. environment and amenity.</td>
</tr>
<tr>
<td><strong>Bedford Minerals and Waste Local Plan: Strategic Sites and</strong></td>
<td><strong>Waste Strategic Policy WSP 15</strong>&lt;br&gt;New Waste Management Facilities and Strategic Transport&lt;br&gt;Proposals for new waste management facilities will be permitted where they conform to the adopted Freight Strategies and policies for its area in respect of the</td>
</tr>
</tbody>
</table>
### Policies (Adopted Jan 2014)

Management of traffic to and from the site. New waste facilities will be permitted where they can easily access the Designated Road Freight Network of the Councils within the Plan area. Where appropriate new facilities will be permitted where they are accompanied by legal agreements to ensure that waste traffic follows an agreed route to/from the Designated Road Freight Network.

### Draft West Sussex Joint Minerals Local Plan Regulation 18 (April 2016)

**Policy M20: Transport**

Proposals for mineral development will be permitted provided that:

(a) where practicable and viable, the proposal makes use of rail or water for the transportation of materials to and from the site;

(b) transport links are adequate to serve the development or can be improved to an appropriate standard without an unacceptable impact on amenity, character, or the environment; and

(c) where the need for road transport is demonstrated:

(i) materials are capable of being transported using the Lorry Route network with minimal use of local roads, unless special justification can be shown;

(ii) vehicle movements associated with the development will not have an unacceptable impact on the capacity of the highway network;

(iii) there is safe and adequate means of access to the highway network and vehicle movements associated with the development will not have a severe impact on the safety of all road users;

(iv) satisfactory provision is made for vehicle turning and parking, manoeuvring, loading, and, where appropriate, wheel cleaning facilities; and

(v) vehicle movements are minimised by the optimal use of the vehicle fleet.

### Northamptonshire Minerals and Waste Local Plan for adoption September 2014

**Policy 23: Encouraging sustainable transport**

Minerals and waste related development should seek to minimise transport movements and maximise the use of sustainable or alternative transport modes. Where possible minerals and waste related development should be located, designed and operated to enable transport by rail, water, pipeline or conveyor.

Minerals and waste related development should be well placed to serve their intended markets or catchment area(s) in order to reduce transport distances and movements in order to support the development of sustainable communities that take responsibility for the waste that they produce and work towards self-sufficiency.

Proposals for new development or development that would result in a significant increase in transport movements should include a sustainable transport statement to
demonstrate how the above has been taken into consideration.

7. Way forward for the Draft Plan

Following further review during the period of drafting policy and supporting text, it became apparent that certain amendments were required to make the content of policies clearer.

The existing ‘Transport’ section of the Minerals Local Plan has been revised in the draft plan as ‘Highways and Transport’. The ‘Highways and Transport’ section is split into three parts which include: ‘Strategic Transport’, ‘Operational Transport’ and ‘Public Rights of Way’.

The policies for the ‘Highways and Transport’ section look to promote the sustainable use of the transport network and to protect and improve public rights of way. The policies both minimise the impacts to the environment by reducing vehicle movements associated with mineral operations whilst also ensuring public health and safety.

The draft highways and transport policies are proposed as follows:

Policy 20: Strategic Transport

Mineral extraction sites and associated development must be well located in relation to the primary route network as defined in the Local Transport Plan and district Local Plans.

Proposals for mineral extraction and associated development should seek to use sustainable transport and where possible minimise transport movements and distance travelled by road, through the use of sustainable methods such as rail or water or use on site.

Proposals for mineral extraction and associated development must demonstrate:

- how opportunities for alternative methods of transport have been evaluated;
- how movements on the highway have been minimised; and
- the consideration of the site’s location in relation to the primary route network.

Proposals for new or replacement aggregate terminals for rail and water transport will be supported, subject to the suitability of the
local road network for secondary collection and distribution. Proposals will need to take into account any significant adverse impacts on the local road and rights of way networks, public health, amenity, wildlife habitats and the natural, built and historic environment.

Policy 21: Operational Transport

Mineral extraction and associated development will be permitted where it is clearly demonstrated that the provision for vehicle movement within the site, access to and from the site and the conditions of the local highway network are such that the traffic impacts likely to be generated would not have a significant adverse impact on:

- highway safety;
- the effective operation of the highway network;
- amenity;
- human health; and
- the natural, built and historic environment.

Proposals which generate significant transport movements must be supported by a Transport Assessment. The Transport Assessment must detail all of the following:

- the potential cumulative impacts arising from transport movements and how the impacts will be mitigated if necessary;
- the scale of the proposed development and its potential for additional trip generation;
- how access to the strategic highway network is suitable and how impacts on road safety and congestion have been addressed;
- existing intensity of transport use and the availability of public transport;
- proximity to nearby environmental designations or sensitive areas;
- impact on other priorities/strategies including the Local Transport Plan for Hertfordshire and local Urban Transport Plans; and
- any specific impacts that the proposal may generate;

Where needed, proposals must include one or more of the following:

- highway improvements; or
- traffic management; or
other mitigating measures that may be provided in association with the development to minimise the impact of traffic movement

Planning obligations will be sought, where appropriate, to mitigate and/or compensate for the effects of mineral development where significant adverse impacts cannot be mitigated by planning conditions.

Policy 22: Public Rights of Way

Mineral extraction and associated development must, where possible, ensure that public Rights of Way are protected and not adversely affected by the proposal. Where this is not possible, proposals need to ensure that good quality, safe and convenient alternative provision is made or suitable replacement Right(s) of Way is secured.

The use of Rights of Way to obtain vehicle access to a site will not be permitted unless it can be clearly demonstrated that the safety of Rights of Way users can be adequately protected.

Proposals should improve and enhance access into the countryside, through the Rights of Way network and/or open space, creation of new rights of way and link where possible to the Rights of Way Improvement Plan and Green Infrastructure Plans.